Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 6 APRIL 1977

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Mr. ACTING SPEAKER (Mr. W. D. Hewitt, Chatsworth) read prayers and took the chair at 11 a.m.

REPORT OF THE TREATIES COMMISSION

Mr. ACTING SPEAKER announced the receipt of the report of the Treaties Commission on the International Convention Relating to the Limitation of Liability of Owners of Sea-going Ships.

Ordered to be printed.

PAPERS

The following papers were laid on the table:—

Orders in Council under—

Racing and Betting Act 1954–1975.

Factories and Shops Act 1960–1975.

Regulation under the Racing and Betting Act 1954–1975.

Government Gazette Extraordinary of 5 April 1977 containing a Proclamation by His Excellency the Administrator of the Government to the effect that Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Anne had been pleased, by Order in Council made on 9 March 1977 to declare Their Assent to the Bill intituled "A Bill

to amend the Constitution Act 1967–1972 in certain particulars by declaring with respect to the Parliament of Queensland, the composition thereof, the office and functions of the Governor as the Queen's representative in Queensland and with respect to related matters; and to provide measures concerning the alteration of certain provisions of the Constitution of Queensland."

PERSONAL EXPLANATION

Mr. LAMONT (South Brisbane) (11.4 a.m.), by leave: I wish to reply to the statement made yesterday by the Minister for Education and Cultural Activities wherein he accused me of various misdemeanours. I say firstly that the statements which the Minister has singled out for strongest criticism are not statements that any newspaper article credited to me. Indeed, the statements that the Minister has singled out for criticism and refutation are statements embodied in the background information supplied by the paper itself.

The Minister has wrongly imputed these statements to me. A more careful reading of that article would have saved the Minister from committing the error that he has committed.

The Minister has claimed that I "mischievously" and "deliberately" misled the Press.

An Opposition Member: You did.

Mr. LAMONT: The honourable member was not present.

Mr. ACTING SPEAKER: Order! The honourable member will proceed, and he will be heard in silence.

Mr. LAMONT: As I said, the Minister has claimed that I "mischievously" and "deliberately" misled the Press. This I deny entirely. I do not know how the Minister came to make this value judgment, as it imputes to me motives that he can only guess at. He has guessed wrongly. The Minister does not know, nor has he taken the trouble to ask me, whether or not the statements he has taken exception to were in fact uttered by me. Under these circumstances, I fail to see how he can reasonably decide whether my dealings with the Press were mischievous or deliberately misleading.

A proper analysis of the report in the "Sunday Sun" of 3 April 1977 will reveal the true picture. The article is comprised of two distinct parts, namely, Press comment by way of background information on the one hand and statements directly attributed to me on the other. I do not know what other sources the newspaper has drawn upon for all of its information and I cannot therefore comment upon how accurately those sources were reported. I do understand that certain statements were made to the media by sources within the Department of Education, but I do not know whether those statements were official or unofficial; nor do I know from what level inside the department those statements emanated. I suggest that if the Minister wishes to know this he might well look to his own officers for an explanation. In this context I point out that I have not been credited by the Press with saying, "the Minister and his department are known to favour introducing a course next year that would include subjects such as abortion, contraception, abnormal sex and possibly even masturbation", nor did I make that statement to the Press at any time. The Press clearly have it from elsewhere.

I do, however, acknowledge the statements that were attributed to me and I stand by them now. I did indeed express regret that the Minister saw fit to invite no fewer than three public servants to the preliminary education committee meeting, all of whom were armed with a copy of a very comprehensive syllabus for a course in human relationship which I understand was compiled by the Minister's department. I did further state that the Minister proposed the approval by his committee of another committee to investigate the implementation of a course which I call by its proper name, namely, a sex education course. I point out to the House that in his statement yesterday the Minister admitted this point. I did also say to the Press that it became obvious, from questioning the departmental officers present, that there were no plans forthcoming for in-service training of experienced teachers for familiarisation with this proposed syllabus; nor were there any guarantees of a College of Advanced Education course to cater in this way. I stated also that I was concerned that this course would be part of the school curriculum and would be introduced at the expense of basic subjects. Once again it seemed that traditional subjects would have to make way for more social engineering.

Although it was not reported in the Press, I also contributed the opinion that for the Minister to ask his committee to pass such a matter as this to an outside body for its recommendations is tantamount to asking members of Parliament charged with advising the Minister in these matters to abdicate their responsibilities both to him and to the people of Queensland. I contend that there is nothing so specialised and esoteric in the contemplation of the desirability of sex education in the schools that an outside committee of experts are needed in order to assist members to come to a proper decision. Members of Parliament are responsible in such matters to the people of Queensland; expert committees are not. Furthermore, it is my contention that when members of Parliament commission an outside body of experts to advise them on a matter of policy they are half-committed to accepting the advice of that external body. They need a very strong reason to do otherwise.

Mr. ACTING SPEAKER: Order! The honourable member is now getting away from his statement.

Mr. LAMONT: I conclude by saying that the Minister, by stating my preference for a greater funding of the Family Life Movement, has also accused that I am implying that he would be opposed to that proposition. I find the logic in that conclusion most spurious. I hope we have not reached the stage where my preference for a certain course of action ipso facto implies the Minister's disapproval.

Finally, Mr. Acting Speaker, may I say that in spite of the fact that I have made no public statement concerning the Minister's personal attitude to a sex education course, I am bound to say here today that the Minister's reaction yesterday in this House was to my mind at least substantially different from the very strong impression he gave me at Thursday's parliamentary education committee meeting.

PRIVILEGE

ANSWER TO QUESTION UPON NOTICE

Mr. BURNS (Lytton—Leader of the Opposition) (11.9 a.m.): Mr. Acting Speaker, I refer to the Treasurer's answer yesterday to my question when he said, "Full details of receipts to 31 December 1976 have been published in the Quarterly Government Gazette." The Parliamentary Library was unable to supply me with a copy of that gazette and I was advised by the Government Printer yesterday that these details will not be published until this week-end's Government Gazette. In view of this situation, I seek an assurance that the appropriate administrative arrangements can be made so that members of this Parliament can accurately ascertain the level of income this Government raises, instead of having to suffer delays of up to two or three months, as is the present situation, and that the information tabled in Parliament will be correct.

Mr. ACTING SPEAKER: Order! I reserve unto the honourable gentleman the right to make a statement, but what he raised was not a matter of privilege.

DEATH OF MR. F. J. ALLPASS

MOTION OF CONDOLENCE

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (11.10 a.m.), by leave, without notice: I move—

"1. That this House desires to place on record its appreciation of the services rendered to this State by the late Frederic James Allpass, Esquire, a former member of the Parliament of Queensland.

"2. That Mr. Acting Speaker be requested to convey to the widow and family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the Parliament of Queensland in the loss they have sustained."

The late Frederic James Allpass, of "Paloma", Glenmorgan, who died last Tuesday at Toowoomba, was a former member of this House who was respected for his service and sincerity. As a member of the House at the time when Mr. Allpass was here from 29 April 1950 till 6 March 1953, I can indeed say that Mr. Allpass was a man who commanded the respect of every member. I myself had a very high personal regard for him. I came to know and appreciate him very much. I visited him at his family home outside Glenmorgan in the south-west at various times. He was a very close friend and a man whom I respected and looked up to so much in so many ways. He was the Country Party member for Condamine and, as an Opposition back-bencher in the 32nd Parliament, he served under the then Leader of the Opposition, Mr. Nicklin, now Sir Francis Nicklin.

His baptism into this Chamber was not a quiet one. Politics even in those days were moving towards the eventual defeat of the Australian Labor Party Government. Labor's socialist objectives came under heavy attack, as we all recall, during that period. Mr. Allpass was one of those on the coalition side who had no sympathy towards the socialist objective. Indeed, he was one who gave his support to the overthrow of the then Government and its socialism. It was that and his continuing interest in rural affairs which persuaded him to stand for Condamine and eventually enter this House.

On 31 August 1950 he delivered his maiden speech, in which he showed the pride he had in the electorate he represented, which was based on Dalby. In it he voiced much of his practical philosophy—preference for the training of nurses locally, encouragement of secondary industries associated with primary industry, decentralisation, the liberties that we all seek to maintain today—civil liberties—the preservation of local government and, of course, opposition to socialism's centralism. He spoke of the need for better roads and bridges, for development projects tied to defence needs, for better railways and also for better prospects for the smaller graziers at that time. It is interesting indeed to read his speeches of that period and to realise that he was a man who certainly played his part and played it well.

Mr. Allpass was himself a small grazier, and he never ceased fighting for the interests of graziers and the interests of his electorate. He was defeated by a narrow majority in the general election of 1953, and he did not again stand for the Legislature.

He began his involvement as a grazier owner in 1929, and, although the great depression proved difficult and long for Mr. Allpass, he endeavoured, through hard work and careful management, to develop his property, "Paloma", into a productive enterprise. He ran some 4,000 to 5,000 merino sheep and a few cattle, but as he advanced in age, his only surviving son, Rod, took over the running of the property and diversified into wheat and cattle.

Mr. Allpass gave much of his time to the Maranoa Graziers' Association and is well remembered as a hard-working and conscientious council member for many years. He joined the Country Party in 1944, and retained his membership until his recent death. Since the first week in January, Mr. Allpass has been a patient at St. Vincent's Hospital in Toowoomba, and he passed away there aged 87. In his earlier days, he was a keen horseman, tennis player and observer of cricket.

He is survived by his widow, Florence, son, Rod, and daughters, Isabel and Joan, all of whom I know very well and respect very much. I hold them all in high regard.

On behalf of the Government, and myself personally and, indeed, all members of this House, I extend sincere sympathy to the widow and surviving family of this respected former member of the Parliament of Queensland. I consider it to be a very special privilege to have this opportunity of moving a tribute to a very good friend of mine and of many other people and a former member of this Parliament.

Hon. W. E. KNOX (Nundah—Deputy Premier and Treasurer) (11.15 a.m.): I support the motion moved by the Premier. The late Frederick James Allpass was not known to me personally, but he was certainly known to me by repute. In fact we were candidates together and on a few occasions shared the same platform in 1953. We suffered the same fate; we were both defeated. We did know and understand the relationships between our parties and we worked together in that election.

He had the reputation of being a most industrious member. He was here for only three years. That in itself is an indication of just how many members of Parliament over the years sit in this Chamber. The average length of service of members of Parliament is a little under nine years, and some are here for a relatively short time. The fact that members come and go frequently is a matter of historical record. During the time Mr. Allpass was here, he was able to make a major contribution to the debates and adequately represent his electorate.

On behalf of the Liberal Party I extend condolences to his widow and family.

Mr. BURNS (Lytton—Leader of the Opposition) (11.17 a.m.): On behalf of Her Majesty's Opposition I join with the Premier and the Deputy Premier in offering our condolences to the widow and the son and daughters of Frederick James Allpass.

Like the Deputy Premier, I was not a friend or colleague of Mr. Allpass; I did not meet him during his period in this Parliament. By reading his maiden speech it is possible to see that he stood up for the things he believed in and for the area around Dalby.

He was a small grazier and farmer who started out during the depression years, so he knew what it was to go through tough times. He displayed a knowledge of and a respect for people who had to face up to difficult times.

As we did not know him personally we can only say that his family, like the family of every other honourable member, would have had to make considerable sacrifices while he was performing his duties on behalf of the people. On behalf of Her Majesty's Opposition I offer our condolences and sympathy to his wife and his son and daughters.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (11.19 a.m.): I associate myself with the motion of condolence moved by the Premier and seconded by the Deputy Premier. Whilst his Christian names were Frederick James, I always knew him as Eric.

As the Premier mentioned, he was the honourable member for Condamine from 1950 to 1953. Owing to the change in boundaries, he was never my member, but I knew him exceptionally well. I think the Premier would agree that he was a typical country bloke; that is the way to describe him. He was a very humble man.

In the three years that he was a member he served his electorate well. Since 1953, when he left this House, he served his industry well. He died at the age of 87 years. Only last Sunday I spoke to his daughter-in-law. He was a great lover of cricket. How many of our good batsmen lose their wickets with a score of 87! Until 12 months before he died he actively assisted on his property and rode horses and mustered sheep and cattle.

I should like to associate with this motion of condolence the people of Condamine whom he represented during his period in this House. He was very affectionately regarded by all and, as a typical Queenslander and country man, he served his people and his industry well.

Hon. K. B. TOMKINS (Roma—Minister for Lands, Forestry, National Parks and Wildlife Service) (11.21 a.m.): I, too, would like to associate myself with this motion. It was my privilege earlier in my life to know

Mr. Allpass (Eric, as he was known to me) very well. He was vice-president of the Maranoa Graziers' Association at the time when Mr. Ewan, a former member for Roma, was president. I found him to be a wonderful person who always stuck up for what he believed was right. It was typical of the Allpass family that after he gave up his work for the Maranoa Graziers' Association on his election to Parliament, his son Rod took his place. He is still secretary of the Glenmorgan branch of the Maranoa Graziers' Association. This is an indication of the dedication of such people to what they believe is right.

I wish to say only briefly how much I appreciated Mr. Allpass. I think he did a very great job for his area and the grazing industry generally.

Motion (Mr. Bjelke-Petersen) agreed to, honourable members standing in silence.

QUESTIONS UPON NOTICE

1 and 2. POLICE INVESTIGATIONS BY SCOTLAND YARD DETECTIVES

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

(1) Did the two Scotland Yard investigators investigate allegations of police fabrication of evidence and the forging of warrants made by Plainclothes Constable Francis William Davey in June 1975 in the Southport case?

(2) Did the investigators question Davey or any of the persons he accused, namely, Inspector Pitts and police officers Horgan, Cacciola and Jeppesen and, if so, which of them?

(3) Did the investigators question the two men charged, Seivers and Saunders, or either of them?

(4) Was police officer Gorrie, who Davey claimed was an eyewitness to the forging of a warrant by Inspector Pitts, ever interviewed by the investigators?

(5) Was the documentary evidence tendered in the Southport case and/or the conspiracy trial ever examined by the investigators?

(6) Was that material ever submitted to the Queensland Police Department's handwriting experts or a handwriting expert of any Australian or overseas Police Force and, if so, what was the opinion of the handwriting experts or expert?

(7) Has Inspector Pitts subsequent to July 1975 been promoted and have police officers Horgan and Cacciola been commended for meritorious service?

(8) What was the cost of the Scotland Yard investigation and was it paid from Consolidated Revenue?

(9) If the investigation was made without speaking to the accuser or the accused, was the investigation a sham, a pretence and a whitewash?

Answers:—

(1 to 6) The honourable member is running true to form in his vendetta against the Police Force in trying to denigrate its members. As previously announced, the report by Commander T. O'Connell showing results of his investigations in Queensland is being referred to the Committee of Inquiry into Enforcement of Criminal Law in Queensland for consideration with evidence given by Commander O'Connell before that committee. Having in mind that the committee will no doubt be giving due consideration to these matters, I do not propose commenting on them before release of that committee's report.

(7) Inspector Pitts was upgraded from grade 2 to grade 1 inspector as from 3 February 1976. Detective Senior Constable D. Cacciola was awarded the Queen's Commendation for Brave Conduct for his actions in disarming and apprehending an armed man in September 1975. Both Detectives Horgan and Cacciola were awarded commendations by the then Commissioner of Police, Mr. R. W. Whitrod, in connection with duties performed by them at the Licensing Branch, Brisbane.

(8) As accounts are still outstanding, the cost of this investigation is not known at this stage.

(9) No, not necessarily.

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

(1) Did Detective Chief Superintendent O'Connell of Scotland Yard, in a report in late 1975, indicate that the final report by him and Detective Superintendent Fothergill to the Queensland Government would include (a) the operations of the Licensing Branch before and during the time of Inspector Pitts' control, (b) the circumstances of the Southport case and other corruption issues, (c) media publicity and the part played by the union in this case and (d) any other irregularities that would emerge, including evidence of any offences that could have been committed?

(2) In view of the secrecy that Cabinet has placed around this report paid for by the Queensland taxpayers, were these questions covered in the report and what were the findings in regard to each?

Answer:—

(1 and 2) The honourable member is running true to form in his vendetta against the Police Force in trying to denigrate its members. As previously announced the report by Commander T. O'Connell showing the results of his investigations in Queensland is being referred to the Committee of Inquiry into Enforcement of Criminal Law in Queensland for consideration with evidence given by Commander O'Connell before that committee. Having

in mind that the committee will no doubt be giving due consideration to these matters, I do not propose commenting on them before release of that committee's report.

3. CONDUCT OF POLICE, S.P. BETTING CASE, SOUTHPORT

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

(1) With reference to the Southport case and the investigation by two Scotland Yard senior police officers appointed by the Government, did the stipendiary magistrate Mr. O'Connell in July 1975, in giving judgment in the Southport case, say that the way police obtained evidence against the men charged was tainted with illegality?

(2) Did Mr. O'Connell refuse to believe the evidence sworn in court by Inspector Pitts and police officers Horgan and Cacciola?

(3) Did the Senior Puisne Judge, Mr. Justice Wanstall, in his judgment in the appeal made by the police to the Full Court of Queensland, say that he agreed with Mr. Justice Matthews that there was ample evidence to support the magistrate's findings to the effect that the instruments were obtained illegally by the police, in that they were seized without a warrant, and his rejection of the evidence to the contrary given by three police witnesses?

(4) Did Mr. Justice Matthews in his judgment in the same appeal refer to Davey's allegations of concoction of evidence, subsequent manufacture of warrants, perjury of police officers, the stipendiary magistrate's acceptance of Davey's evidence, and say, "My remarks in this behalf are founded upon and justified by the findings of the magistrate to which I have referred and upon this appeal the appellant had no basis to dispute those findings."?

(5) On what basis did the Scotland Yard investigators come to a different conclusion from the magistrate and the Full Court of Queensland?

Answer:—

(1 to 5) The honourable member is running true to form in his vendetta against the Police Force in trying to denigrate its members. As previously announced, the report by Commander T. O'Connell showing the results of his investigations in Queensland is being referred to the Committee of Inquiry into Enforcement of Criminal Law in Queensland for consideration with evidence given by Commander O'Connell before that committee. Having in mind that the committee will no doubt be giving due consideration to these matters, I do not propose commenting on them before release of that committee's report.

4. POISONING OF TREES ALONG TOOWOOMBA RANGE HIGHWAY

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

(1) Is he aware that a number of trees on the roadside of the Range Highway east of Toowoomba have died and that there are signs of this being caused by lantana spray?

(2) Will the dead trees be removed and, if in fact their demise was due to lantana spray, have any precautionary measures been taken to ensure non-recurrence?

(3) As both the uphill and downhill sections at the bottom of the Range Highway appear to be in a bad state of repair, when will major repair work be carried out?

Answers:—

(1 and 2) There are indications that the trees which appeared to have died are now recovering, and thus it would be premature to have them removed. It is considered that the loss of foliage was attributable to contamination by a particular weedicide which will not be used again in a similar environment.

(3) There are insufficient funds available to allow reconstruction of the highway at the foot of the range in the immediate future, bearing in mind works of a higher priority on this and other highways. Meanwhile, maintenance work will continue to ensure that the road is kept in a safe and trafficable condition.

5. BRISBANE MEDICAL FACILITIES TO HANDLE DISASTERS

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

Is there extensive contingency planning to allow the medical staff and facilities of Brisbane to perform to their utmost capabilities in the event of a major disaster involving up to 200 seriously injured people, such as a major crash at the Brisbane Airport?

Answer:—

For many years the State Health Department has had plans to meet with the contingency to which the honourable member refers. Plans have been reviewed from time to time and with the setting up of the State Disaster Relief Organisation and later the State Emergency Service, special reviews have been made. The present plan was evolved after several meetings at which police, the ambulance, all metropolitan hospitals, the Australian Medical Association and officers of the State Emergency Service were consulted. In

addition to discussions at local level, officers have been sent interstate to consult with appropriate bodies. Recently a departmental officer and the superintendent of Royal Brisbane Hospital attended a seminar conducted by the New South Wales Health Commission on the unfortunate Granville rail disaster. The lessons to be learnt from this regrettable incident are being discussed by a meeting of departmental officers today. I can assure the honourable member that I feel confident that my department is well organised in the event of any such disaster, which I hope never occurs in this State.

6. WILDLIFE POSTERS

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

Has he seen the magnificent posters on wildlife produced by the New South Wales National Parks and Wildlife Service, and will he investigate the possibility of his department's issuing a similar series for Queensland?

Answer:—

Yes. My department is at present investigating various methods of publicising the activities of the National Parks and Wildlife Service and all it stands for.

The New South Wales posters are being studied in this context and it is expected that, provided funds are available, signs will be erected in various parts of the State within the foreseeable future.

Last year the National Parks and Wildlife Service commenced a series of natural history posters and it is planned to produce further posters as funds permit.

7. MEAT INSPECTION IN QUEENSLAND

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

(1) What is the responsibility of the State to provide meat inspection in Queensland?

(2) What is the responsibility of the Commonwealth to provide meat inspection in Queensland?

(3) What role is played by State meat inspectors in tuberculosis and brucellosis eradication in cattle and cattle-tag identification at meatworks?

(4) Is this role considered to be one for State meat inspectors or Commonwealth meat inspectors?

(5) Are Commonwealth meat inspectors refusing to share with State officers amenities provided by management for inspectors at meatworks?

(6) Is the attitude of Commonwealth meat inspectors causing delay in the implementation of State responsibilities in relation to tuberculosis and brucellosis eradication?

(7) Is the Commonwealth Meat Inspectors' Assocation aiming to control inspection at all export abattoirs in Australia?

(8) If so, what action is being taken to ensure that the jobs of State meat inspectors are not placed in jeopardy and that the very satisfactory meat inspection provided by State officers since before the turn of the present century is continued in the best interests of the producers, processors and consumers?

Answers:—

(1) The State has a constitutional responsibility in relation to provision of a meat inspection service for all stock slaughtered and meat processed within the State for consumption within the Commonwealth. The State provides this service through the Slaughtering and Meat Inspection Branch of my department. State legislation, dating back to at least the Slaughtering Act of 1898, provides for a total concept meat inspection programme right through from the slaughterhouse or abattoir to the consumer, including delivery of carcasses, butchers' shops, bacon factories, smallgoods processing and delivery to the consumer—inspection for freedom from disease and for wholesomeness of meat and meat products and their sanitary processing.

In addition, the branch controls the hygiene of poultry slaughtering and pet food processing, the grading and classification of meat for domestic consumption and has recently introduced a meat quality extension service based on research findings.

(2) The Commonwealth has a constitutional responsibility only in relation to provision of a meat inspection service for stock slaughtered for export from the Commonwealth.

In practice, both Commonwealth and State inspectors are employed in most export abattoirs, more or less proportional to export/local throughput, to work as a team to provide meat inspection, thereby avoiding duplication of inspection.

(3) State meat inspectors are employed at most export licensed abattoirs as specialist disease control officers to handle meatworks aspects of the tuberculosis and brucellosis eradication programme. Their duties, briefly, involve checking, prior to slaughter, of identification by way of tail-tagging, permits and waybills etc., collection of blood samples from breeding animals either for rapid plate testing at

the meatworks or for dispatch to a laboratory, collection from the slaughter floor and processing of T.B. specimens for laboratory diagnosis, ensuring positive identification and traceback of all specimens taken, completion of input data recording systems and maintaining working liaison with various appropriate personnel on the establishment to achieve their objectives listed.

(4) At a recent meeting of all parties involved, all but the Commonwealth Meat Inspectors' Association considered the role to be one for the State. This is basically also because the State has the responsibility for eradication and control of animal diseases within its State boundaries. The role played in meatworks by State meat inspectors is complementary to the role played by field and laboratory officers of other branches of my department in eradication programmes.

(5) Yes. The State desires to place one specialist disease control meat inspector in all abattoirs and two in some which have a large throughput. The Queensland Branch of the Commonwealth Meat Inspectors' Association has indicated that it will stop work at abattoirs where any such State officer is introduced and shares amenities provided by management for use of inspectors and further has requested a withdrawal of such State officers from such amenities at abattoirs which are already shared with its inspectors.

At the meeting referred to in Answer No. (4) above the attitude of the Commonwealth Meat Inspectors' Association, at both Federal and State level, was clearly defined, whereby complete separation of amenities for all State officers from Commonwealth inspectors was required.

(6) Yes. As indicated in Answer No. (5), the State has not been able to introduce necessary staff into export abattoirs. To ensure continuity of production by abattoirs, it has purposely refrained from introducing any additional staff, which, if done, would lead to confrontation with Commonwealth inspectors and industrial stoppages.

Queensland, because of its extensive nature, is relying on meatworks for surveying of incidence of tuberculosis and brucellosis. Field survey testing could be undertaken, but this is a much more costly way of achieving desired results.

(7) It is understood that at a conference in 1973 the Commonwealth Meat Inspectors' Association declared its policy to be one of all export establishments to be staffed exclusively by Commonwealth inspectors.

(8) The State has been negotiating with the Commonwealth to endeavour to resolve the problems evident. Satisfactory resolution has not been possible and recently I have had to make a request to operators of export abattoirs to provide amenities for State inspectors separate from those for Commonwealth inspectors. I have emphasised that this is not of the State's choosing.

I have no intention of placing the jobs of State meat inspectors in jeopardy by the actions of a group of Commonwealth inspectors and will do all in my power to ensure that the State meat inspection programme, which is considered to be one of the most comprehensive in the world, and far exceeds that in other States, will continue to operate in the best interests of producers, processers and consumers in this State.

QUESTIONS WITHOUT NOTICE

ODOURS EMANATING FROM METROPOLITAN ABATTOIR PLANT

Mr. BURNS: In asking a question of the Minister for Local Government and Main Roads, I refer to the hundreds of complaints I have lodged with his department on behalf of residents of Balmoral Heights, Morningside, Cannon Hill, Murarrie, Hemmant, Lindum, Tingalpa and Wynnum North over the foul and rotten odours that emanate from the new Metropolitan Abattoir plant at Cannon Hill. I remind the Minister that in letters and in answers to previous questions he has indicated that action is being taken by officers of the Air Pollution Control Council. Can the Minister advise when families in these areas can expect to breathe clean air again? What is the cause of the trouble? What action can be taken to overcome the problem, and why has it taken so long to find a solution?

Mr. HINZE: Because this will probably be the last day of the session, and as the matter is of some concern to the honourable member's electorate, he was good enough to indicate that he proposed to ask me this question. The honourable member would be aware that my department, and my colleague the Primary Industries Minister (Mr. Sullivan) have been concerned for some time over operational problems associated with anti-pollution water treatment plant at the Metropolitan Abattoir which have given rise to recurring complaints of an odour nuisance affecting residents in the area. The honourable member himself has directed many of the complaints to me and he—and residents of the area—can be assured that my department, and the abattoir management, are acting responsibly to overcome the problem as quickly as possible.

The abattoir board accepts that it has a problem and that it has a responsibility to overcome it as quickly and as efficiently as possible. The board in fact is to consider a recommendation that it engage top Australian or overseas consultants to study urgently the treatment and disposal of waste from the

Cannon Hill abattoir. The recommendation for a study was agreed on following inspections and talks on the site, this week, involving my colleague the Primary Industries Minister (Mr. Vic Sullivan), myself, representatives of the board and the abattoir management, the Director of Water Quality (Mr. Leon Henry) and the Director of the Air Pollution Control Council (Dr. Graham Cleary).

It's true that there is a serious odour nuisance at the works periodically—especially following plant malfunctions and breakdowns. More than $600,000 has in fact been spent on anti-pollution waste treatment at the abattoir. However, it is apparent that the plant is not functioning as it should, and this accounts for the recurring odour problems and complaints.

The Water Quality and Air Pollution Councils have suggested some plant-design and operational changes to improve the situation, but it is apparent that a full-time, in-depth study by a top authority in this field is needed immediately. The abattoir board has sought further recommendations from the Air Pollution and Water Quality Councils, and in recent weeks some research has been carried out also by officers of the C.S.I.R.O.

The Government is, of course, mindful that, as a public operation, the Metropolitan Abattoir cannot afford to be—and should not be—a "bad industrial" neighbour any more than a private industry. As I have already indicated, recent odour nuisances affecting people in suburbs near the abattoir are undeniable, and the abattoir board is assured of the full co-operation of both the Water Quality and Air Pollution Councils in its attempts to remedy the situation quickly.

The odour nuisance is mainly associated with the waste-water treatment plant, and plant inefficiencies, overloading, malfunctions or breakdowns in the treatment of liquid wastes. Senior officers of the Water Quality and Air Pollution Councils will be conferring with the abattoir board and the abattoir management, as required, on the engagement of suitably recognised and qualified consultants for the recommended urgent study.

PREMIER'S STATEMENT ON NEW FEDERALISM

Mr. BURNS: In relation to the new federalism—I refer the Premier to his statement of 29 September 1975, in which he predicted tax cuts under the new scheme, and a second statement on 12 February 1976, in which he said, "Queenslanders can be well pleased." I now ask him: In view of warnings at the time by Sir Gordon Chalk and myself of the dangers involving double taxation in the new federalism and the Premier's sudden changed stance—

(1) When did he first realise that we were right and that he had misled the Queensland people and betrayed their economic interest?

(2) Was it before or after the 1975 Federal elections?

Mr. BJELKE-PETERSEN: It would be a sad, sorry day if I stood up here, Mr. Acting Speaker, and said I recognised that the honourable member was right. Of course, I have always been one of those who have stood up strongly for Queensland. I have also stood up strongly for federalism and for federation. I have said it again and again—many more times than the honourable member—in an attempt to find a solution that would enable the continuation of federation as it was meant originally. One of the matters to be considered, of course, is the return of the State's taxing powers. We always sought to be optimistic and hopeful that a solution could be found under which we could do this fairly and honestly, not in one area, but right across the board. Of course, the honourable member took a negative attitude in this regard. He always takes a negative attitude.

Mr. Burns: Sir Gordon Chalk said at the time that you were wrong.

Mr. BJELKE-PETERSEN: Yes, Sir Gordon Chalk adopted that attitude at the time. He was very cautious about it; I was optimistic. I am still optimistic and hopeful that we can reach a satisfactory conclusion. It would be a very sad state of affairs if leaders of this State were not prepared to at least look fairly, squarely and honestly at any suggestion that could be for the benefit of the State. I have always tried to work for the benefit of Queensland and, indeed, Australia as a whole. I assure the honourable member that we will continue to do that, and we will do it very carefully. When I say "we", I mean Mr. Knox and myself. I assure the honourable member that when we go to Canberra we will do everything in our power to make sure that federation works and that it works in the interests of Queensland as well as Australia.

AUSTRALIAN VISIT BY IRANIAN GOVERNMENT AND MEAT INDUSTRY LEADERS

Mr. BURNS: I ask the Premier: As he returned from the Middle East predicting visits by all sorts of Arab sheikhs and shahs, can he explain why the party of 12 Iranian Government and meat industry leaders visiting Australia are visiting all other States from Western Australia to New South Wales but are bypassing Queensland? Is it true that he is the only Australian Premier to visit Iran recently and that Queensland is the only State whose hard-pressed beef industry missed out? Did he only make representations on behalf of Lang Hancock and the coal industry? Did he forget about the farmers in Queensland when he was over there?

Mr. BJELKE-PETERSEN: The honourable member is off the track. There is no need for them to come here, because I gave them the information when I was in Iran.

Mr. Burns: Are they buying a lot of our beef?

Mr. BJELKE-PETERSEN: Yes. They are going to buy a lot, and they want to deal direct with us.

Mr. Burns: How much?

Mr. ACTING SPEAKER: Order! The honourable gentleman has asked his question.

Mr. BJELKE-PETERSEN: In relation to the other question, I want to say, without going into detail, that this morning I had a telephone conversation about visits from the other countries. Certain things are happening tomorrow in relation to arrangements for visits in the Middle East that will ultimately lead to some people coming to Queensland from other countries.

EFFECT OF POLICE RADAR GUN ON PACEMAKERS

Mr. ELLIOTT: I ask the Minister for Health: Is he aware of a court case presently in progress in America arising from an allegation that a police radar gun stopped a heart Pacemaker thereby causing death to the person affected? If this is so, will he have this allegation investigated and have appropriate trials conducted in order to ascertain whether such a radar device poses any threat to the effective operation of Pacemakers or other life-supporting mechanisms?

Dr. EDWARDS: This matter was brought to my attention some time ago and the honourable member also discussed it with me a few days ago. He also referred to the claim that people who have Pacemakers may be affected by microwave ovens. I have had investigations carried out into both these claims.

The effect on Pacemakers of microwave ovens is well known and patients who have Pacemakers placed within their bodies to control their heartbeat are warned of these dangers. Whilst there can be no possibility of death, the slowing up of the heartbeat could result from the exposure to a microwave oven of a person fitted with a Pacemaker. People are given booklets warning of this danger so that they will know what to do.

We also conducted investigations into the allegation that a radar gun could interfere with a Pacemaker. From information available to me, this is not correct. Nevertheless, we are conducting investigations to make absolutely certain of the situation.

I might tell the honourable member that there could be other causes of the effect on the Pacemaker. It could even be that the fact that the man wearing it was pulled up by a policeman was sufficient to cause him to have a heart attack. I make it quite clear that people fitted with Pacemakers are given adequate information as to what they should or should not do. I deeply appreciate the honourable member's interest in the welfare of the people of this State.

LECTURES TO SCHOOLCHILDREN ON CONSERVATION OF THE ENVIRONMENT

Mr. LANE: I ask the Minister for Lands, Forestry, National Parks and Wildlife Service: Has he considered the establishment of a service whose officers would visit schools to lecture children on the conservation of our natural environment and the preservation of wildlife—in other words, a service similar to the Road Safety Lecturing Squad?

Mr. TOMKINS: We have been considering delivering such lectures to schoolchildren because we realise fully the interest shown by young children in the environment. My colleague the Minister for Education and Cultural Activities has indicated in talks with me that his department will also be paying attention to this matter. I believe that we can develop a fairly good liaison between our departments in this respect and I am looking forward to the opportunity of doing so.

DETOXICATION CENTRE, ROMA STREET

Mr. LANE: I ask the Minister for Health: Can he indicate when the establishment of the Detoxication Centre in Roma Street will be completed and when the service provided by it will be available to those who require it? Further, will he give an assurance that the Society of St. Vincent de Paul and the Salvation Army, which are the two organisations with the most experience in dealing with and housing alcoholics in this city, will receive the fullest co-operation from the staff of this new facility?

Dr. EDWARDS: The Detoxication Centre, which is being built on the Alfa Laval site in Roma Street, is nearing completion. It is hoped that we will be able to take occupancy of it towards the middle of the year. This is the first stage of the Government's alcohol and drug dependence programme, which was announced by the Government approximately 12 months ago. Facilities are being provided in the city for an acute detoxication centre where people with alcoholic problems could go for immediate treatment. Associated with this, of course, will be an assessment and follow-up programme providing outpatient facilities.

The implementation of the Government's alcohol and drug dependence service calls for close co-operation with voluntary organisations, including those mentioned by the honourable member. In fact we have had a number of meetings with both the Society of St. Vincent de Paul and the Salvation Army. We have also included Alcoholics Anonymous. These groups have rendered tremendous assistance in preparing plans and going out into the community. One of the facilities to be developed by the Government in the next year or so in association with the detoxication centre relates to the appointment of counsellors who will work in association with these people.

As the honourable member said, I must pay tribute to the Salvation Army, the St. Vincent de Paul Society and Alcoholics Anonymous for the tremendous support given to alcoholics in the past few years with little Government help. I am certain that they must be included in any programme. We will be depending on them for a lot of assistance.

I might add that the rehabilitation homes that have been established throughout the State—I refer to the one in Rockhampton which caused a lot of furore, mainly because it was misunderstood, but is now working extremely well, and the one in the electorate of Wolston, in Dorothy Street, which are run by the St. Vincent de Paul Society—have proved to the community that they have the expertise, guidance and drive to make certain that this programme can work in association with Government activities.

PROPOSED COMMONWEALTH INDUSTRIAL RELATIONS BUREAU

Mr. LANE: I ask the Minister for Industrial Development, Labour Relations and Consumer Affairs: In relation to the proposed Industrial Relations Bureau to be set up at Federal level by the Commonwealth Government, has there been any consultation with him or any of his officers?

Mr. CAMPBELL: No; the Commonwealth Minister for Employment and Industrial Relations did not consult with me on what he proposed to put into his Industrial Relations Bill. I was quick to communicate with him after this House approved of the legislation that we passed last year, which gave to rank-and-file employees and to the public much the same protection as is proposed in Mr. Street's legislation. Having had an opportunity to study the legislation, I feel that I can make the same comments as I made during the introduction of the amendments to the Industrial Conciliation and Arbitration Act, namely, that the average employees and unionists had nothing to fear from this legislation because it gave them protection from a few overbearing union officials. I also said that, likewise, union officials had nothing to fear from it. I have been informed subsequently by many union officials that the legislation does not give them any cause for concern, but rather gives them some satisfaction in knowing that some of the provisions in the Bill will exercise a greater degree of control over the few irresponsible unionists whose activities on the shop floor leave a lot to be desired.

BUNDABERG AMBULANCE BRIGADE EXTENSIONS

Mr. JENSEN: I ask the Minister for Health: In the light of his categorical statements that money raised from bingo by the Bundaberg Ambulance Brigade was for the extension of ambulance services and not for an aerial ambulance, have there been any indications of an extension of this service for substations at Bargara or Elliott Heads?

Dr. EDWARDS: I have always expressed quite publicly my concern about the attitude of the Bundaberg Ambulance Committee and the way in which it has gone about making application for an aerial ambulance programme. I make no apology for the fact that on no occasion has that committee been given authority or, indeed, permission to raise money for an aerial ambulance extension. The reason for this has been quite clear in that I have stated it on a number of occasions in reply to the honourable members for Bundaberg, Isis and Burnett, who have expressed concern about this matter.

The situation has been made quite clear that the development of the Bundaberg aerial ambulance programme will be considered only in the light of the overall aerial transport programmes throughout the whole of the State. We already have aerial ambulances at Rockhampton and Cairns. From the figures available to us, these are not the most efficient types of programmes for aerial transport. The Government has set up a committee to investigate the matter, and this aspect will be part of the investigation.

I urge the Bundaberg Ambulance Committee to look at all times to extending its own services in the way in which ambulance services are intended to work, which is as an ambulance service for a district. I make no apology for urging the Bundaberg Ambulance Committee to consider the suggestion made by the member for Bundaberg that it develop subcentres, which would give a far better service to the people of Bundaberg and surrounding district and provide the people of all those areas with an ambulance service, instead of considering an aerial ambulance, of which its members as amateur pilots (or as pilots who have little training) have not the understanding of the Royal Flying Doctor Service, for example, of the intricacies of aerial ambulance services. The difficulties in which they could find themselves would be insurmountable.

I feel that the Bundaberg Ambulance Committee should take what has been suggested and look at extending its own service provided for the people for which it has raised the money.

STATEMENTS OF COUNCILLOR YARDLEY ON SHIRE OF BOWEN VALUATION

Mr. M. D. HOOPER: I ask the Minister for Survey and Valuation: Has his attention been drawn to an article in "The Townsville

Daily Bulletin" of 5 April attributed to Mr. Stan Yardley, Chairman of the Bowen Shire Council, which stated—

> "Another property, sold for over $400,000 with only a couple of thousand dollars' worth of improvements was valued by the Valuer-General at only $9,000."?

Is it a fact that the Valuer-General has been subjected to political interference and influence in striking values in the Bowen Shire for rating purposes favourable to rural property holders? In the interests of truth and justice, will the Minister make a statement concerning the allegations made by Mr. Yardley?

Mr. GREENWOOD: Mr. Acting Speaker, the article to which the honourable member refers was shown to me this morning. Councillor Yardley has once again made the most serious criticism of the officers in the Valuer-General's Department. It is not the first time he has done this. I propose to deal with the allegation in some detail because I think the people of the Bowen Shire are entitled to know the facts, and all the facts.

The third area valuation of the Shire of Bowen was performed during 1974-75. The valuation became effective on 30 June 1976, after the previous valuation had been in force for a period of eight years. The date of valuation was 31 December 1974, and that date is the vital one. All properties were given the unimproved value which they would have possessed at that date.

At the date of issue the shire contained a total of 4,421 valuations of which 3,992 were rateable. In the vicinity of 840 of these valuations were in respect of rural lands and the balance in respect of urban lands. The rateable value of $14,900,000 was distributed approximately $9,540,000 to urban lands and $5,400,000 to rural lands, the overall increase in the rateable value being approximately 186 per cent.

In the new valuation, the urban lands represented approximately 64 per cent of the total rateable value and the rural lands 36 per cent of the rateable value. It is understood that these percentages almost exactly reversed those applicable to the old valuation with the result that there was a marked change in the incidence of the rating when it came to the time when the new valuation had to be used for collecting rates.

The valuation of the shire was based on the provisions of the Valuation of Land Act; that is, the primary basis was the market value of land at the date of valuation, namely, 31 December 1974. There was no difficulty about the formation of a basis for the urban lands and closer-in rural lands used for small-crop production such as tomato-growing. There were ample sales of these lands which could be related to values as at 31 December 1974. However, in respect of the essentially cattle-grazing areas, the valuers of the Valuer-General's Department were faced with considerable difficulties. Honourable members will recall that the price of cattle started to drop towards the end of 1973 and the beginning of 1974, and during the last half of 1974 the decline was catastrophic. Therefore, the Valuer-General and his officers formed the opinion that they were unable to use sales which had occurred at earlier and, for the cattle industry, more prosperous times. To use sales in more prosperous times to fix values for a time of depression would be quite wrong. This is a basic principle of valuation law. It is to be found in many cases. I refer only to the High Court decision in Daandine Pastoral Co. Pty. Ltd. v. The Commissioner of Land Tax, and also the Land Court Judgment in Russell Park v. The Commissioner of Taxation. The principle is this: if between the date of sale and the date of valuation there are catastrophic events such as the drop in cattle prices previously referred to, the sales cannot be accepted as evidence of value at the valuation date.

How could one relate values at 31 December 1974 with sales occurring in 1971, 1972, 1973 or the early part of 1974 when the differences in the price of beef at the last-mentioned date and the previous times quoted are considered?

At the date of the previous valuation, 31 December 1966, the price of chiller grade bullocks was 54.67 cents per kilogram at Cannon Hill and at 31 December 1974, this price had dropped to 31.5 cents per kilogram. The price of cows at Cannon Hill at 31 December 1966 was 49.35 cents per kilogram while at 31 December 1974 it was 22.8 cents per kilogram, having dropped from 75.8 cents per kilogram, which latter price ruled in December 1973. Additionally, it is mentioned that the prices of oxen and cows at Bowen meatworks in March 1974 were 57.55 cents per kilogram and 51.77 cents per kilogram whereas, in March 1975, these prices dropped to 24.27 cents and 15.65 cents per kilogram respectively.

I reiterate that I believe that the Valuer-General and his officers acted wisely and in moderation in not applying the sales which occurred in the Bowen Shire when the beef market was buoyant.

Following the release of the new valuation of the shire, the Bowen Shire Council through its chairman, Councillor Yardley, was very vocal regarding the valuation and made all manner of claims. In all, about 1 100 objections were lodged by landowners claiming the valuations were too high, but of course the bulk of these were in respect of urban lands.

I must mention that the decisions of the Valuer-General upon the objections have resulted in only 24 appeals being lodged in the Land Court. Considering the drum-beating by the shire chairman, I think that this is a very satisfactory result.

Ever since the valuation was released, it has been the source of attack by various people, but particularly by the council chairman, Councillor S. C. Yardley.

I will not weary members by repeating the attacks of the shire chairman but perhaps they culminated in a statement by Councillor Yardley which was published in the Mackay "Daily Mercury" on 16 July 1976. In this statement, he said that the revaluation had grossly undervalued many large grazing properties and implied that the valuation had caused Bowen and Queen's Beach to be among the highest-rated areas of Queensland. My predecessor in office replied to this in a letter to the editor of the Mackay "Daily Mercury" which was published on 5 August 1976. In this letter, my cabinet colleague pointed out the impartiality of the Valuer-General's Department and gave details of the result of the objections, etc.

Councillor Yardley's reply to this letter, which was published in the Mackay "Daily Mercury" on 20 August 1976 again claimed that the valuation was not carried out in an impartial manner and mentioned the sale of a large grazing property. He also said—

> "There are no avenues open to either the council or the disadvantaged ratepayers to correct this mess that has resulted from political interference in what should have been a decision above politics."

I became aware of this letter shortly after assuming my portfolio and I sent a telegram to the chairman of the shire asking him to make whatever evidence he had to substantiate the claim that the valuation was not carried out in an impartial manner available to me so that I could have the matter investigated.

I added that if it was not furnished to me, I expected a letter of retraction to be published in the next issue of the "Daily Mercury" and that I was not prepared to see Councillor Yardley play politics with the reputation of my officers. In other words, I requested him to "put up or shut up".

Councillor Yardley replied to the effect that he had already supplied to my predecessor in office evidence in the form of V.G.1's, etc., and that he strongly resented the accusation. He also suggested that my telegram was of an intimidatory nature.

I would mention in passing that the Valuer-General has gone to great pains to investigate the allegations of Councillor Yardley and others and that my Cabinet colleague, the Honourable W. D. Lickiss, when he was the Minister in charge of the Valuer-General's Department, attended, in company with the Honourable R. E. Camm, M.L.A., the Valuer-General and the district valuer, a public meeting which was held on 21 November 1976.

I will again say that if Councillor Yardley has any evidence at all, let him bring it to me. So far I have asked and asked and not got anything.

ORGANISATIONS AFFILIATED WITH ADULT EDUCATION CENTRES; MR. JOHN SINCLAIR

Mr. ALISON: I ask the Minister for Education and Cultural Activities:

1. Would the Minister advise—

(a) What benefits accrue to organisations which become affiliated with Adult Education Centres throughout the State?

(b) Are such bodies entitled to have work done by Adult Education officers with such time being paid by the Education Department?

(c) Is the Wildlife Preservation Society of Queensland—Moonabilla Branch—so affiliated with the Maryborough Adult Education Centre?

2. Would the Minister advise if any work was done in Education Department time by Mr. John Sinclair or any other officer of the Maryborough Adult Education Centre on the booklet "Maryborough and the National Estate", sponsored by the Wildlife Preservation Society of Queensland—Moonabilla Branch?

3. (a) Is it correct that Mr. John Sinclair, Adult Education Officer, Maryborough, is in fact secretary of the society; and

(b) He does in fact attend meetings of the society in Education Department time?

Mr. BIRD: The honourable member indicated to me that he wanted to place this question on notice yesterday. I appreciate his coming to me and I have obtained information for him. The answers to his question are as follows:—

1. (a) Organisations such as gem groups, art groups and amateur radio groups are sponsored in their formation and internal organisation and then become affiliated with Adult Education centres throughout the State. The benefits which may accrue include—

(i) free use of meeting rooms;

(ii) reasonable publicity;

(iii) use of equipment such as projectors;

(iv) use of duplicating facilities;

(v) leadership fees (currently $6.50 per month).

(b) Such bodies are not entitled to have work done by officers of the centre with such work being paid for by the Education Department. However, where such work did not interfere with the more formal educational programmes of the centre, secretarial services and organisational services may be provided at the discretion of the district organiser.

(c) The Wildlife Preservation Society of Queensland—Moonabilla Branch—is so affiliated with the Maryborough Adult Education Centre.

2. Mr. John Sinclair did write one article for the booklet "Maryborough and the National Estate". The clerk-typist typed the draft for this article. It is not

known whether Mr. Sinclair prepared this article in his own time or time paid for by the Education Department. It is known that the clerk-typist did type the draft in time paid for by the Education Department.

3. (a) Mr. John Sinclair is in fact Secretary of the Wildlife Preservation Society of Queensland—Moonabilla Branch.

(b) During 1976 Mr. Sinclair did in fact attend meetings of the society, with such time being paid for by the Education Department. However, in line with the Board of Adult Education policy, he has not attended meetings of the society in 1977 with time paid for by the Education Department.

HUMAN RELATIONS COURSE IN SCHOOLS

Mr. WRIGHT: In directing a question to the Minister for Education and Cultural Activities, I refer to the controversy that has flared up over his moves to introduce a human relations course in schools. I ask him: Is it still intended to introduce such a course or will the needs of education in the community be frustrated by a few Government back-benchers, in particular one Liberal member who is bent on gaining publicity by opposing certain measures irrespective of the substance of his claims and criticism? Will this proposed course be brought before this Assembly for debate and detailed consideration, or is it to be normal practice for a few members of a Minister's committee to determine what measures will be debated in this Legislature? Irrespective of the opposition to date, is the Minister able to indicate when a human relations course will be introduced in schools, even if only on a pilot or experimental basis?

Mr. BIRD: This is a matter that has been brought to my attention by very responsible people, organisations and bodies throughout the State. As I have indicated during television interviews and in speeches that I have made throughout Queensland, I will not rush into the preparation of any programme. On my instructions, officers of my department collated material from all over the world and, as a result of that collation, they produced a booklet.

My next move was a proposal to form an independent committee similar to the independent committee that was set up to investigate religious education. That committee, as we know, presented to my department, and eventually to State Cabinet, a report and recommendations. There was nothing to say that the whole of the recommendations had to be adopted.

I believe that the same course should be followed in the present instance. I think we should set up an independent committee representing the churches and all other responsible groups and ask it to prepare for us a report on what it considers to be the needs of the community of this State. When the report and recommendations are received, they will in the first instance go to my Cabinet colleagues for full discussion. After that has been done the normal procedures will be adopted, as they were adopted in the case of the religious education programme.

Mr. ACTING SPEAKER: Order! By agreement, the time allotted for questions has now expired.

MATTERS OF PUBLIC INTEREST

FRAUDULENT USE OF SOCIAL SECURITY CHEQUES

Mr. YOUNG (Baroona) (12 noon): I rise to join in the Matters of Public Interest debate today to discuss a subject that has been raised many times in this House and in other places. It concerns the fraudulent activities of some recipients of unemployment benefits, particularly here in Queensland. I notice that the use of identity cards has been recommended in the past to prevent this, and from my experience in the electorate of Baroona I am firmly convinced that, unless some form of identity card is issued to recipients of social security payments, the rip-off that is being perpetrated on small business people will continue. I am referring to the corner shop, the milk bar, the hamburger place down the road and the local service station. These are the people who are being defrauded, not the banks or the Federal Government but the local corner shop which can least afford to finance people who are involved in these fraudulent activities.

I am in no way disputing continued assistance for people in genuine need—supporting mothers, invalid pensioners, the sick and the unemployed. My only fight today is with the people who are deliberately and fraudulently obtaining money through the social security system. The Federal member for Griffith, Don Cameron, has continually sought to bring to the attention of the people of Queensland the activities of various groups of people who travel throughout the State living fraudulently off the system. I wish to quote a few examples here today which I think will strengthen his case. As I said, my real concern is for the people who are suffering from these rip-offs—the small local businessmen. It is not the large enterprises in the city which are suffering, but the small business people who, as far as I am concerned, can least afford it.

Three main avenues of deception have come to my attention, and I will quickly deal with each in turn. I have here a photostat copy of a cheque that was returned to a service station in my electorate. This case involved a large number of unemployed persons sharing the same residence. These people swapped their unemployment cheques, each person signing his friend's cheque. They then took their own cheques and presented them to business people in the area who

knew them by sight. The businessmen, of course, overlooked the small point of having these people sign the cheques in their presence. I accept that, but in a busy little corner shop who would question a person who has been known to the proprietor for many weeks, and who comes in, puts up a story about why he could not get to the bank, buys a small amount of goods and pays with a cheque for $64.10. What happens then? The local businessman banks the cheque in the normal way. Within a few days the cheque comes back paid in full and everything is rosy. But six or seven months later the bank writes to him telling him that it is debiting his account with this amount of money because it has received from the department a statutory declaration saying that the signature on the cheque is not the signature of the person to whom the cheque was made out. Of course, by now the person involved is no longer living in the area. The businessman has absolutely no recourse. He cannot locate the person because he is living up North, out West or down South. The Federal Government does not lose out, the bank involved does not lose out, and so the small businessman, in this case the local service station, has to write off $64.

Another example of this rip-off occurs with people who actually swap their cheques. They again present them to local business houses but have some basic form of identification on them which they have been given by their mates. They sign the cheque in front of the businessman and the same thing happens as in the first case I mentioned. I have heard of this practice not once but three or four times in the past six weeks.

Then there is the real criminal element that goes round and actually steals cheques from letter-boxes and cashes them. That is a different matter altogether. I am talking about people who defraud small local businessmen by deliberately forging signatures or having their mates sign cheques, and who can then quite openly go to the department and say, "That's not my signature."

So, Mr. Acting Speaker, I think that the only solution to this problem, apart from giving a blanket warning to all small businesses not to touch these cheques with a 10-ft. pole, is to bring in the dole identity cards that have been mooted around the ridges. If people receiving pensions were issued with cards showing their photographs, thus enabling them to be identified, small businessmen could then cash cheques with some degree of security. Let us face it, Mr. Acting Speaker, the banks operate for only a small percentage of the time when people are in need of money. Small businesses—the corner shops, the service stations, the milk bars—are fulfilling a need in the community by allowing people who receive pension cheques to cash them. For 20 years, my grandmother cashed her pension cheques at the corner shop. If corner shops are placed in this position for much longer, they will cease to provide this service to the people who most need it—not the people who are ripping them off and who would not really be affected, because, as we are aware, they get around it by having false bank accounts, etc.

I am very concerned that the small businessman, the man who is really feeling the pinch in the present economic climate, is being ripped off left, right and centre by pension cheques that bounce like rubber balls. As I said earlier, three or four cases have come to my attention in the last month, and I think that the only solution is to provide dole identity cards.

BANKRUPTCY OF HENRY WILEY FANCHER

Mr. JONES (Cairns) (12.7 p.m.): In December 1975, on the eve of the Federal election, the Queensland Parliament was recalled for a few hours so that the Premier could use its privilege to make vile allegations against members of the former Whitlam Cabinet. His charges related to what has been termed the Swiss loans affair, and they were later totally dismissed by the Liberal Attorney-General, Mr. Ellicott.

The Premier's partner in this shabby affair was a mysterious American, Henry Wiley Fancher, then living in Atherton in North Queensland and now, I am told, a resident of Townsville. This undesirable alien—and that is what Mr. Fancher is—was appointed by the Premier as his financial adviser, and similar recognition was given, sight unseen, credentials unchecked, to another dubious American, Richard Todd.

On 16 December last year, in Brisbane, this same Henry Wiley Fancher, the Premier's financial adviser was declared bankrupt by Mr. Justice Matthews and I call that a sickening scandal. In his hatred for the Whitlam Government and his haste to smear the character of innocent men, the Premier conscripted as his financial adviser a highly questionable individual who 12 months later was proved to be incapable of even advising himself on financial matters.

The bankruptcy order was made on the petition of International Harvester Credit Corporation of Australia Ltd., and it related to a debt of $8,080 under a hire-purchase agreement on a prime mover. Let me assure the House that this is not Fancher's only debt. The dogs are barking after him all over the Tablelands in North Queensland. He even owes the undertaker for his mother's funeral, and he has plenty more debts. I have no doubt that the bankruptcy examination to be held soon will disclose many more.

I refer now to the report of the Official Receiver (Henry Auckland Richards) in the bankruptcy hearing. Richards said that Fancher told him he sold his interest in the hire-purchase agreement to a person named Graham McKinnon in mid-1974. Fancher

had claimed that McKinnon took delivery of the prime mover, agreeing to insure it on the following Monday, but during the week-end the vehicle was wrecked in an accident. As far as the people in Far North Queensland, particularly those who are owed money, are concerned, the biggest accident was allowing Fancher ever to disgrace Australia with his presence and allowing him to become the Premier's financial adviser.

Mr. Richards goes on to report that Fancher bought 49 per cent of a company, Mt. Mulgrave Pty. Ltd., which, through a wholly owned subsidiary, Hayman and Sons Pty. Ltd., operated Mt. Mulgrave and Yarraden cattle stations on the Cape York Peninsula. In 1974 he acquired the remaining 51 per cent in Mt. Mulgrave Pty. Ltd. The company went into liquidation on 5 August 1975, which was only a few months before he became the Premier's adviser, and the Public Curator was appointed liquidator. On 1 August 1976 "The Sunday Mail" contained the headline "Fancher, Joh talk money". That talk took place in Cairns during a National Party conference. Not a week later, on Friday, 6 August, the "Cairns Post", under the headline "Bankruptcy proceedings against loan affair figure", reported as follows:—

> "Mr. Fancher, a former North Queensland grazier who comes from Alabama, U.S.A., was sent to Switzerland by the Premier, Mr. Bjelke-Petersen, to probe international banks in an endeavour to unearth evidence concerning the alleged loans affair,"

and so on. Mr. Fancher was reported as being in the Bankruptcy Court.

Dr. Scott-Young: You wouldn't even know him.

Mr. JONES: I don't want to know him. The public of Queensland, however, should be made aware of his activities and of his employment by the Premier. They should be told what he did and what happened to him subsequently.

Richards went on to say that the Public Curator had informed him that no money would come into the bankrupt's estate from the liquidation. That company went into liquidation on 5 August 1975 with the Public Curator as liquidator.

In 1966 Fancher incorporated a company known as Yarraden Pastoral Holdings Pty. Ltd., which, in conjunction with two other companies, purchased a cattle station known as "Strathgordon" for the sum of $360,000. Yarraden Pastoral Holdings was liquidated on 16 June 1976, and again there is no money to come into the bankrupt's estate from the liquidation.

In about 1962 another company, Rand Pastoral Co. Pty. Ltd., was incorporated with Fancher holding 51 per cent of shares and a Richard Rand, now deceased, holding 49 per cent.

The Official Receiver reported in his court documents that Fancher had stated that efforts had been made to wind up this company but so far had been unsuccessful.

This is the business record of this man whom the Premier had engaged in a spiteful conspiracy to smear the reputation of decent Australians.

Let me repeat the facts. One company was liquidated a few months before his appointment, a second a few months after, and he still wants to wind up a third. This is the person the Premier hired allegedly to penetrate the tightly guarded secrets of the Swiss bank vaults in far-off Zurich. As far as I am concerned, Fancher couldn't crack the lid off a money-box.

I have no doubt that with his deplorable record in fianancial dealings the respectable Swiss bankers would have shouted "Police!" if Fancher had walked near their door let alone had managed to get near the vaults.

As I said on a previous occasion, Fancher once bounced a cheque on the R.S.L. for his accommodation at Anzac House in Brisbane and was sued by the Cook Shire Council for arrears of rates.

On page 4 of the Official Receiver's report he detailed Fancher's version of his part in the 1975 Swiss loans affair. Listen to this: he told Richards that he travelled overseas in connection with this matter and that all expenses were paid by persons other than himself.

I want to know: who met his bills? It's a fair bet that the benefactor was either the innocent Queensland taxpayer or the Premier himself.

Fancher went on to say that, prior to his departure for overseas during this sordid exercise, at the airport he cashed a cheque for $770 to cover certain personal expenses. Who gave him the cheque or who vouched for it? As far as I know, airline companies are not in the habit of cashing cheques at the airport for large amounts, particularly for a person who, only a few months earlier, sent a company into liquidation and was in the process of winding up a second company, as Fancher was. No doubt he took most of the $770 overseas with him, thereby infringing our currency laws in the process.

This is the man whom the Premier appointed as his financial adviser—the man this Government relied upon to malign innocent Australians. With his record he could not be trusted with 20c in a chook raffle, let alone with the responsibility of advising Queensland's Premier.

The Official Receiver's report is proof that he is an economic liability to the nation, a liability that should be exported before he fiddles his way into more debts and more business failures.

I also have information that a writ was issued by the former Treasurer (Sir Gordon Chalk) on St. Patrick's Day 1976. I should like to know whether that action against Wiley Fancher is continuing. What was the basis of the writ taken out by the then Treasurer against Fancher, what was the amount, and what was it all about? Do these things tie in with the questions I am raising? I draw honourable member's attention to the timing of the whole affair and the Premier's indiscretion in hiring such a crook, charlatan and rogue to advise him on financial matters of State.

AIRCRAFT NOISE

Mr. LAMOND (Wynnum) (12.16 p.m.): One of the major factors affecting man today is noise. The city dweller who is bombarded from every side by all forms of noise is sorely tried by it. There can be no doubt that most noise is caused by man himself. We have created machines, plant and fiendish devices that have a major effect on people's lives both day and night because of their noise levels, which are unacceptable to us. We achieve this level of noise only by each of us contributing in some degree. Whether contributions to overall noise are made by way of motor vehicles, electric drills, hammers, loud radios, major machinery in industry or in a thousand other ways, we each contribute in some form.

Today, it is my intention to speak on one factor of noise, namely, that created during the departure and arrival of aircraft that travel across densely populated areas of our city by day and by night. Before dealing with aircraft noise affecting Brisbane, I shall refer to conditions in Sydney, Perth, Canberra, Melbourne, Darwin and Adelaide, to mention but a few of the major cities in Australia. It is obvious that detailed consideration has been given to the flight paths of aircraft entering those cities and departing from them. While detailed plans can be obtained of entry and departure routes, it is impossible in the time available to me to give the actual routes followed. However, it is my intention to make available these facts to any honourable members who care to peruse them because I believe that every responsible member living in an area affected by aircraft has a responsibility to familiarise himself with this problem.

In Sydney the major flight paths to and from the city are over Botany Bay, departing over Botany Heads. The four major flight paths to Brisbane, Melbourne, Canberra and the Pacific pass over Botany Bay. Only flights to Adelaide and Darwin cross residential areas in Sydney, and then at a level of about 5,000 ft.

The departure path for flights from Perth to the eastern States appear to have little effect on residents. Only those flights to Asia and South Africa pass over the fringe of residential areas and, once again, aircraft are directed to cross at an altitude of about 2,000 to 2,500 ft. and thus have little effect on residents.

In Canberra the arrival and departure of aircraft have little effect on residential areas. The only route that affects the city is that for the Melbourne flight. And I ask honourable members to bear in mind that, before aircraft turn to cross residential areas, they must be at a height of not less than 1,500 ft.

I need make little comment on the situation in Melbourne. The airport is sufficiently removed from the city to allow the departure and arrival of aircraft to be well away from residential areas. Possibly the only flight path that affects Melbourne is that for the Tasmanian route, and it is interesting to note that in the first three miles, which brings it level with Essendon, aircraft have to climb to a height of 2,000 ft. Therefore, at the time they reach residential areas there is little or no effect from noise.

Great and careful consideration has been given to the planning of routes for aircraft arriving at or departing from Darwin. It is one example of air routes being completely removed from residential development.

In Adelaide the departure and arrival of aircraft are so organised that the only residential area affected is a small section skirting the heavily populated area. However, the majority of aircraft movements are completely removed from the city.

It is impossible in the time available for me to give the finer details of airports at other capital cities; but I stress that I have flight plans for each of them. I suggest that members obtain them, although they are very welcome to peruse mine. This is a matter in which we must all involve ourselves.

Look at the position in Brisbane. Aircraft taking off for Sydney, New Zealand or the Pacific on runway 22, which is the south-westerly runway, immediately track right across our city. They take a south-easterly turn, passing over the suburbs of Balmoral, Morningside and Bulimba at a fairly low altitude, creating a major noise nuisance.

Aircraft proceeding south or to New Zealand, taking off on runway 04, which is the north-eastern runway, immediately turn across the mouth of the Brisbane River and pass over the very important residential areas of Wynnum, Manly and Lota before proceeding south.

I suggest an alternative route to the South that would alleviate a great amount of the problem. The aircraft could proceed in a south-easterly direction towards Green Island and then turn slightly south and pick up the air corridor over Redland Bay. That would remove most of the problems caused to the suburban residential areas.

It is interesting to note that aircraft proceeding north from Eagle Farm on runway 22 are required to proceed straight ahead for some five miles and attain a height of 2,500 ft. before turning right over residential areas. Aircraft departing on runway 04 going north actually track over Moreton Bay before they proceed in a northerly direction.

While various requirements are placed on the different headings, I feel it is necessary to give the House a clear understanding of a problem that we must all involve ourselves in—one which will continue to make its effect felt. We must make it known to our Federal counterparts that we are concerned. Let it not be thought for one second that I profess to be an expert in traffic control or someone who is well versed in the air corridors of our area. However, when I look at the vastness of Moreton Bay, which is so close to Eagle Farm, I fail to understand why major aircraft movements to and from Brisbane cannot be routed over that expense of water and removed from the thickly populated residential sections of our city.

There is no doubt that the ever-increasing noise from air traffic over our city is causing great concern to the nearby thickly populated areas. It causes distress and concern to many of our residents.

I could speak at great length on the aspects of arrival and departure of aircraft and their altitude on arrival. It is interesting to note that Air Traffic Control in Brisbane has no particular plan of arrival and that aircraft are staged in various areas at the discretion of airport control.

It is vital that, with this ever-increasing problem, we, as a Government, should co-operate with our Federal counterparts and familiarise ourselves with the problems because Brisbane has undoubtedly the worst problem of any of the capital cities of Australia and inevitably it will increase. It is indeed a major one now.

ARTS COURSE AT TECHNICAL COLLEGE

Dr. SCOTT-YOUNG (Townsville) (12.26 p.m.): I rise today to discuss disturbing incidents in the field of education that have come to the notice of the public in Townsville. On 24 November 1976 certain students and parents, who were not satisfied with the arts course at the Townsville Technical College, met the principal (Mr. Ramsay) to discuss their problems.

They complained that, although the course at the college was full time and had some 20 students (five males and 15 females) whose ages ranged from 16 to 18 years, it was not being run correctly, and they lodged formal complaints about two teachers in particular (Mr. Cox and Mr. Blackman). The meeting was chaired by Mrs. Morelli, a teacher in her own right and a highly respected member of the community.

The complaints discussed were: gross mismanagement of the first-year course by the teachers concerned, Mr. Cox and Mr. Blackman, and gross unethical behaviour by both of those teachers in that assignments were not organised and no deadlines or guide-lines were set or established; advice as to the subject-matter of the course was not given other than verbally, not laid down and often changed without notice; there was no feed-back or rapport with the students so that they could not assess their own progress; students were unaware of the standards required for a pass in any examination; the students considered that it would appear that they were being deliberately confused when they found that they were given instruction to commence one project and then switched immediately onto another project with the result that confusion reigned in the minds of several of these young students and they tended to lose interest and continuity; the two teachers (Mr. Cox and Mr. Blackman) were often in open conflict with each other over the subject-matter of the course and periodically had verbal engagements with each other concerning the course and the subject-matter, which was not very good for these young, impressionable students; the two gentlemen were considered by the students to be very good masters of how to muck up the education system; the students were subject to a constant barrage of ridicule and derision which was directed at students who were inclined to question anything; no attempt was made by either teacher to help the lagging student, nor was any guidance or encouragement given to students to continue with the arts course; and the course was completed in November 1976 and unofficial marks were circulated by word of mouth long before the official results were due to be published in January or February 1977.

The most alarming aspect of the whole problem that was stated by both students and parents is that the students were subjected to a constant influence which was aimed at belittling and denigrating the basic aspects of Christian morals and ethics.

Mr. Cox was the worst offender. He constantly expounded his anti-Christian attitudes and rather way-out attitudes to sex and marriage. His attitudes were unnecessary, unwanted, unrelated to the arts course and most definitely unattractive to the students, with the result that some of the students were completely upset and bewildered and sought refuge with their religious instructors.

During the live art class these teachers allowed nude models to walk around freely among the mixed students. This upset some of the students, particularly the girls of 16 and 17 years of age who had not been brought up in this atmosphere of nudity. Some came from families that were deeply religious and they were upset greatly.

The most disgusting and nauseating incident was when Messrs. Cox and Blackman allowed a pornographic tape or record of an act of

sexual intercourse to be played during one of their classes. No wonder parents were upset about that. "The Exhibition" (French) is still the delight of brothels in back streets and alleys but it has no place in a classroom of the Department of Education. This was an example of the old French-style "Exhibition" and I consider that it warrants further investigation and action.

Away from the classroom, Cox and Blackman displayed standards of behaviour far removed from the behaviour pattern under which their students had been reared. On one occasion these two gentlemen took the class on a picnic and took along "grog and gals". When one speaks with the mothers of the students, one learns that that is just what it was—"grog and gals", like an American Army turn-out. The students were embarrassed and disgusted and decided that they would not go on another picnic.

All of this was explained to Mr. Ramsay, who appeared to be quite unimpressed with the complaints. All that he seemed to be worried about was whether the first year of the art course at the Townsville Technical College would continue. He did not seem to think anything about the effect of the behaviour of these two gentlemen over the last 12 months on their students or their attitude to taking an art course. Many of them wish to proceed to the art course at the Seven Hills college in Brisbane.

The Minister was asked to send people to Townsville to investigate the charges. On 13 and 14 December 1976 Mr. Hamilton, the Director-General of Education, was in Townsville with Mr. Williamson, Mr. Ridler and Mr. Ramsay. Here was the whole crux of the matter. They made a Gestapo-type investigation at which the children and parents were subjected to intimidatory questioning that made them feel that they rather than Cox and Blackman were on trial. From my own meeting with Mr. Hamilton I can say that I consider that if he advances any further in the Department of Education, it will be to the detriment of the department. A more arrogant, overbearing, narrow-minded person I have yet to meet. Obviously he was not prepared to accept any evidence that he did not wish to hear. In the result, the whole matter was whitewashed.

I do not consider that this behaviour should be allowed to be whitewashed, and the public of Townsville will not allow it to happen. The students and parents are not satisfied, and they have asked me to place these facts before the House. They contend that these two teachers are most unethical in their approach to their profession. Their administrative ability is nil and they have even less teaching ability. Their moral standards do not appeal to students or parents, but they endeavour to force them on impressionable children.

Looking broadly at all these facts, I suggest that this pair of teachers be separated so that their group will be broken up. In the alternative, the Education Department could dispense with their services.

ATTITUDE OF QUEENSLAND GOVERNMENT TO RURAL INDUSTRIES

Mr. CASEY (Mackay) (12.34 p.m.): In the last 15 months a distinct change has come over many of Queensland's rural industries. More and more concern is expressed in various areas about the attitude of the State Government to their future. Unquestionably the highest ratio of unemployment to jobs in Queensland is in country areas and provincial cities. This is causing great concern in some rural industries which are unable to find employment outlets for people who are employed on a casual basis or who have in a number of cases been employed permanently for many years. A classic example is employment in sugar mills during the slack season.

The once-great Country Party has not only dropped "Country" from its name; the people are beginning to think that it has removed country interests from its thinking. The beef industry is a classic example of what is happening in Queensland today. This State Government has been pussyfooting around now for some 18 months trying to bluff the people of the State into believing that they are doing something in this regard, but they have shown no real determination to get on with a stabilisation or classification scheme. Even legislative backing for a type of grading scheme that is presently used in the trade throughout Queensland would be satisfactory at this stage to give our beef producers something to cling to.

Let us look at some of the suggestions that have been put forward by the leaders of the National Country Party. Recently, for instance, Mr. Anthony called on beef producers to virtually stage a strike. He said, "Withhold your meat from the markets." When that did not work—nobody took any real notice of it—he came out during the next week and said that his plan had worked. Of course it had not worked. Both his statements were absolutely ridiculous. We hear plenty from the Premier about Fraser. What about the Premier telling us about what Mr. Anthony has done for the beef producers. I really do not believe that the Premier, Mr. Anthony or Mr. Fraser can blame the problems of the beef industry on the Whitlam Government as they so often try to do.

A Government Member interjected.

Mr. CASEY: I would be the first to admit that the Whitlam Government did create some problems in our rural areas, but certainly not problems for the beef industry itself. The beef industry was in a buoyant position during the period the Whitlam Government was in power. We must appreciate that it is overseas markets that are the real problem for Queensland's beef industry. It is a fact that we had the highest export ratio of any Australian State and the collapse of overseas markets has caused real problems for the beef industry in this State.

Some six weeks ago the Premier visited the Middle East. Which primary industries in this State have benefited so far from this visit? None whatsoever! We did not see him come back with contracts for increased exports for our beef and other primary industries. We have had a considerable number of statements from him on mining. Since he came back from the Middle East we have seen considerable developments in relation to coal mining leases in Central Queensland, and in particular the mystery of Houston Oil and Minerals and the concessions granted to it by the Queensland Government in relation to Oaky Creek deposits, but nothing at all from the Premier about what he is doing for our primary industries.

What about the International Sugar Agreement? We are about to enter into negotiations on an international level to try to arrange a new International Sugar Agreement. No-one in this House can lay the blame for the problems in the Queensland sugar industry on the Labor Government. It had a magnificent record for the sugar industry in Queensland. When the international negotiations broke down in 1973 the British agreement was about to be terminated. Dr. Patterson was then the Minister for Northern Australia and the Minister in charge of matters pertaining to sugar in the Commonwealth sphere. He worked tirelessly during the negotiations, certainly with the assistance of C.S.R., the Sugar Board's agent. But it was Dr. Patterson's drive which spearheaded negotiations which led to agreements with Japan, Korea, Malaysia and Singapore which helped to bring about an expansion in the sugar industry in this State.

Only recently China has purchased a further $52,000,000 worth of sugar from Australia. The stage for this sale was set by Labor administrations. It was set even before Labor become the Government when Dr. Patterson, Mr. Whitlam and Mr. Burns—he was not a member of this House then but he went along with them—opened up negotiations with China for the sale of sugar. The Queensland sugar industry is just as vulnerable at present to overseas market fluctuations as beef was in 1974. The sugar industry could find itself in the same position as the beef industry did if the international market were to collapse. But has the Premier bothered to attend the International Sugar Conference? No, certainly not! Our negotiations with the Japanese on a new contract are deadlocked. Other nations are awaiting the outcome of those negotiations. Any failure to negotiate a further international agreement at this stage will mean added pressure to reduce prices under the present firm agreements we have with these countries I have just mentioned. Indeed, this could be catastrophic for the Queensland sugar industry. But instead of doing something realistic about it and ensuring that he is there to lead Queensland's fight, the Premier is breaking a custom that was followed by him and by all other former Premiers of endeavouring to assist in negotiating the international agreement. Sugar growers and millers in Queensland who have committed themselves financially in recent years to a further expansion are very concerned. They no longer feel that the Government is representing them properly, and they are not the only ones.

In the dairying industry throughout the State there is great disquiet, concern, and even open protest, because so many aspects of the industry are shrouded in mystery. I have already mentioned the beef industry and the despair and confusion that one finds it in.

In the tobacco industry, we find that there is open protest from growers, particularly those in North Queensland, about quota cutbacks while such a large proportion of consumer requirements is being imported. Questions are being asked in tobacco-producing circles as to why the Federal Government is trading off their industry for American imports. When we see that most of the big tobacco companies in Australia are owned by American companies or joint British-Rhodesian companies, again we wonder why.

Problems in the egg industry go far deeper than dates on cartons. Hen quotas are being manipulated. The small men are being forced out and the big men in the know seem to be able to gain considerably on quotas in the industry.

There has been a considerable cut-back in crops in the developing oil seed industry. Again there is a big reliance on imports for the oil seed industry in Australia.

Rice production is not increasing as it was expected to in North Queensland. That is because of the exploitation by a group from the Riverina area of New South Wales. One can go into supermarkets in North Queensland, as I did recently in Mt. Isa, and see high-quality North Queensland rice selling at a higher price than rice from the Murrumbidgee irrigation area, simply because it is being marketed by a company controlled from the South.

There are many other examples. Is it any wonder that people living in the rural areas of this great State now feel that they are forgotten? Is it any wonder that they are beginning to realise that the "Country" Party no longer represents country people?

DEVELOPMENT OF TOURISM

Mr. WARNER (Toowoomba South) (12.42 p.m.): I believe that one of the greatest sources of revenue for this State is being sadly neglected. I refer to the revenue from tourism. Queensland's economy would receive an enormous boost if we could emulate the proven record of the New Zealand Government in the way it has set up that country's tourist industry.

In Queensland we have new motels, hotels and caravan parks; we have unrivalled scenery; we have miles of beaches; we have one of the greatest assets of all—virtually continuous sunshine. But, even with all these great assets, in my opinion the growth of tourism, except perhaps on the Gold Coast, seems to be very haphazard and lacks thrust from the people in this State who are responsible for promoting it. There does not appear to be any cohesive directive for the role of the industry, and compared with New Zealand and other places in the world, Queensland lacks professionalism and awareness of the needs of tourists. The industry is woefully undercapitalised, and the community at large seems to be divided as to who should pay for promotion. In Toowoomba, the city council makes a contribution of $7,150 to tourist and development promotion. This is not supplemented by any Government grant, and the sum is quite inadequate to promote the area, which is probably one of the greatest areas in this part of the world.

It comes as a distinct shock to learn that business interests in the South have scarcely heard of Toowoomba as a progressive city. They imagine it to be a country town, and they are astonished, when informed or on visiting the city, to learn of its potential and its capacity to cater for industries, both large and small, and also to learn that it is now recognised as one of the fastest growing cities in Australia, with a growth record second only to Albury-Wodonga.

Toowoomba is one of Australia's most beautiful cities and has a tremendous potential for tourism. However, as I said before, it needs expert promotion of a kind requiring high capital expenditure. This Government certainly is not seeing to it that Toowoomba is given such assistance.

Queensland offers to tourists excellent facilities stretching from the border to as far north as Cairns. Toowoomba is certainly no exception. However, in common with the rest of the State, Toowoomba is being priced out of the tourist market not only by the lack of funds for promotion but also by the iniquitous penalty rate system that applies to overtime worked on the week-end. A visit to any overseas country makes a Queenslander realise how unreal are the hours during which tourist services and facilities are available in this State. No tourist wants to be forced to get up at 6.30 in the morning to have breakfast, nor does he want to be compelled to have his other meals only at the times that they are served.

Mr. K. J. Hooper: What about the poor old worker?

Mr. WARNER: The worker, too, wants to relax on his holidays.

If this penalty loading is continued to be placed on tariffs, the accommodation owners will not be able to make their tourist resorts pay in the way they would like to see them pay. To obtain a good, steady flow of tourists to Queensland, we must provide the service that they want to be given and in the manner in which they want to receive it.

In most instances tourist resort operators are charging very high tariffs. As well, on the islands along the Queensland coast—certainly on those that I have visited—the catering is more for the benefit of the employees on the islands than for the tourists who visit them.

It is essential that travel agencies provide a service of high standard. They must give more accurate information than that given at present. Furthermore, they must give it immediately a tourist walks in and asks for it. A visitor to Queensland is entitled to receive the information that he desires. In many agencies—and I speak from personal experience—the service is not up to standard.

As an illustration—I asked my local tourist bureau for information about accommodation on a Barrier Reef island and was informed that no accommodation was available on that island but that accommodation could be found for me on some other island. As I did not want to visit some other island, I rang the island that I wished to visit and was informed by the manager that plenty of accommodation was available. In fact, the manager was very worried about the situation and said that the accommodation was nearly empty.

It is only by having a very well-managed industry that situations of that type can be avoided. So until we recognise the needs of the industry and until the Government makes more funds available to it, cities such as Toowoomba will suffer a serious disadvantage. They will miss out; only the other States will benefit.

EVIDENCE IN RAPE CASES

Mr. ROW (Hinchinbrook) (12.48 p.m.): The presentation last night of the Legal Practitioners Act Amendment Bill was generally applauded by the legally orientated members of this House. Some speakers referred at length to the prospect of improving the practice of law in this State. This belief is justifiably to be applauded but perhaps needs to be accelerated.

The application of the law in the name of justice should be subject to continual review by those charged with the responsibility of applying the law.

The Australian Law Reform Commission is a body that does that, and its report No. 5 of 1976 refers to a matter on which I now wish to speak. It relates to the rules of evidence in rape prosecutions. Far too many people in Queensland are dismayed and confused at the apparent failure of the Crown to deal successfully with charges of rape laid by the police, charges that subsequently fail because of an alleged lack of corroborative evidence when, in fact,

other uncorroborated evidence can be seen to weigh very heavily against an accused and often results in committal for trial in the lower courts with nothing further being done in the higher courts.

Far too many members of the public live in fear, believing that rapists in this State go free because of an over-zealous application of the corroboration warning at Crown Law Office level and by the judiciary. The laws of practice are becoming out of tune with modern society. Unless this trend is corrected, respect for the laws of the State by the public will diminish. The day that fathers of daughters feel that they need to take the law into their own hands will be a sorry day for Queensland.

MT. GRAVATT SHOWGROUND AREA

Mr. KAUS (Mansfield) (12.51 p.m.): I want to focus the attention of this House and of all the ratepayers of Brisbane on the Brisbane City Council's decision to persevere with further legal testing of ownership and use of the Mt. Gravatt Showground.

"The Courier-Mail" of 19 March quoted the Lord Mayor as saying the council would take the matter to its "fullest extent". Yesterday, the council and Myer Shopping Centres Pty. Ltd. were granted leave to appeal to the Privy Council against a Full Court decision of 18 March.

As honourable members are aware, this legal battle—one of Australia's longest—has been going on for seven years.

One would have thought that the council would have accepted the verdict of the Full Queensland Supreme Court on 18 March that the ground is held in trust by the council for showground, park and recreational purposes and that the council cannot sell part of the property for a shopping complex.

Mr. Lee: The Labor mob have spent their own money.

Mr. KAUS: That is right.

But no! The Council intends to continue the mad squandering of ratepayers' money on what it calls a "test case". So far, litigation has cost a total of about $350,000. If a lengthy and extremely expensive appeal does go the Privy Council, it is likely the cost will approach $500,000. Yet the council wanted to sell the land to Myers in 1970 for only $1,100,000! This so-called "test case" involves very strange economics.

While acknowledging the council's right to appeal, ratepayers must be astonished by the decision. In my opinion it is utter economic madness which will be condemned by every citizen in the city of Brisbane, and certainly will be rejected by the 42 peoples' organisations in the Mt. Gravatt area which have fought so hard for so many years.

I would like to pay a tribute to the tenacity—often at considerable personal expense and sacrifice of time and effort—of the ordinary citizens of Mt. Gravatt and district. It does one's heart good to see little people standing up to a machine seeking to squander their rights and deprive posterity of their birthright of open space and a place to meet and play. Understandably, this common fight for present and future generations has drawn the people of the area together as never before and there has emerged and consolidated a spirit of fraternity and common bond which will endure and expand.

Now there will be a long delay to the guarantee I was proposing to give to this House that the planning committee of the Mt. Gravatt Community Centre will lose no time in providing leisure facilities on the land for all people. I was about to suggest that these facilities will be the ultimate and concrete demonstration to all the residents of Brisbane whose parks and open spaces are in danger that the will of the people can succeed and that promises will become fact. Now it is all back in the melting-pot. Nevertheless, I would suggest that the Mt. Gravatt district has shown the need for a responsible and authoritative voice with which growing adjoining suburbs may identify in terms of commerce, transport, education, community service and so on. In other words, there has been raised a voice recognised by council and Government alike as being representative of all sections of one of the most populous and progressive sections of Brisbane.

I do not see the Mt. Gravatt Community Centre Planning Committee usurping another organisation's functions. It will in fact be a planner, a co-ordinator and a voice for a particular project. But the point I make is that it is a focal point for advice for any other body which wants to do its own thing in contributing towards the evolution of the area as a whole. There is much to be done, and councils and Governments should welcome any consensus of responsible opinion expressed through decisions of properly constituted regional bodies.

I, for one, certainly welcome the Mt. Gravatt Community Centre Planning Committee as a body reflecting corporate district thinking on what should be done and provided for junior and senior citizens on a particular area of land. I hope others will spring up and be similarly included.

I know the value to me as a member of Parliament of the assessments of need that these people will relay to me, for we will work as partners. Our combined influence on decisions taken on the whole area, for instance, or on services, construction and environment, will be the legacy we bequeath to future generations.

The people of Mt. Gravatt appreciate that they are trustees for the future. They feel it is quite odd that a Labor City Council should, despite a legal decision, still want to sell the

public estate to big business and push the people onto second-class land not nearly as handy to public transport and facilities.

I believe this to be a continuing attempted sell-out—at a ridiculous price—and an absolute disgrace. With the people of Mt. Gravatt, I will continue to speak out for and on behalf of a community which wants to plan for the future and protect the present—without the good offices of a very unhelpful Big Brother.

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

HOUSE-BUILDERS' REGISTRATION AND HOME-OWNERS' PROTECTION BILL

RECOMMITTAL

(The Acting Chairman of Committees, Mr. Gunn, Somerset, in the chair)

Order for third reading discharged and Bill recommitted for the purpose of reconsidering clause 79—Right of entry and inspection by Board's agents—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (2.16 p.m.): In the early hours of this morning I gave an undertaking to the Committee that I would look at clause 79 and, if I could come to some agreement and understanding with the honourable members for Stafford and Brisbane, amend it. I had consultations with them. We worked through until about 5.40 a.m. and agreed upon an amendment.

Mr. Houston: Did you ask the Opposition?

Mr. LEE: I have given the Opposition a copy of the proposed alteration.

I move the following amendment—

"On page 31, omit all words comprising lines 26 to 31, both inclusive, and insert in lieu thereof the following words:—

'79. Right of entry and inspection by Board's agents. (1) A member of the Board and any person authorized in writing in that behalf by the Chairman of the Board, at all reasonable hours of daylight, while building work in relation to a dwelling-house or in relation to a structure under construction as a dwelling-house is being performed, with the consent of the occupier thereof or, if there is no occupier, of the owner thereof first had and obtained, may enter upon and into the land, structure or dwelling-house in relation to which such building work is being performed and thereon and therein make such inspections and inquiries as he considers necessary to the proper discharge of the Board's functions.'"

Mr. K. J. HOOPER (Archerfield) (2.18 p.m.): The Opposition does not raise any great objection to this amendment. Nevertheless I must say that the Bill was a total shemozzle. We spent about three hours discussing it early this morning. In the five years that I have been a member of this Parliament——

Mr. Frawley: Which is five years too long.

Mr. K. J. HOOPER: I can assure the honourable member that I will be here a lot longer than he will be.

If I were the Minister I would sack the Parliamentary Counsel who drafted the Bill. I have never seen a Bill introduced into the Parliament that required so many amendments. What happened early this morning was a complete farce. Only for the members of the Opposition, and to a lesser extent the honourable members for Brisbane and Stafford, the Bill would have been passed and would have become one of the worst pieces of legislation ever to go through the Parliament.

I know that you will bear with me, Mr. Gunn, if I refer to my second-reading speech in which I said that the Bill was like the curate's egg—good in part. This was proved to be very evident when we were debating the clauses.

I take it that this is the only amendment to be debated?

Mr. Lee: Yes.

Mr. K. J. HOOPER: If clause 79 is the only one to be amended, I think the Bill is now to a certain extent tidied up.

The Opposition supports the amendment but I say in conclusion to the Minister that the next time he introduces a Bill of this magnitude he should at least get the Parliamentary Counsel or his other legal advisers to do their homework properly. I realise that the Minister does not have a great deal of knowledge of what goes on in the drafting of Bills. However, if his advisers do their job properly next time, we will be able to deal with a Bill of this magnitude within a reasonable time. It is quite obvious, too, that members of the joint government parties had never seen the Bill until it was introduced here last night.

Mr. LOWES (Brisbane) (2.21 p.m.): The honourable member for Archerfield now says that the Opposition raises no objection to the amendment. It is rather significant that the Opposition raised no objection to this clause during the debate last night. It is most significant that the clause as it stood last night allowed entry at any time, without any prior notice, to a dwelling-house. Today the Minister, after consideration, has allowed the objections that were raised last night by the honourable member for Stafford and others, including me, to the uncontrolled right of entry by a person authorised by a member of the board. The Minister is now bringing down an amendment which prohibits

entry by persons authorised by a member of the board at times other than in reasonable hours in daylight. It is a most significant change. The consent of the occupier or owner must also now be first obtained. That, too, is a most significant change.

Last night Opposition members had no objection to the clause as it stood and now they have no objection to the amendment. This shows how oblivious they are to the rights of the individual. They care not one scrap about them. In fact, they had no objection to a clause of a quite Draconian type. Today they do not even appreciate the change being made by the amendment, which is really quite substantial.

For my part, I thank the Minister for his preparedness to consider this matter. There were a number of clauses to which I had hoped the Minister would also have given further consideration. However, I was not successful in having him bring down amendments to them. The clause that is now being amended is one that many members believe to be offensive. Any clause that gives unrestricted right of entry to a person's property, particularly a dwelling-house, we find offensive. The Minister realised that the clause as it stood was contrary to our beliefs and consequently he has been prepared to have it amended.

I am very grateful that he has been prepared to reconsider this clause and for that reason I support the amendment.

Mr. GYGAR (Stafford) (2.24 p.m.): I, too, rise to support the amendment and to thank the Minister for the consideration that he has given to this matter. Quite frankly, I do not blame the Minister for its introduction. I am quite sure that if his advisers had made him aware of the implications of the words as they were written in the clause, he would not have accepted it in the first place. Let us not fool ourselves; it is an extraordinarily complicated clause.

I noticed that as the honourable member for Archerfield was trying to understand what was being done, he scratched his head and gave up the ghost and merely said that the clause was acceptable. As the honourable member for Brisbane said, the very opposite of the clause as amended was quite acceptable to the honourable member for Archerfield last night. If there is one thing that this debate has shown, it is the paucity of talent on the Opposition benches. Clearly they did not have the slightest clue what was going on and were quite prepared to leave any comments and amendments to Government members. They simply lacked the intelligence necessary to figure out what was going on.

Be that as it may, the Minister has taken heed of the suggestions and comments made last night on clause 79, and the alterations that he proposes are very significant. Yet again we have reaffirmed in this Assembly the commitment of this Government to the principle that there shall be no entry without warrant.

Of course, the honourable member for Archerfield stated quite bluntly the position of the Opposition when he said he did not object to this clause in its original form. Of course, the Opposition does not object to the right of entry without warrant—Gestapo-type tactics—and without any other restrictions. That is part of its philosophy, and the bankruptcy of that philosophy has been adequately demonstrated during the passage of this Bill, if anyone ever needed to think about it. The Minister has adopted the correct course of action, and I congratulate him on that. I congratulate him on his flexibility in taking on board the principle that is embodied in this amendment.

However, I do feel that one thing needs to be said for the record in the faint hope that senior advisers to Ministers and the persons responsible for drafting these Bills will read "Hansard" from time to time and recognise, once and for all, that they are not going to get through this Assembly any provision that calls for the right of entry without warrant. After this, the fourth time that we have fought this article, there can be no question; it will not happen. Even at the last gasp——

Mr. Moore: There are a number of other principles.

Mr. GYGAR: Yes, there are a number of other principles, but this is one of the most important. The Minister has demonstrated once and for all that the Ministry will not let these things pass, and the backbench will not let them pass. The Government is united, so it is quite pointless for these people to continue throwing up these types of provisions. If what happened on this occasion is repeated, then our reaction will be repeated. A flexible Minister will make the necessary amendment and the Committee will reaffirm the rights of the individual.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (2.28 p.m.): I thank honourable members for their comments.

Amendment (Mr. Lee) agreed to.

Clause 79, as amended, agreed to.

Bill reported, with a further amendment.

THIRD READING

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

RACING AND BETTING ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. Gunn, Somerset, in the chair)

Hon. W. E. KNOX (Nundah—Deputy Premier and Treasurer) (2.29 p.m.): I move—

"That a Bill be introduced to amend the Racing and Betting Act 1954–1975 in certain particulars."

The purposes of the Bill are—

To provide a limit of 70 years of age in respect of membership of both the Queensland Trotting Board and the Greyhound Racing Control Board;

To make provision for night galloping meetings under specified conditions;

To cater for the introduction of Friday night trotting in certain circumstances;

To extend the rights of the Trotting Board in connection with the postponement of meetings;

To confirm the arrangement, announced in May 1976, whereby racing and coursing clubs receive an additional percentage of on-course totalisator commission at the expense of the on-course totalisator tax;

To close a gap in the Act that was highlighted by what has become known as the Southport S.P. case; and

To tidy up section 42A of the principal Act, which relates to night trotting.

The nomination of persons to the Trotting Board and to the Greyhound Racing Control Board is a ministerial responsibility. Admittedly, certain nominees must be chosen from panels of names submitted by groups that have a fundamental involvement in the respective sports. In the case of trotting, three nominees must come from panels submitted by defined groups of clubs. With coursing, one nominee must be chosen from a panel submitted by the coursing clubs, whilst another is selected from a panel submitted by the Greyhound Breeders, Owners and Trainers' Association Limited. Nevertheless, the nominations are ministerial and they are subject to the approval of the Governor in Council.

The policy of the Government for some time now has been that no Government nominee should be appointed or reappointed as a member of a board where he or she has attained the age of 70 years. Furthermore, the policy is that, on attaining the age of 70 years, a Government nominee should stand down from a board. The Bill, if accepted, will adequately enforce that policy in regard to the two boards mentioned in the Act.

The Totalisator Administration Board is not referred to in the Bill, simply because the membership of that board is not dealt with in the Act itself. The relevant control device is set down in an Order in Council and steps will be taken to give effect to the age limit policy, as far as the T.A.B. is concerned, at a later time.

I have been concerned that section 43 of the Act makes it unlawful for a person to conduct a race meeting or a horse race for galloping horses during night-time. I can see no valid reason in this day and age for the discrimination. Night trotting and night coursing have been a part of the racing scene for a number of years. These promotions have provided, and will continue to provide, spectacular entertainment to a great many enthusiasts as well as to the more casual patron. It seems to me to be wrong in principle that one form of racing is denied the opportunity to undertake a night programme if it so desired and if it considered a night activity to be economically viable.

The Bill therefore repeals the present section 43, which prohibits night galloping events. In its place a new section is proposed which regulates the issuance of a licence to allow the conduct of a night race meeting for galloping horses. Basically the provision places a responsibility on the principal clubs to make recommendations to the Minister for the issue of such a licence. It does not force the principal clubs to recommend upon each and every application received, but it does require that a recommendation for the granting of a licence is not made unless the particular principal club concerned is satisfied that the track, lighting, safety features and other amenities are up to a proper and reasonable standard.

So that any applicant is able to adequately prepare for the introduction of night galloping at a racecourse, there is a facility to allow a provisional recommendation for a period of time within which the applicant can undertake the preparation.

The proposed replacement section is not dissimilar to those already in the Act covering the issue of a licence for night trotting and night coursing. That similarity is continued in regard to the licence transfer arrangements.

Apart from the licensing aspect, it is necessary that a definition be given of a "night race meeting for galloping horses".

A controlling subsection is also needed to make it unlawful for a person to conduct a night galloping meeting on a day or at a place not approved and specified by the Governor in Council by Order in Council. The control subsection further limits the hours within which this type of meeting can be conducted, and it limits the events that can be conducted to a race for galloping horses and an authorised novelty event. Another following subsection caters for the betting aspects which would be associated with a night galloping meeting.

Once again, these two subsections are not very different from corresponding subsections presently in the Act and covering substantially the same details for night trotting and night coursing meetings.

Three other minor machinery amendments are included in the Bill and these complete the requirements expected to be associated with any night galloping licence that might be given in the future.

The Bill allows for the introduction of Friday night trotting—an issue that has been the subject of considerable debate over the years. By the proposed amendment to section 36 of the Act, a registered racing club may conduct a night trotting meeting on a Friday if permitted by the Governor in Council, but before any determination is made on an application from a club, written objections and submissions on the matter are to be sought from the principal club concerned, the Trotting Board and the Greyhound Racing Control Board. These objections and submissions will be considered by the Minister, who will then make a recommendation to the Governor in Council. Based on that recommendation, the Governor in Council will determine the matter. If permission is to be granted, an Order in Council outlining the conditions of the permit will be published in the Gazette.

The provisions of the present Act dealing with postponed trotting meetings restrict the manoeuverability of the board to a situation where unfavourable weather conditions prevail. The Bill includes a suggested amendment which simply extends the postponement rights of the Trotting Board so that they are the same as those already held by the Greyhound Racing Control Board. Thus, a postponement may be granted to a club by the board not only because of weather conditions but also for any reason that the board considers to be sufficient.

In May 1976 Cabinet decided to adjust downwards the percentages of on-course totalisator tax in order to allow a corresponding increase in the on-course totalisator commissions paid to racing and coursing clubs authorised to operate totalisators. These adjustments did not, of course, affect the percentage of the on-course totalisator turnover being returned to patrons. Since that decision, the rearrangement has been undertaken on an ex gratia basis.

The amendment proposed to section 65 of the Act confirms that rearrangement. As indicated on their introduction, these arrangements were introduced to offset a partial decline in T.A.B. profitability. Once this profitability picks up again as the full effect of its computer is felt, it is expected that the temporary arrangement will be rescinded.

It follows that the percentage taken from the on-course totalisator tax for application to the Racecourse Development and Assistance Fund must be doubled to ensure that the same level of payment into the fund from this source is maintained. An amendment proposed to section 71C of the Act is included in the Bill to give effect to this need.

At the present time there is no provision in the Act to prosecute persons in Queensland for bringing instruments of unlawful betting into this State. Until recently, persons found in Queensland in possession of instruments of betting under these circumstances were prosecuted under section 108 (4) of the Act, which reads—

> "No person shall have in his custody or possession, any instrument of betting on horse racing or coursing".

However, in a decision in the Southport S.P. case, where persons were charged under this section, it was held that section 108 (4) was not applicable, because the instruments of betting found in possession were not connected with transactions in Queensland. The instruments of betting were associated with betting transactions which, on evidence, were deemed to have occurred in New South Wales.

It is desirable that activities of this nature be made an offence and for that reason the Bill specifically provides, by amendment to section 108, that the bringing of such instruments into Queensland or the possession of such instruments in this State is an offence.

My final reference is to that provision of the Bill covering an amendment to section 42A of the Act. Section 42A is about the restriction on the use of racecourses for night-trotting.

Under the section the Trotting Board, in any public invitation of applications for a night-trotting licence, shall state the minimum number of days it will allot to the applicant recommended.

The proposed amendment to the section allows for the deletion of certain words which are no longer applicable. This is a tidy-up amendment only.

I am satisfied that the Bill contains measures which will be helpful to the racing industry and which will promote its orderly development.

I commend the Bill to the Committee.

Mr. HOUSTON (Bulimba) (2.38 p.m.): Having listened to the Minister, I feel that some sections of the racing industry will welcome the Bill with open arms. I have no doubt that the galloping fraternity will thank and praise the Minister for allowing them to conduct night galloping races. Similarly, I am sure that the trotting fellows will thank the Minister for allowing them to conduct trotting races on Friday night. I believe, however, that the Bill discriminates against greyhound-racing.

It is unfortunate that on the Government benches there are members who have been very loud in their agitation for trotting on Friday night, to the detriment of other night racing sports. As well, there are those Government members who foster cricket. As cricket is played at the greyhound-racing establishment, it is feared that greyhound-racing could interfere with cricket matches. As I have said, the Bill discriminates against greyhound-racing in that, whereas galloping

and trotting will be allowed on Friday night, greyhound-racing will not be permitted. I might add that the Minister showed a complete lack of knowledge on his part as well as on that of his advisers when, in referring to greyhound-racing, he constantly used the phrase "greyhound coursing".

Mr. Knox: That is in the Act.

Mr. HOUSTON: I don't care what is in the Act. What goes on in Queensland today is not coursing but racing. If the Minister cares to ask his advisers about the difference between greyhound-racing and greyhound-coursing, they will tell him—if they know anything about the subject—that greyhound-coursing is illegal in Queensland because it involves the use of a live hare. In Queensland, we have greyhound-racing. When a Bill introduced to the House contains so much wrong terminology, is it any wonder that the development of the greyhound-racing industry is prejudiced?

I have no fight with the decision to retire board members at 70 years of age, but it seems strange that only yesterday we argued about judges in the High Court being allowed, if they so desired, to continue in office until they were 90 or 100 years of age. Under this legislation we will be retiring men who have virtually retired from their normal occupations. When they sit on the board they really occupy part-time appointments, but we say that at 70 they are too old. I said yesterday that when people reach 70 years of age they should be retired fully from the cares and worries of administration. At that age they can certainly enjoy the sport, but the responsibilities of administration should be left to younger people living in the present who are more attuned to the younger generation's wishes. When I say that, I am in no way reflecting on present or past members of the board. I feel that this provision is in board members' interests, and members of the Opposition will be supporting the Minister.

I have no objection to night galloping meetings, but can we stand so much competition in Brisbane? If we are to have galloping on a Thursday or Friday night, in competition with the trots on a Friday night——

Mr. Lane interjected.

Mr. HOUSTON: The Minister did not indicate that galloping would be restricted to certain nights of the week. He said that it would be open any night, according to the wishes of the principal club, which is the Q.T.C. The honourable member for Merthyr may know more about the contents of the Bill than I do. If he enters the debate, I will listen with great interest to what he has to say.

I have no fight with galloping, but I will be opposed to it if it gets complete preference over other forms of racing. While many people rely directly or indirectly on galloping for their livelihood, many others rely on the training of greyhounds and providing for their needs. Many people like to attend greyhound-racing or trotting, as well as galloping. I should like the Minister to clear up the situation with reference to night galloping.

On many occasions the former Treasurer argued that when trotting was established at Albion Park—it was the major trotting club in the Greater Brisbane Area—he would not allow any trotting on a Friday night that could possibly interfere with galloping attendance on a Saturday. The Albion Park club was granted meetings on Saturday night. When night greyhound-racing was introduced to the principal club at the 'Gabba, the former Treasurer told us that greyhounds would not be allowed to race on a Friday night.

When the Government decides to change its policy to allow racing on a Friday night, it is useless for the Minister to say that the Government will give the meetings to Redcliffe because it is outside Brisbane. Redcliffe may be a few miles out of Brisbane but it will attract people living in Brisbane and nearby areas. If it is decided to introduce Friday night racing, surely the first people to be given the opportunity to benefit from that decision should be those who were first refused—that is, the Albion Park Trotting Club. I believe that club has made it very clear that it does not want to change from Saturday night. The next one should be the 'Gabba Greyhound Club.

Mr. Hinze: You've got interests in greyhounds, haven't you?

Mr. HOUSTON: Yes, I have.

Mr. Hinze: You're on the committee over there, aren't you?

Mr. HOUSTON: Yes, and I make no apology for that.

Mr. Hinze: Just so long as everybody knows.

Mr. HOUSTON: Everybody does know.

Mr. Hinze: You are pushing a barrow.

Mr. HOUSTON: I am not pushing a barrow only for greyhound-racing. I am also pushing a barrow for all other racing. In fact, the Minister for Local Government is interested in trotting.

Mr. Hinze: Yes.

Mr. HOUSTON: Of course. If he has spoken to the Treasurer about trotting, I have no fight about that. If I did not have a knowledge of the greyhound sport I would not have the hide to get up and talk about it. However, I have some knowledge not only of greyhound-racing but also of trotting and galloping.

Mr. Lane: How many dogs do you own?

Mr. HOUSTON: You stop playing around. Make you own speech later on.

The ACTING CHAIRMAN: Order!

Mr. HOUSTON: It is well known to the Treasurer that the Gabba Greyhound Club—and I mention it because the Treasurer is introducing a Bill that is prejudicing the welfare of greyhound-racing in general and the Gabba club in particular—requested that it be considered for Friday night racing. I have copies of letters to that effect that were written to him. One was written on 24 August 1976, asking the Treasurer for Friday night racing. He replied that, because it was against the Act, he could not accede to a request by either the Redcliffe Trotting Club or the Gabba Greyhound Club. On 17 December 1976 the general manager of the Gabba Greyhound Club (Mr. Hicks) again wrote to the Minister asking for consideration to be given to greyhound-racing if legislation was to be introduced for Friday night racing. This is the Minister's reply, and I remind him of it. Let us see whether or not he is prepared to honour his obligation given in writing. His letter reads—

"5th January, 1977.

"Mr. J. E. Hicks,
"General Manager,
"Gabba Greyhound Racing Club,
"Brisbane Cricket Ground,
"Stanley Street,
"Wooloongabba, 4102.

"Dear Mr. Hicks,

"I acknowledge receipt of your letter of 17th December concerning the speculation about Friday night racing.

"I note your Club would like to present a claim for an alteration in race dates from Thursday to Friday nights if and when the opening of Friday nights is being seriously considered.

"It is and will continue to be my policy to deal with the respective controlling bodies rather than with individual Clubs on most racing issues but should it come to pass that an amendment to the Act is sought in the manner you have indicated, I will ensure that sufficient notice is given to you so that your Committee can prepare and present its views on the matter.

"Yours sincerely,
W. E. KNOX,
"Deputy Premier and Treasurer."

In view of that letter and his introduction of the Bill today, it is obvious that we cannot accept the Treasurer's word given in correspondence—particularly in this case in correspondence to the Gabba Greyhound Club. He clearly said in that letter that, before any decision is made about Friday night racing for any clubs, he will discuss the matter with the committee of the Gabba Greyhound Club.

However, what does the Bill provide? The Treasurer has said that he is going to allow trotting on a Friday night, but that he will accept objections from many people, including those representing greyhound interests. Apparently he believes he is acting in compliance with his letter if he allows an objection to be lodged against someone else enjoying the benefit. If the greyhound club objects to trotting being held on Friday night, that does not help the greyhound club to get Friday night racing, which I believe it is entitled to.

However, the matter is more important than just whether it is a Friday night or any other night. The question may be asked: why does everyone want Friday night? I know why trotting wants it. Surely, though, if the principal trotting club in Queensland, that is, the Albion Park Trotting Club, races on Saturday night, which is the best night in the week (and I have no argument with that club enjoying that benefit) and the gallopers through the Q.T.C. and the B.A.T.C. are galloping on the best day of the week, which is a Saturday, why shouldn't the principal greyhound club be given the next best night according to its own choice, which is Friday night? If the Minister wants the Bill to be fair dinkum he should allow the three sports to hold meetings on Friday nights or on any nights except Sundays—which my colleague from Sandgate would require—and let the clubs sort it out according to the interests.

One of the things worrying the clubs—I know it has worried the Redcliffe Trotting Club—is the loss of the T.A.B. and of the broadcasting of their races. Unfortunately the Gabba Greyhound Club is in the same situation because it races on Thursday nights. It may not be known to honourable members but radio station 4BK has indicated that it will not broadcast the Gabba races after the 14th of this month. This will have a tremendously detrimental effect on T.A.B. turnover and in turn will affect greyhound-racing throughout the whole State. Greyhound-racing is conducted other than in Brisbane but the Brisbane club is the only one with full T.A.B. facilities. The Minister talks about helping the T.A.B. and of making some changes in T.A.B. payments to the clubs, yet the income of the T.A.B. from greyhound-racing will be reduced once the broadcasts stop. Other radio stations have indicated their interest in broadcasting the whole of the programme, provided it is held on a Friday night. There is plenty of argument and reason why we should be considering opening the door for Friday night trotting, galloping and greyhound-racing.

A Minister introduces a Bill and the reason there is a debate is to allow him to learn the views of the members of this Assembly. I strongly object to the Minister's performance at present. The debate is of no

particular interest to him. Apparently he has made up his mind and is now talking to the honourable member for Merthyr and perhaps telling him what arguments he should advance to try to further discriminate against one section of the racing industry in this State.

As I said, greyhound-racing is not confined to Brisbane. It is conducted in Cairns, Townsville, Mackay, Mt. Isa and Southport. I believe that Rockhampton and Bundaberg are next in line. I warn the Minister and the Government that the Bill will bring about, or could lead to, a very serious situation in the T.A.B. distribution to greyhound clubs. It will not interfere with the Albion Park trotting on Saturday nights or with the galloping races during the daytime but will interfere with the attendances at greyhound race meetings throughout the State.

The greyhound clubs are prejudiced by the Government and, in addition, are being given the wrong end in publicity through the newspapers. One thing leads to another and once something starts going down, it goes from bad to worse.

I am sure that the Minister will recall that when the races at Lawnton and Southport were broadcast, the clubs enjoyed the facilities of the T.A.B. Immediately broadcasting from Lawnton stopped, the T.A.B. hold fell and the T.A.B. then decided that it was costing too much to operate there. The same situation arose at Southport. What I am saying is that if things are made harder for the Gabba Greyhound Racing Club, it will be in trouble with the T.A.B. and there will be a reaction against not only the Gabba club but also all clubs.

Some consideration also has to be given to the type of people who attend greyhound-racing meetings. I am asking for Friday night for several reasons. Rumours abound that eventually night shopping will come to this State and Thursday night is suggested as the most likely night. Certainly it is a possibility but, as the Government has said, that decision is for another tribunal. Night shopping certainly will not be permitted on Fridays but it could be allowed on Thursday evenings.

Many of those who attend greyhound-racing are people in the younger age group with young families. If the Minister had received a deputation from the Gabba club he would have had pointed out to him quite forcefully that attendances always increase at meetings on Thursday nights immediately prior to a Friday holiday. After all, as all people with young families know, it is much better to go out in the evening if there is no school next day. People are not keen to keep children up late on other nights, or to leave them with friends or at the kindergarten provided by the club. But Friday nights are different. What I am saying is that if we want to cater for people in this age group who want to go out for a night's entertainment, we should do everything possible to assist them rather than put Bills through that will help perhaps one or two sections of the racing industry but will certainly react against the third section.

I do not speak here simply as a person interested in greyhound-racing. I am also interested in galloping races. As a matter of fact, for the information of honourable members I might say that at one time I owned a racehorse. I am therefore not arguing solely in the interests of one branch of the racing industry. The Minister for Local Government and Main Roads has not yet persuaded me to buy a trotter.

Mr. Hinze: I'll give you a couple!

Mr. HOUSTON: I do not want any of those that run in boat races. For the information of punters, I might say that if they want to see real favourites win they have only to go to a greyhound-racing track.

(Time expired.)

Mr. LANE (Merthyr) (2.58 p.m.): The comments that I wish to make relate to the parts of the Bill that will allow night galloping in this State and extend night trotting. After listening to the Minister's speech, I appreciate that what he is doing is really loosening up the control of these aspects of racing. He is removing discrimination from where it is now found in the legislation and that, of course, is commendable. I suppose that by allowing greater discretion there will be greater flexibility in deciding where extensions of galloping and trotting may take place.

I have a primary responsibility on behalf of people living near Albion Park, which is one of the main racetracks and paceways in this State, to voice a few words of caution. I speak for those who are forced to share the noise, traffic congestion and glare from lighting that is associated with trotting and racing at Albion Park on Saturdays. I do not do this from any narrow-minded outlook. I am a member of the B.A.T.C. and over the years I have enjoyed many afternoons and evenings at the races in Brisbane. But I believe that what has to be done must be done in a way which will not interfere unduly with nearby residents because they are people who have basically a live-and-let-live attitude towards racing and its associated noise nuisance. They expect the racing people to be reasonable.

I will oppose the extension of trotting at Albion Park to any night of the week over and above those on which it now takes place. Back in October 1975 when this Bill came up for amendment, I was able to successfully oppose the extension of the hours for trotting at the Albion Park Paceway. I persuaded the then Treasurer, Sir Gordon Chalk, not to succumb to the pressure from the Albion Park Trotting Club

to extend trotting past 11 p.m., because I thought 11 p.m. was a reasonable time. Sir Gordon Chalk listened to me and did not permit an extension of the hours.

Once again I seek an assurance from our new Treasurer that there will be no extension of trotting at Albion Park in terms of additional nights. There are other clubs in the provincial cities and on the periphery of Brisbane who seek an extension, and perhaps that is where it could go—but certainly not at Albion Park. We suffer enough noise nuisance there at the moment.

I hope that night galloping will not be introduced at Albion Park, because we suffer enough from the lights that are installed there for trotting. The nuisance would be much greater if the larger track used for galloping were to be lit up for night galloping as well. Many of the homes in that area are long established; in fact, they have been lived in for generations. The residents have a right to be left in peace.

Only a week ago I was involved in an incident when new lighting costing something like $100,000 was installed at Albion Park for the Interdominion carnival, which commences in a few weeks' time. When these new lights were being tested they threw light all over the hills at Albion Heights and Hamilton. The place was lit up like daylight and one of my constituents complained that if the club were allowed to continue using lights of that sort he would have to wear sunglasses to bed, and he had no intention of doing that.

Many people around this area have young children and they are entitled to their sleep. On week nights it is essential that young people be able to get an adequate night's sleep so they can perform adequately at school next day. So I protested to the people at the Albion Park Trotting Club. Mr. Allan Frost, the secretary, is a very obliging man, and he had hoods fitted immediately to most of the lights so that the light was directed down onto the track and not into the homes of people on the hills nearby. Of course, he was only able to fix some of the lights because there were not sufficient hoods available to do them all, but I understand—in fact I have since had an assurance from him—that as soon as other hoods are available all the new lighting at the paceway will be covered so that the light will all be reflected down onto the track. I am very pleased about that, and I believe the people who live in the area will be equally pleased and satisfied.

It would be even more alarming if night galloping were to be carried on at Albion Park. That would multiply the noise factor and all the other problems, particularly traffic congestion, much of which is due to lack of co-operation on the part of the Labor city council traffic officers, who refuse to lower the "No standing any time" signs at night-time in the vicinity of the paceway so as to restrict parking, which at present causes inconvenience to people trying to get in and out of their homes and causes quite a lot of traffic congestion in the area.

Apparently the Brisbane City Council takes the view that, because it does not derive revenue from parking tickets and fines on vehicles that would park in "No standing anytime" areas, it will not employ men at night on overtime to let down the signs so that a "No standing anytime" traffic direction applies. Of course, it is not the task of the police to do that, but I have asked the Minister for Police to approach the city council and see whether some method of providing relief from the traffic congestion in the area can be provided.

I mention these matters—the glare from the lights, the noise from the loudspeaker system, and the traffic congestion—as three side issues that would flow from any extension of night trotting or night galloping in that vicinity. I ask the Minister to take into account the views of the local residents and to refuse to allow any further extension of trotting or galloping at Albion Park or in the vicinity of the Albion Park raceway or club.

Mr. FRAWLEY (Murrumba) (3.6 p.m.): I support the amendments to the Racing and Betting Act proposed by the Deputy Premier. Both the honourable member for Redcliffe, who is Speaker of this Assembly, and I have supported the Redcliffe Trotting Club over a number of years in its efforts to hold trotting meetings on Friday nights. We have received support from the honourable members for Pine Rivers, Landsborough, Cooroora, Albert, and Somerset, and also from other people who are interested in the viability of trotting clubs.

The principal proposal is to amend section 43 of the Act to allow night galloping in Brisbane. It also indicates that there will be some relaxation in the field of trotting. At present, the Redcliffe Trotting Club trots for three months on a Monday night, and for those same three months the Gold Coast Trotting Club trots on a Wednesday night. For the next three months the position is reversed.

I noted that the Deputy Leader of the Opposition espoused the cause of greyhounds. I have no objection to greyhounds, but I certainly will object to any licence being given for racing at the Gabba Greyhound Racing Club on Friday nights if that will prevent the Redcliffe Trotting Club holding a trotting meeting on Friday night. In other words, if the Redcliffe Trotting Club is allowed to hold trots on Friday night, the Gabba Greyhound Racing Club can do what it likes.

Mr. Houston: Why don't you support us, then?

Mr. FRAWLEY: I am a member of the Redcliffe Trotting Club. I do not get in on the grouter. I am a member; I pay my

$40 a year and get my tickets to go in. I have never once been to any of the other places that have been mentioned on a free ticket, and I never will.

The honourable member for Bulimba did not seem to worry very much about any form of racing other than dogs. I do not blame him for that—dogs are his primary interest—but I point out to him that the Redcliffe Trotting Club made application to be allowed to conduct trotting meetings on Friday night long before the Gabba Greyhound Racing Club was formed.

Trotting has suffered a great loss from the decline in T.A.B. betting which was brought about by the non-broadcasting of Redcliffe and Southport trotting meetings. If the Redcliffe Trotting Club were granted a licence to hold trotting on Friday nights, radio station 4BC would provide a full broadcast service, and it has also agreed to provide a full broadcast service to Southport. There would be an immediate increase in T.A.B. turnover; there would certainly be an increase in course patronage at Redcliffe. This would enable the Redcliffe Trotting Club to maintain, and even increase, the present distribution to owners and trainers, who have had to meet ever-increasing costs without any additional return.

Night trotting commenced at Redcliffe in January 1973.

Mr. Houston: When?

Mr. FRAWLEY: January 1973. Of course, although that was when night trotting commenced, trotting meetings had been held in Redcliffe long before that. Trotting was held in Redcliffe at the Redcliffe Showground first of all and then the Redcliffe trotting track was built by Sir Manuel Hornibrook. Incidentally, it was the first true half-mile track in Australia. The exact distance is 853 metres.

Trotting is an important industry in the city of Redcliffe and in the electorate of Murrumba. A total of 63 persons are employed on race nights at the Redcliffe Trotting Club in manning the bar, in catering, as gatekeepers, as attendants and so on. There are also four permanent employees. A total of 44 bookmakers' clerks are employed at Redcliffe for 22 bookmakers. At every meeting an average of 70 horses race and there has to be an attendant for each horse. As well there are approximately 45 trainers. There is accommodation next to the Redcliffe Trotting Club for 80 horses in Knight Street.

There are over 200 horses in training in the Caboolture area and more than 500 trotting horses in training in my electorate. Nearly every trotting stable in my electorate is a family concern. It has been estimated that about nine people—that is, the father, the mother, the children and so on—are interested in each horse. I do not mean to say that each horse supports nine people; what I am saying is that on the average nine persons are interested in each trotting horse in Redcliffe.

Other trotting clubs want the benefit of Friday night trotting. I know that the honourable members for Mirani and Whitsunday have made numerous representations on behalf of the Mackay Trotting Club, which wishes to hold meetings on Friday night. Thanks to the efforts of those two gentlemen as well as of other persons, I think the Treasurer is finally convinced that trotting should be allowed in Mackay on Friday nights.

We know, of course, that the member for Mackay will try to get in on the grouter and undermine them. No doubt he will claim that he has made all the representations on behalf of the Mackay Trotting Club. We know that that would be a pack of untruths.

Another interesting aspect of the Bill is the portion of it that relates to sprint horses. A certain number of sprint horses are bred in my electorate, but I know that the member for Landsborough has certainly many more in his electorate.

Mr. Ahern: They are quarter-horses.

Mr. FRAWLEY: I do not think the owners like to refer to sprint horses as quarter-horses. The quarter-horse is a certain breed that was evolved in America many years ago. In sprint racing, Appaloosas and palominos as well as quarter-horses compete. The term "quarter-horse" is not the correct one that should be applied to the sprint horse.

I think there is nothing more exciting than a straight sprint race between sprint horses. There is nothing better than a 400-metre run with sprint horses in line. In fact the sprint would be the blue-ribbon event of any race meeting. It is like the 100-metres sprint in an athletics meeting. Even though I do not necessarily agree with such claims, it is claimed to be the blue-ribbon event. I think the javelin throw should be the blue-ribbon event. It is in the veterans' meeting, of course, because I take part.

Sprint racing will really revolutionise horse-racing. I think it was in 1914 that a rule was laid down that no horse race would be allowed under 880 yards, or half a mile.

Sprint horse owners have many valuable horses and I think they could be catered for. I have heard rumours that lights may be installed at Doomben to allow sprint racing to be conducted there. I do not know which night it would be conducted, but I prophesy that it will be something that the family man will go to.

Many country clubs, for example, the Esk club in the Somerset electorate, are interested in holding sprint races during race meetings. I hope that the principal clubs allow sprint racing to be held on the same day as race meetings. There is nothing wrong with that, especially in the country. I do not think they are so concerned about sprint races in Brisbane, or that the Q.T.C. will have to stage them so long as they are allowed to hold

them in country areas. Incidentally, at 1 o'clock on 25 April—which is Anzac Day—the Sprint Racing Association is conducting a sprint meeting at Caboolture. The club holds a permit, but I can assure honourable members that there will be no bookmakers in attendance.

The honourable member for Bulimba said that I opposed greyhound-racing. That is untrue.

Mr. Moore: You may be able to run, but you will never beat a greyhound.

Mr. FRAWLEY: To judge by some of the greyhounds I have seen running, I could probably beat them over 500 metres—perhaps not over 500 metres, but I could eat some of them over 1500 metres.

Mr. Casey interjected.

Mr. FRAWLEY: I could stage a novelty event with the honourable member for Mackay for any side bet that he cares to nominate. I will give him 20 metres start in 100 metres and run away from him. I would leave him for dead. One has only to compare the two of us to judge who could run 100 metres.

The Minister and his advisers are to be commended on this far-sighted decision. I congratulate the Minister as one with wide horizons. He is not narrow-minded and is prepared to look at racing events other than galloping.

Mr. CASEY (Mackay) (3.17 p.m.): I support the measure introduced by the Minister with an urgent request that the Mackay club be one of the clubs granted an immediate licence to stage Friday night trotting. The Minister knows that the Mackay Trotting Club faces considerable problems caused by a number of unfortunate circumstances. Because of commitments entered into between the trotting club and the racing club in a joint venture to develop the racecourse area, the club has to meet a weekly outlay of $1,350 for buildings and lights before meeting ordinary expenses. Most of the costs have been occasioned by an agreement entered into with the turf club over a building which, because of escalating costs and poor design requiring certain redesign work during construction, proved to be very expensive.

To be successful and attract good crowds, night trotting has to be promoted properly. For a number of reasons the original Saturday night trotting meetings in Mackay were not successful. Recently, the club tried Wednesday night meetings, which did not clash with the galloping programme, but the trial period was completely unsuccessful. It is unfortunate that in the Mackay area (the major sugar-growing district in Queensland) for seven months of the year the only satisfactory nights for promoting this sport are Friday and Saturday. An added advantage in Mackay's being granted a Friday night licence concerns its geographic position between Townsville and Rockhampton, which would facilitate an interchange of horses between the centres. The horses could run at Mackay on the Friday, and in Rockhampton and Townsville on the Saturday. In this way there would be no competition between the three centres, but it would mean a better standard of horses and all-round promotion.

Unfortunately, since its inception, the Mackay club has suffered severely from the heavy wet seasons. However, it would not have to face major problems but for the high interest and redemption payments that have to be met as well as the ordinary costs of meetings. I have made representations to the Treasurer—and I have not received a full reply on them—about a serious financial situation that temporarily exists there. I make a further special plea to him for an interim payment from the T.A.B. to assist it in overcoming the problem.

The immediate financial problem has been caused mainly by the increase from 26 to 52 meetings a year. In other words, the number of programmes has been doubled. As we all know, most of our clubs—whether galloping, trotting or greyhound (which was so forcefully mention by the honourable member for Bulimba)—do not really become financial until they have received payment from the T.A.B. for the year. When a club doubles its number of meetings, it has to carry the additional financial burden with funds that are not adequate. I believe that that was not properly taken into account by the Trotting Control Board when the Mackay Club was licensed to commence operations in November last year. Perhaps this is unfortunate.

Since that time the composition of the Trotting Control Board has altered. I do not want to lay any blame—to use that terminology as an easy way of explaining it—on the members of the Trotting Control Board at the time the decision was made or on the Mackay Trotting Club. I believe everything was done in good faith. Obviously, somewhere along the line unsound advice was given on the club's financial structure for the commencement of larger operations.

The club has to meet costs of something like $200 per meeting more than those for gallopers in Mackay because of the capital repayments on the lights and the cost of running them. Once the repayments on the lights have been met, the club will revert to a fairly stable financial footing. However, I think at this time it does deserve support and assistance. I have discussed with the Treasurer the aspect of the Mackay Trotting Club merging with the local turf club, as a long-term solution to the problems. However, I do not know that that is entirely the answer. Irrespective of whether the trotting club is meeting, the burden of costs has to be met from the punters' pocket. I do not think

that an amalgamation of the organisations will change that. If the trotting club hands over control to the turf club, it simply means that the turf club has to find all the money to meet interest and redemption charges instead of only half of the money as it does now.

I would like to see everything possible done to enable the Mackay Trotting Club to operate as a separate entity. I understand it was the first provincial trotting club in Queensland, and it has a great history of wonderful sportsmen in the trotting sphere, as well as the wonderful trotters that were developed in the area and became famous on trotting and showground arenas. Of course, in the early days trotting was held mainly in conjunction with agricultural shows throughout the length and breadth of Australia.

The Mackay Trotting Club is in need of urgent assistance, and I again ask the Treasurer to give urgent consideration to affording that assistance and to allocating it a licence. In similar instances urgent assistance has been provided. Not too many years ago one of the major trotting clubs in south-eastern Queensland received assistance of a similar type from the Government in order to regain a stable financial footing. Since then, with proper management, the club has overcome its problem and been able to operate quite profitably. I make a further plea to the Treasurer for similar consideration for Mackay.

Mr. AHERN (Landsborough) (3.25 p.m.): If Mr. Speaker were here today he would certainly be in the Chamber supporting this proposal, particularly as it affects his electorate of Redcliffe. I think the Bill means that the Redcliffe Trotting Club will be able to conduct Friday night meetings.

Recently a number of honourable members were entertained by that club. We went there under the patronage of Mr. Speaker and saw the amenities and the high standard of the course. I was tremendously impressed.

Mr. Houston: Have you been to the Gabba?

Mr. AHERN: Of course.

If the proposal is agreed to, the club will be able to expend a considerable amount to provide excellent amenities. As I said, if Mr. Speaker were here, he would be on his feet saying just that.

The sprint race clubs have a considerable following in my area. As I understood the Minister's introductory speech he is proposing to leave the door open for consideration to be given to sprint race clubs in Queensland.

Mr. Moore: What are sprint races—four furlongs or something?

Mr. AHERN: Yes. They must be under 800 metres. To hold them would require an amendment of the Australian Rules of Racing. These clubs are worthy of consideration.

The argument is going around the racing ridges that the galloping clubs are going over some rather rough economic ground. In certain areas the introduction of sprint-racing events would give the galloping clubs a real shot in the arm. It would be a tremendous idea and would increase the interest in galloping clubs. It would be something new that would provide extra revenue for them. This would enable them to better fund their present infrastructures that they are struggling to fund at the moment.

Of course, they are running into the traditional conservatism of the thoroughbred industry. Some leadership from the new Minister controlling racing in Queensland would help them along. The Minister has expressed some interest in this idea. Sprint-racing is a tremendously popular sport in my area and is worthy of consideration.

Honourable members might not know that a Sprint Registry has been set up in Sydney to register sprint races. It incorporates the existing offices of the Australian Quarter Horse Association. The idea is to register horses, trainers, jockeys and tracks as well as to distribute rules. State Sprint Racing Associations have already been formed or are being formed in Queensland, New South Wales, Victoria, South Australia and Western Australia.

There has been a lot of interest in these races in my area. In Queensland, races have been held with prize-money of up to $10,000. No bookmakers operate on these races and there is no T.A.B. Races have been conducted in the areas of Noosa, Caboolture, Murgon, Laidley, Jandowae, Mackay, Nerang, Rockhampton, Dugandan, Mt. Garnet, Glastonbury and Conondale and speed trials have been held at Callaghan Park in Kooralbyn where there are some amenities for racing. The country clubs that are struggling have shown tremendous interest if this can be got off the ground in association with the hierarchy of the racing industry and the Minister's department.

It would be good for the industry if it could be done within the present infrastructure and without the need to provide new amenities from the ground up to cater for sprint races. It would boost the gate at race meetings, particularly in the country. It would bring new owners into racing, provide more horses, employment and outlets for existing trainers and jockeys and allow more opportunities for introducing younger horses, particularly two-year-olds, into racing without the undue stress that is quite often imposed on them in the longer distance races.

There is tremendous support in country clubs for sprint races. As I said before, it would be a great pity if conservatism in the thoroughbred industry forced this sport to endeavour to go it alone in Queensland and establish another new race club or set of race clubs. I do not think that that is either necessary or desirable. If sprint racing were allowed in collaboration with the present racing clubs, perhaps on separate days or nights, it would be to the great advantage of the industry. It could well provide the shot in the arm and the touch of imagination for which clubs are looking to bring back the crowds and increase their financial viability in a time of inflation. I hope that the measure now before the Committee will provide an opportunity for sprint racing to become legitimately involved in the industry in Queensland.

Hon. W. E. KNOX (Nundah—Deputy Premier and Treasurer) (3.31 p.m.), in reply: I thank honourable members for their contributions to the debate. I shall reply to some of the matters raised.

I take the point made by the honourable member for Bulimba about coursing. He has explained to me on several occasions the difference between coursing and racing. However, I use the word "coursing" because it is defined in the Act and we have to live with it. There is reference to coursing right through the Act and about 200 amendments would be needed to remove it.

On the question of retirement at the age of 70, quite different circumstances apply in the case of judges of the High Court. I have noticed that the age of retirement in the A.L.P. is 65 years.

Mr. Casey: Seventy.

Mr. KNOX: It has been raised?

Mr. Houston: It was always 70.

Mr. KNOX: I do not know why honourable members opposite do not make it 71 because most of them look over 70.

An Opposition Member: At least we've all got hair on our heads.

Mr. KNOX: I may have less hair on my head but I have more on my chest, which is where it really matters.

On night galloping and Friday nights—a certain amount of mystique has grown up round Friday night. Many years ago, when there was no flexitime, when people worked longer hours and had different pay periods, Friday night was a late-shopping night. In fact we used to go to picture theatres on Friday night. There was no television in those days. Friday night was the only time people had money in their pockets to allow them to go to the pictures because by Monday it had all gone. But, whatever the reasons, the mystique of Friday night lingered on and it has been perpetuated in this legislation.

I give a warning, however, that I do not believe that Friday night trotting will be nearly as impressive a story as many people believe it will be. Much will still depend on the ability of clubs to promote their activities in their own areas. They will be in competition with television and other forms of entertainment and they will need to have good promotion to obtain any advantage from Friday night trotting. There is no magic that will be associated automatically with these meetings. I hope trotting clubs will take note of this warning as I should hate them to think that all their problems will be solved simply because they will have Friday night trotting. I regret to say that some clubs will in fact have problems of management and promotion created for them by Friday night trotting.

The honourable member for Merthyr referred to the lighting at Albion Park and other environmental matters which are of concern where any night activity takes place, whether it be a bowling club having a late night, a picture theatre or some other place of entertainment. This has to be taken into account. Of course, the legislation which now exists enables local authorities to take into account environmental matters associated with night entertainment when issuing permits. I trust that the people who have that responsibility will exercise careful judgment in relation to any additional nights which might be allotted to galloping or trotting, or greyhounds, for that matter. This must also be taken into account. If they do not, of course, public reaction will be quite strong. Very often the people who react most strongly in these areas are also people who are interested in the sport. They have a dual interest. They are citizens of the area as well as being people who want to have the facility, and some compromise has to be made in order that the facility should remain viable.

I also want to make it quite clear that by making changes in the legislation we are not making it automatic or compulsory to have additional evenings for galloping or trotting. There is still a requirement that the approval of the principal club, in the case of galloping, and the board, in the case of trotting, has to be obtained and objections have to be considered before the Minister will even consider the matter.

Mr. Lane: Objections from the public, too?

Mr. KNOX: Yes, we will consider objections from the public because they have to be taken into account both politically and economically, as I said in reply to the honourable member's remarks. Those things must be examined as a totality before the Governor in Council will ultimately approve of a licence. I think the clubs must take into account that it is not automatic and they are not compelled to do it. I am quite sure that after considering all the costs and

other matters a number of clubs will not take advantage of the legislation, although others will.

The honourable member for Murrumba spoke on behalf of himself and other members who take an interest in this subject. Again I would issue a warning to take care and not to think that Friday night trotting is automatically going to be a bonanza. I am sure the honourable member understands that. Racing is a labour-intensive industry. Costs are very high, and in fact the loading on wages at that time of the week is oppressive and has to be taken into account along with the benefits that might accrue to the club.

The honourable member for Mackay spoke about the problems of the trotting club in his city. He, along with the Ministers from that area, Mr. Camm and Mr. Newbery, has made representations to me about the problems of the trotting club. I trust that they have been resolved to the extent that they have been able to find common ground with the gallops. As to which night should be taken advantage of for trotting, again they have to make an assessment. I hope that clubs will do some sort of feasibility study and not just go into some of these activities blind. It is so easy with a great deal of enthusiasm for clubs to say, "Let's take X night or Y day" and expect their problems to be solved. They still need to have patrons who are prepared to pay their way through the turnstiles. If people are not prepared to do this, then obviously the operation will not be a viable one. I think that has to be kept in mind.

The honourable member for Landsborough spoke about sprints. The Australian Rules of Racing make it quite clear that there shall be no race at galloping meetings which is less than four furlongs. This virtually prohibits sprints, or what are commonly called quarter-horse races, in these circumstances. I agree with the honourable member that there is a great deal of enthusiasm for and interest in that sport; but if it is to become part of the scene in which betting takes place and, ultimately, the T.A.B. operates, a great deal of care will have to be taken. I do not believe, and I do not think I should mislead people into believing, that sprints will be able to sustain themselves. There possibly is room for them as additional events in certain circumstances.

Mr. Houston: On show circuits.

Mr. KNOX: Whatever the circumstances are, it will depend very much on the ability of people interested in sprints to maintain the events and also on those interested in galloping, and so on, being prepared to entertain them. But I certainly am not going to impose on the sport or industry—whichever one wishes to call it—any compulsion to entertain sprints. At the same time, there is room for sprint events to be recognised, and no doubt, in the conversations that are taking place now with other interested parties and that will take place in the next few months, some understanding can be reached that will enable them to get a share of the available space.

Overall, we must keep in mind that the viability of the various sports that we are discussing depends very heavily on an interested, enthusiastic paying public. There is already a situation in which, if one looks at it in a cold, hard way, we probably have too many outlets for the 2 000 000 people in this State. Some care and responsibility has to be exercised by me, as the responsible Minister, to see that a situation is not created in which, perhaps, the enthusiasm of some carries them away so much that it prejudices the industry for which they have so much enthusiasm.

I have met such situations several times and when people come to my office to talk about starting a trotting club, a galloping club or a greyhound club in their area, I ask them to go away and do a fair amount of homework, because although the people involved are tremendously enthusiastic and dedicated, they also have a feeling that everybody else in the community is as enthusiastic and dedicated as they are. Unless people not so enthusiastic are prepared to support them, we are only encouraging them into a situation from which they will eventually have to walk away, and that would be very disappointing to them and it could be a calamity for the people with whom they are associated.

My department has the responsibility, and I have the responsibility as Minister, to try to encourage those who have the confidence and the ability, and, at the same time, to discourage those who may not have as much support as they think they have in the community. I trust that people will do a little more homework before seeking licences. They must not think that they have some new magic simply because alterations are being made to the legislation.

Mr. Houston: Why didn't you honour your letter to the greyhound club with regard to meetings before bringing this legislation in?

Mr. KNOX: It is not a question of my honouring anything.

Mr. Houston: You said in your letter that you would meet the Gabba Greyhound Racing Club. Your words are very clear—"I will ensure that sufficient notice is given to you so that your committee can prepare and present its views on the matter." That is over your signature.

Mr. KNOX: I do not intend to amend the legislation relative to greyhound clubs. When I do, it will be given plenty of notice.

Mr. Houston: For Friday night racing.

Mr. KNOX: When there is a proposal for changing to Friday night racing for greyhounds, plenty of notice will be given.

Mr. Houston: You did not say that; you said Friday night racing concerning trotting. I think your memory is bad.

Mr. KNOX: Maybe it is, but when it comes to considering greyhounds the greyhound racing club will be given plenty of notice and will have an opportunity to discuss the matter with me.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

SECOND READING

Hon. W. E. KNOX (Nundah—Deputy Premier and Treasurer) (3.47 p.m.), by leave: I move—

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

I have nothing further to add.

Mr. HOUSTON (Bulimba) (3.48 p.m.): As I said at the outset, the Bill will benefit the racing industry. However, we have now reached an extraordinary stage. The Bill contains 11 clauses and will be of great interest to many people and bodies in Queensland. It will be of particular interest to race clubs, which are controlled and operated by voluntary workers and subject to supervision by boards apointed by the Government. In other words, thousands of people in Queensland would like to have an opportunity to analyse any amendments that are made to the Racing and Betting Act. Yet this Bill—one which, as I have said, will help one section of the industry while at the same time injuring another—is being pushed through the second-reading stage before anyone has even one moment to read it and compare it with the existing legislation. This is happening because the Government did not have the Bill prepared for presentation to Parliament at the appropriate time.

Can any honourable member recall any other Bill that has passed through all stages in one day without the mutual consent of the Government and Opposition? Admittedly last night a Bill passed through all stages, but that was with the consent of the Opposition. I strongly protest at the course being followed today. It is not giving to the Opposition, to members as a whole or to the community an opportunity to study the Bill. I realise that Government members have had an opportunity to analyse it.

I have been criticsed by a Government member for speaking on behalf of the greyhound industry. What is wrong with doing that? Other members, quite rightly, have spoken on behalf of industries in their areas and those industries have a great bearing on the livelihood and pleasures of a large number of people.

At any rate, the Bill is upon us and will be passed by the weight of numbers.

The first point on which I challenged the Minister was his letter of 5 January. I shall refer to it again, and I hope that on this occasion the Minister listens very carefully. When I read it earlier he saw fit to indulge in conversation with the honourable member for Merthyr.

This letter, of 5 January 1977, states—

"Dear Mr. Hicks,

"I acknowledge receipt of your letter of 17th December concerning the speculation about Friday night racing."

That speculation emanated from Press reports that the Government was going to allow trotting on Friday nights. The letter continued—

"I note your Club would like to present a claim for an alteration in race dates from Thursday to Friday nights if and when the opening of Friday nights is being seriously considered."

In everyday language surely that means the opening of racing on a Friday night as distinct from the provisions in the Act that trotting and greyhound-racing can take place only on certain nights. In both instances Friday night was specifically excluded.

The Minister then wrote—

"It is and will continue to be my policy to deal with the respective controlling bodies rather than with individual Clubs on most racing issues . . ."

Again, I can understand that, but it is broken down when we consider that the Q.T.C., the principal racing club, is also a practical racing club. It performs a dual purpose, whereas both the trotting and greyhound control boards are separate identities.

The Minister's letter continued—

". . . but should it come to pass that an amendment to the Act is sought in the manner you have indicated . . ."

—that is, to allow racing on a Friday night—

". . . I will ensure that sufficient notice is given to you so that your Committee can prepare and present its views on the matter."

Surely ordinary plain common English puts only one interpretation on that.

On 25 March 1977, Mr. Hicks again wrote to the Deputy Premier and Treasurer seeking an interview and asking for permission to lead a deputation. The Minister admitted he had received representations from colleagues—and I have no fight with that—on behalf of trotting. No doubt he has spoken to the administrators of trotting clubs. Although he was asked for an interview he saw fit not to grant it. The public at large can judge whether or not the Minister's word on racing, particularly in written form, is of any value.

The honourable member for Merthyr said that the lights at Albion Park annoy his constituents. He has a right to present the case as he sees it. If galloping were to

take place at Albion Park, no doubt he would find that the lights would again interfere with his constituents. To my knowledge no complaints have been made by residents about any activities at the Gabba.

At the outset I said that I believed this legislation should allow racing on Friday nights, with the inclusion of greyhound promotions on a Friday night if that is desired. The honourable member for Murrumba said that he had no objection to Redcliffe trotting and Gabba greyhound meetings, and the Minister said that there would be no compulsion. But at least they should be allowed to make up their minds whether or not they want to change nights knowing full well that Redcliffe trotting is to operate on Friday nights. We should at least give the Gabba or any other club the opportunity to do likewise.

If the Treasurer intends to effect changes that will alter the income of clubs, he will interfere not only with greyhound-racing at the Gabba, but also with the development of the cricket ground complex. One Government member pointed out to me that racing on Friday nights at the Gabba would interfere with cricket matches. I pointed out to him—but apparently this did not reach the Minister—that, at the most, cricket would be played at the Gabba on only six Fridays. What about the other 46 Fridays? The legislation could quite easily provide that, on those 46 nights, racing could be held and the other six meetings could be transferred to the next Monday or another appropriate night. At any rate, the modern trend in the South is to start major cricket matches on a Saturday instead of on a Friday. Cricket followers believe that by commencing a match on a Saturday they enjoy the benefit of the first two days being played on holidays, now that Sunday has become recognised as a sports day. Therefore, it is more than likely that in time to come a substantial change could be made so that cricket matches begin on Saturday.

Those who are conversant with the Woolloongabba cricket complex would know that at one stage it went very close to losing test matches. Tremendous development has taken place, financed in the main by supporters of greyhound-racing.

I am sure the Treasurer knows through his association with the S.G.I.O. that the Gabba club recently committed itself to further developments, not just for greyhound followers, but for all those who use the complex. All of those people—and particularly cricket followers—will enjoy the advantages of those developments, but it is the greyhound patron—whether he attends at the meeting or supports the T.A.B.—who will pay for them.

Perhaps I would not be so concerned and worried if it were not for the fact that, as I said in the introductory stage—I hope the Treasurer takes notice of it; perhaps he can assist—4BK has given notice that it will broadcast greyhound meetings on only two more nights. My view is that it is a good commercial proposition, but of course broadcasting station managements are entitled to run their businesses the way they see fit. However, unless another station takes up the broadcasts, there will be a tremendous drop in T.A.B. turnover. It will be found that something will have to be done in this House not only to help racing collectively but also to rescue this very important asset that is enjoyed by so many people. I make those points because I believe that now is the time to raise them. It is no good saying later on, "We should have said something about it."

The only other thing I wish to comment on is the Minister's concern about Friday night not being a payable proposition. To be quite honest, I had some concern about it. However, the club's committee saw fit to call in professionals to assess the situation. Our advice now is that, because so many people who patronise greyhound meetings have children of school age, their attendance at greyhound meetings is not on a regular week-to-week basis. They may go one week and then miss a couple and then go again—depending on the circumstances of their own family life. In the main, however, they are concerned—and rightly so—for the education and welfare of their children. However, as I said at the outset, it can be demonstrated—and the Treasurer would have been shown figures if he had granted the club an interview, because the manager has them available to present to him—that Friday night racing could make a tremendous difference to that establishment.

I do not want to labour the point. I know that many members have been awake for quite a considerable period. However, I stress that I regret that the legislation has been put through in this fashion. In almost 20 years that I have been here, this is the first time that I have known this procedure to be adopted. I regret very much that it has happened with legislation that has such a large bearing on the welfare of so many people and the continuation of the development of a sport that persons who are not gamblers may be associated with. If a person has an interest in sport as a whole, he has an interest in racing in one form or another.

Motion (Mr. Knox) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Clauses 1 to 4, both inclusive, as read, agreed to.

Clause 5—Amendment of s. 36; Days whereon racing or coursing is unlawful—

Mr. CASEY (Mackay) (4.1 p.m.): In introducing the Bill, the Minister outlined the procedure to be followed in making an application to conduct a Friday night meeting. Clause 5 (5A) outlines the procedure by which clubs can make applications and the

way in which objections can be lodged. Paragraph (c) prescribes that written objections concerning the proposal may be made. However it does not contain any provision that the proposal must be advertised. I refer to the point mentioned by the honourable member for Merthyr and others. Does it have to be advertised in the local paper or how does the public learn that an application for night trotting has been lodged and whether to lodge an objection or not? If it is simply a decision by Order in Council or by the Minister, there could be a need to advertise it. Or does the Minister have something else in mind to compel the applicant to advertise it?

Hon. W. E. KNOX (Nundah—Deputy Premier and Treasurer) (4.3 p.m.): The honourable member is quite right. The clause contains no specific provision to advertise. But it is not intended that it be done in secret. The licensing system is not secret. If we have a whole system of advertising and giving so many days' notice, it will be cluttered up with all sorts of extraneous matters. At present a licence is granted after the people concerned are consulted, and objections, particularly about night racing, would come from people other than those involved in the industry. I think it would be generally known following statements to the effect that an application is about to be made. It would certainly be known by my department and by the boards concerned.

Mr. Casey: You are not going to set any specific time?

Mr. KNOX: No. If we did, we would have a paper war.

Mr. Casey: You could get a quickie through if you wanted to.

Mr. KNOX: I do not think so.

Clause 5, as read, agreed to.

Clauses 6 to 11, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

CITY OF BRISBANE TOWN PLANNING ACT AND ANOTHER ACT AMENDMENT BILL

INITIATION IN COMMITTEE—RESUMPTION OF DEBATE

(Mr. Row, Hinchinbrook, in the chair)

Debate resumed from 5 April (see p. 2912) on Mr. Hinze's motion—

"That a Bill be introduced to amend the City of Brisbane Town Planning Act 1964–1976 and the Acquisition of Land Act 1967–1969 each in certain particulars."

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (4.5 p.m.), continuing in reply: There was a good deal of ground covered in the comments made by honourable members during the debate but, as is so often the case, a lot of comments did not relate specifically to the Bill in question.

The Leader of the Opposition made the suggestion that there should perhaps be one Act to govern town-planning matters throughout the whole of the State rather than to have the situation, as it presently exists, of the Brisbane City Council being governed in respect of town-planning matters by one Act, and all other local authorities by another Act. This is not a new suggestion and it has been under consideration for some time. I would point out, however, that in relation to a number of other aspects of local government, the Brisbane City Council is in a unique position as compared to the other local authorities in that it operates under a separate act, namely, the City of Brisbane Act.

On this basis, there could be some argument that the relatively important aspect of town-planning should also be dealt with by specific legislation relating to the capital city, where, I think most people will acknowledge, the problems and complexities of town-planning are greater than in other areas. Nevertheless, the proposal to have town-planning matters for the whole of the State controlled by one Act will continue to receive consideration.

The Leader of the Opposition also raised the point that the system of handling town-planning appeals in Queensland is quite legalistic, and suggested that there should be some simple method of dealing with the matter. Town-planning appeals frequently involve very intricate points of law and it is necessary to have a legal tribunal to adjudicate on such appeals. It is generally acknowledged that the system of having appeals heard and determined by the Local Government Court, which is a court of District Court status, is a good one.

There was a suggestion by the Leader of the Opposition that the Bill removed the power of the Brisbane City Council to impose conditions on developers, and I would like to state quite clearly that this is not so. The Bill will empower the council in relation to applications for the rezoning of land, for the subdivision of land, or for the use and development of land, to impose conditions provided provision is made for those conditions in ordinances of the council, and provided the conditions are necessary in the public interest, are reasonably applicable to the development of the land concerned and are not prohibited by the Act. As I mentioned in my speech when introducing the Bill, the existing provisions as to prohibited conditions will be preserved.

I think I should make some comment on the statement made by the honourable member for Townsville West, who said that in his opinion town planners employed by local authorities have too much power. He inferred that the legislation existing in Queensland today dealing with town-planning supported this proposition.

We all know that the town-planning officer employed by a local authority is in no different position from that of any other officer employed in an advisory capacity to that local authority, for example, engineers, architects, building surveyors, etc. The important decisions in relation to town-planning matters are, in terms of the relevant law (be it in the city of Brisbane or a local authority outside the city of Brisbane) required to be made by the elected representatives.

It is acknowledged, however, that in some instances, because the issues involved are complex ones and may not be easily grasped by the elected representatives, the town planner could be in a position to influence the local authority. The remedy to this situation is, of course, in the hands of the local authority members, and there is no necessity for legislative action to be taken to govern the powers available to town planners employed by local authorities.

I commend the Bill to the Committee.

Motion (Mr. Hinze) agreed to.

Resolution reported.

FIRST READING

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

SECOND READING

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (4.10 p.m.), by leave: I move—

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

I gave honourable members a resume of the principal provisions of the Bill during the introductory debate. As I explained then, the Bill is designed to make the necessary legislative amendments to enable the approval of a modified town plan recently prepared by the council. It is also intended to clarify matters such as contributions by developers and other matters.

Mr. BURNS (Lytton—Leader of the Opposition) (4.11 p.m.): The Opposition must register its protest at receiving a Bill of such size and of such importance to so many people in Brisbane and then being required to debate it immediately.

I think that people are now accepting that developers should be prepared to contribute to the cost of some of the services they enjoy from the city. The days have long gone when it was believed that large areas of a city could be developed without bitumen roads, gutters, sewerage and water services and that later on the ratepayers would be required to pay increased rates for the provision of services to those areas. I think it is accepted by reputable developers and most citizens that today the system that has been developed over a period is a fair one.

I can understand, and I think most other people can, that there are some weaknesses or areas where councils, or sometimes developers, want everything their own way. I have seen one or two on T.V. of late talking about councils, and not necessarily the Brisbane City Council. The fellow from out Andalucia way seems to want all of the development in his area to be paid by the people. All he wants is to be able to break up the area of land and look after himself.

Mr. Hinze: He just wants them to keep within the law.

Mr. BURNS: The Minister says he just wants them to keep within the law. As far as I can see, most of the actions that have been taken have been done within the law. I have had a look at council files where people have complained to me about the council. I generally find that people have written submissions. I suppose we could say it is blackmail or a sweetheart deal, but I think the other alternative is for the council to say, "Look, we can't provide the services in those areas, so we won't allow any development at all." That developer will very quickly be saying to us, "Change the law. I would sooner go back to the system where I am allowed to develop my block of land and subdivide, because if I do I can make some money out of it."

If we are to wait for the council to gather out of rates enough money to service some of the areas in this city, we will be waiting a long time. I can remember areas just off Chatsworth Road at Coorparoo where small developments took place years ago. When I first bought a home in the area, the clay roads were so bad in the wet weather that a car coming up the hill would slide back down again. The developer had built a little bit of dirt road but he had not provided any gutters. In some places the gutters were holes 5 or 6 ft. deep. But he had made his dollar. He got out of the area and left it to the council to come in and provide the services. It is the old story that sooner or later someone pays.

Mr. Campbell: Most of the points were within the law.

Mr. BURNS: As I said, most of the points were within the law. I think that is the same with all laws. Most people keep within the law, but some people break it and when they do we have to do something about it.

One of the proposals that has come before us today will, I believe, inhibit development in Brisbane, because it will prevent a subdivision going ahead before time. Under the

present arrangements, developers can undertake to do certain works to obtain council approval. Because of cut-backs in Federal and State Government assistance to local authorities, councils will be unable to undertake the work in many potentially new developing areas. Areas such as Ridgewood Heights, Jindalee and parts of Mansfield were developed ahead of time because developers undertook work when approval for subdivision was given. I have not heard any of the developers in those areas complain. I think they have been quite satisfied, and I think that the people who bought the land in those areas have been quite satisfied.

One of the biggest costs of development is delay where interest payments pile up and potential investments remain idle. One of the good moves that the Government has made is removing some of the advertising provisions and other provisions. In fact, I think that one of the things we ought to do—and I said this at the introductory stage—is clean up provisions in the Act to ensure these matters can be handled speedily. Rights of appeal to Local Government Courts and the legalistic language of some of the ordinances and some of the provisions of the Act make for long delays and increase costs.

Under the amendments to the City of Brisbane Town Planning Act 1964–1976, I think that red tape will mean additional costs. Subdivisions will be refused and appeals will have to be lodged to the Local Government Court, where success will be unlikely. It is all very well for the Government to say that the council must comply with the ordinances. That is all right if the Government approves reasonable ordinances. I understand that after the 1971 amendment to the town plan, the Brisbane City Council submitted to the Government comprehensive conditions for subdivisions in the form of ordinances, but no decision was made to reject or approve them—that was six years ago—and the council then adopted these provisions as policy.

For example, one of the provisions was to increase the contribution for parks from $20 to $40 an allotment. In my opinion, the idea of obtaining contributions for parks is quite a good one. I have seen a couple of areas in which people have given a block of land down in a gully—a place where no-one would send his children to play—and said, "This is my contribution for parkland in the subdivision." In another instance, a very small block of land—a 24-perch block—has been given, and it is in such a position that people would not allow their children to go there and swing on the swings and play on the other equipment that Rotary, Lions or Apex placed in the area.

I would like to see a number of smaller areas set aside and gazetted in housing areas, because an area where the housewife could look out the back window of her home and see her child at play would be much more suitable than some of the areas of parkland to which she would really have to take her children. In my opinion, it is not unreasonable to ask people who are subdividing land to contribute towards the purchase of land or to develop some of the land that is given to the council for parks.

Extensive ordinances relating to development are attached to the present town plan. As I understand it, the council can never be sure that reasonable ordinances necessary for the implementation of the town plan will be approved by the Government. It is also extremely difficult to draw up ordinances controlling or regulating development for every possible type of project in every possible area.

I did not bring it into the Chamber with me today, but I have a book of ordinances from the Brisbane City Council which is quite a sizeable document. I am not too sure that a land developer or some other person who wanted to understand the ordinances would not have to hire a lawyer, or at least a bush lawyer, to find out exactly what he was allowed to do or what the council intended to do under its ordinances.

If everything is to be done by ordinance approved by the Government or by Order in Council, the result will be a mirror maze of red tape with unavoidable loopholes for lawyers to exploit. I think that is one of the dangers in our current planning legislation. It comes down to arguments of law and to legal battles in court. Surely there should be some quicker, simpler and cheaper way of handling appeals.

The present council approach of expressing a policy and granting approval for each project on its merits with that policy in mind is a fairly workable one. Appeals to the Local Government Court ensure that decisions are consistent within that framework. Members on the other side of the House should cite specific cases in which anyone was discriminated against under the ordinances pertaining to development.

I understand that mining companies are required to pay amounts for infrastructure services in projects that the State Government approves, so I think it is reasonable for the council to ask for payments of a similar type. It seems very inconsistent to require mining companies to comply with conditions to ensure efficient development of an area and then to prevent an elected council ensuring that the living conditions of its electors are of a high standard. Reputable developers agree with council policies because they know that a well-serviced development will enhance a project's prospects. I think that is right. The Minister and I know of a development that has taken place not very far from my home and which is not selling very well. This is because of town-planning problems and development problems in the area.

Some rather beautiful developments have been advertised on T.V. and, with their trees, grass, lawns and roads, they have a far

greater appeal than land of the type that I bought when I got married. It had no bitumen roads, no gutters, no sewerage and very few services. The land in these developments is certainly better than land of the type referred to the other day by the honourable member for Port Curtis. He drew our attention to a development that is being undertaken by the Lands Department in the heart of Gladstone. In the advertisements for that land, fine red print that cannot be read without a magnifying glass states that no electricity is available on those sites. I am not sure that the Lands Department is aware of the living standards that are being required in 1977.

The Opposition has no objection to amendments to the town plan. The Bill is a very important one to the average citizen. The setting out of zonal requirements in a city could possibly adversely affect some people and at the same time benefit others. It is important that the city be properly planned. The adverse effects of bad planning in the past are well known to me and to the Minister. Both of us are aware of the problems that have arisen in my area.

The Government should comply with the provisions of the town plan and Government authorities should comply with the ordinances of the city council and of local authorities in other areas. It seems to me that in too many instances concerning schools, for example, the Government is prepared to erect buildings that the local authority would not accept if they were erected by a private developer or a private landholder. I have not inspected Housing Commission subdivisions recently but some of the development I saw in Inala many years ago would not have been acceptable if it had been carried out by a private developer. It is not good enough to lay down one set of laws for private developers and private citizens and another set of laws for the Government.

I am concerned at the fact that the Government may be saying to the city council and others, "We will restrict your opportunity to obtain a fair and just return for the services that you are supplying." Someone said that the Government should not allow a charge against a developer for services that are not provided on his development. But if he is connecting to a sewerage line or if the council has to construct roads to a particular property or has to connect electricity to an area, and if the developer is going to be able to advertise the land as being sewered, connected to the freeway and so on, surely he should meet part of the cost of headworks or other major works.

I have some reservations about the Bill. I know that the Minister has set out to try to tidy up certain aspects concerning so-called sweetheart deals. I have read his Press statements on the matter. I have not had time to study the Bill in detail, but I shall endeavour to do so before we get to the Committee stage.

Mr. AKERS (Pine Rivers) (4.24 p.m.): I should like to follow on from the comments made by the Leader of the Opposition. He said that recently a certain developer in the northern area complained on television about the Andalucia development. That developer has cost the Pine Rivers Shire Council a tremendous amount of money in answering stupid claims that he has made both to the Minister and to the Premier. At one time the council spent up to a couple of thousand dollars on the preparation of an answer to a log of complaints covering a period of 15 or 20 years. Perhaps it was not as long as that; nevertheless, it was a lengthy period. All the complaints were old hat. Even those that he mentioned the other night on T.V. were five or six years old. They were complaints about things that have long gone.

The Bill will overcome many of the problems that will arise in Brisbane and I hope that its provisions can be extended into the Local Government Act. Many small things that are covered (such as the closing time for objections) will overcome any possible later legal objections. They will ensure that both the city council and the objector know what they are talking about.

The extension of time for the preparation of town plans is realistic, but I urge that it be adhered to. The present provision is five years, but seven and eight years have elapsed between the council's preparation of town plans. Seven years between town plans is a long time. If that period is extended on a basis similar to the extension granted for the five-year terms, far too long a period will elapse between town plans. Planning changes and requirements change rapidly. When we provide seven-year periods we should realise that only three or four more town plans will be prepared before the end of the century. Town plan preparation must be a continuing operation. The city council must not wait until the last minute to start preparing a plan; it should start at the beginning of the seven-year period and not wait until the seven years are up.

Another item in the legislation relates to the matters the council must take into consideration when dealing with a rezoning application. At present great argument arises on whether flooding likelihood can be taken into account in rezoning. In hindsight we could say that if the city council had been doing its job properly, many areas flooded in 1974 would not have been developed if the flooding likelihood had been taken into account.

Mr. Burns: Some of them were developed many years ago, and it could not possibly have been foreseen. They were developed in 1930.

Mr. AKERS: That is what I meant when I made my comment.

Dr. Crawford: Much of the land was flooded at the turn of the century.

Mr. AKERS: The people knew about it then, but there was very little control over development at that stage.

The availability of services has caused many battles between the Pine Rivers Shire Council and Mr. Bowden. The provision concerning rezoning is a direct result of the Pine Rivers Shire Council taking action to force the situation to a head. Mr. Bowden won a couple of court cases against the council, which was enforcing reasonable rezoning conditions. When the council asked the Department of Local Government to amend the Act it was advised that it had sufficient power. The council then went to the Full Court, where, finally, a judgment was given against the council. That case cost many thousands of dollars, but it would not have been necessary if the Act had been worded to mean what everyone understood it to intend. Although the court ruled against the council, one of the judges said, "Morally you are right but legally you are wrong." As a result of that court decision, the Local Government Act was amended last year and that provision relative to rezoning applications is contained in this amendment to the City of Brisbane Town Planning Act.

The alteration of the provision concerning compensation claims for injurious affection is extremely important. It will force the city council to take into account the effect of its town-planning decisions. It will stop the practice of simply drawing a line through a person's property without caring about the effect on the value of the property. It will force the council to take greater care in what it is doing.

The proposed amendment allowing the councils to carry out the work under an agreement with a developer is also extremely important. At present councils take money from developers to carry out work, but there is no real requirement as to when the work shall be done. Sometimes many years elapse before the work is carried out. When this Bill is passed, the city council will be required to enter into a written agreement on how and when the work will be done, and what cost will be involved. In this way developers will know the costs involved and the city council will know when the work has to be done. If people go to live on a property to which no water is supplied, they know that they will get it within a certain time. It is not a matter of their living there for years without having the services they are supposed to be provided with.

I would like to comment on many other proposals, but I know that the desire is to finish tonight. However, I conclude by asking the Minister to try to be more explicit in his statements about councils and councillors. Lately several statements have emanated from the Minister's office accusing members of local authorities of entering into sweetheart agreements and acting illegally. Unfortunately, those statements have been swept over every member of local government in Queensland. It has been thrown back at me that our council must be the one that the Minister is talking about. He knows quite well that we have been to his office and shown clearly that in our dealings we have been acting legally and sensibly. If he can, I would appreciate it if the Minister in the future did not tar all members of local government in Queensland with the same brush. There are 131 local governments in Queensland and 900 council members. They are not all crooks and they are not all entering into sweetheart agreements. I want to make sure that I am not accused of something that the Brisbane City Council has done.

Dr. CRAWFORD (Wavell) (4.32 p.m.): It is important, when considering legislation as vital as this to the conduct of local government throughout the State, that the points made be relevant and call for discussion. I am sure that those who draft our legislation have traditionally done their best to write into Acts, clearly expressed, the intention of the Legislature; however, in practice that does not always occur. The operations of the Brisbane City Council in the past have provided a very good illustration, with all due respect to those who drafted the original Act, of legislation with a stated intention not functioning well at all.

One section of the Act was appended to another section and gave the council an "out" to do what it wished about agreements. That section, which of course I will not mention until we go into Committee, was so worded that, without anything being written down at all, the council could enter into agreements with those who wished to subdivide, truncate or attend to other matters. That section is to be removed, and I commend the Minister and his officers on carrying out that job most efficiently.

It is very important indeed that such a provision not apply in our community. We have witnessed the grossest abuses, which culminated in the Bennett Commission of Inquiry some years ago, wherein it was set out in a minute manner how citizens had been disadvantaged by the way in which the Local Government Act had functioned in Brisbane.

It is also worthwhile considering some other aspects of the legislation as it is now proposed. Generally speaking, I think all members who have looked at the details recognise that this Bill appears to bring about a massive improvement. It perpetuates, however, some of the regrettable complications with which the whole subject of local government is beset. It leaves large areas to council discretion, with the private person having little say or redress.

Any form of legal appeal against a local government always has been and will continue to be extremely expensive. This may be related to the fact that costs are really

not awarded in the Local Government Court, and I would like the Minister or his officers to answer this specific point. A year or two ago we amended the Act so that the Brisbane City Council could not, in effect, charge its costs against an appellant. That was a major advance. But in a Local Government Court a person who is trying to appeal successfully can be confronted with great financial embarrassment or potentially great financial embarrassment. The fact that costs are not granted in the Local Government Court could well be a basic point that needs to be attended to.

On the questions of law in general—appeals to the Full Court are very expensive indeed. In my view this legislation continues the situation where appeals to the Full Court will be made, but the average citizen will not be prepared to lodge such an appeal on the basis of expense.

On the other hand, the zones set out in the Act seem to be further complicated rather than simplified. The right of compensation does seem to have been improved.

It is certainly an advantage that security can be given by bank guarantee. The notes for discussion that accompany the summary and the bonding of development speak of bank guarantees, insurance bonds and other forms of security in lieu of contribution to a council loan. This is certainly an improvement, but I do not like the term "unconditional bank guarantee in law", and I am not a lawyer. Again this will leave a loop-hole that an unscrupulous local authority administration can perhaps use to the detriment of the citizen who is attempting to receive redress or justice in a court. Perhaps it would be bettter to have wider options and to remove the word "unconditional." Almost any guarantee that any person gives, through a bank or anywhere else, in law must be subject to certain conditions, but unless they are set out in the legislation the rather sloppy situation that applied under the previous legislation will still prevail.

It is important also that all unsatisfactory practices of the Brisbane City Council be curtailed and controlled. If a council acquires a drainage or sewerage easement through a property, it is required to pay compensation for that easement. Another provision enables the council to go onto land and do works on land for drainage purposes, but there is no mention of compensation in the Bill. Therefore the council can achieve its will by refraining from taking an easement and simply doing the works on the land without giving any notice and claiming it is under no obligation to pay compensation to the landowner. It can then get away with it by default.

Other complaints that have been mentioned concern not so much the City of Brisbane Town Planning Act as the plan itself. They concern matters such as the overharsh tightening up of the land requirement for units. In certain residential B zones the council has increased the area of land per unit. This means that the price of units will have to increase still further. It is probably fair to say that unit blocks should have adequate margins of land; but, unless there is a height restriction, the defining of a minimum area makes it harder than ever for people, except the very wealthy, to pay. In a city that is over-spread there seems little point in imposing further harsh conditions in any legislation.

In the past the council has made a big point about increased traffic. This is important to consider in the relevant places. Because the council takes advantage of them it is improtant also that we do not have arbitrary provisions in any legislation. Councils themselves are often big traffic generators. On a main road one must have control. A small applicant on a relatively minor development is very rarely a precursor of an increase in traffic generation.

In making my final point, I refer to this wording in a clause of the Bill—

> "Save to the extent that the imposition of a condition referred to in this subsection is authorised by ordinance . . ."

To that extent, such-and-such a situation will apply.

Once again we are perpetuating a process by which the council can by ordinance set down the rules and regulations of the game. I think we have to be extraordinarily careful about allowing this condition to continue. We could, although I do not know if we will, find ourselves in the situation that we were in before deleting the section. That section allowed the council to do what it wished. I ask the Minister to reply to those few specific points.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (4.41 p.m.), in reply: Very briefly, I wish to refer to the comments made by the Leader of the Opposition, who wondered whether development will be as rapid in the future as it has been in the past and who expressed concern that scrutiny of the activities of the Brisbane City Council under the provisions of this Bill may restrict development.

All I can say is that over the last two or three years so many complaints and accusations have flowed in from all over Queensland that some recognition had to be given to them. All that we can do is watch very closely the actions of the council and developers over the next few months. Obviously further amendments will be necessary from time to time to the City of Brisbane Town Planning Act. All who have been working on this Bill over the last six months have been trying to give to the city of Brisbane something better than it has had in the last five to 10 years. Let us

therefore give the Bill a try. Let us see if the amendments will be for the benefit of the city of Brisbane.

There is very little to be gained from local government service except a lot of hard work, phone calls and headaches.

Dr. Crawford: And a lot of abuse.

Mr. HINZE: That is so, and accusations concerning things for which one is not responsible. I am not inclined to make accusations unless there are very good reasons for them. The honourable member for Pine Rivers would know that I have had many problems with developers and the shire council of which he has so much knowledge. If ever I get the opportunity to name publicly any people who are engaging in practices in which they should not be involved in local government, they will certainly be named.

In reply to the honourable member for Wavell—under the City of Brisbane Town Planning Act the Local Government Court has no power to award costs in respect of appeals in the city of Brisbane. This provision was inserted in the Act in 1971 and it was intended to relieve unsuccessful appellants from having to meet the council's costs as well as their own. Outside the city of Brisbane the court has power to award costs.

The term "unconditional bank guarantee" is not used in the Bill. Acceptable forms of security will be as determined by the Governor in Council. It is not possible to prescribe all conditions applicable to any application in the Bill. It is essential to prescribe matters in detail in the ordinances, which in turn must be approved by the Government. The ordinances must be tabled in this House and be subject to disallowance.

Motion (Mr. Hinze) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Clause 1, as read, agreed to.

Clause 2—Parts of Act—

Mr. BURNS (Lytton—Leader of the Opposition) (4.45 p.m.): The Bill endorses or approves the modified town plan that was passed by the council recently. I meant to ask the Minister a question during the debate on the second reading in relation to a provision in the town plan about hotels—I cannot remember the exact wording in the town plan—which suggests that in the future all hotels will have to be built on 10-acre sites. I have an objection to that from the drink-driving point of view. We do not need great areas set aside for parking. I am more in favour of the small taverns scattered around the suburbs. But I was wondering what would happen to places like the old Paddington pub that is going to be rebuilt, or hotels in the heart of the city. After all, they have a charm of their own. I think the Paddington would be one of the better hotels in the city as far as sales are concerned. There would be no way in the world anyone could get 10 acres in that area on which to rebuild the hotel.

I would also like to know what happened to the objections made to the Minister by people who opposed the town plan. Can we ever see a list of the areas which the Minister has approved or changed or find out what action the Minister has taken to override decisions of the council in relation to the town plan itself? I remember, for example, that the residents of Tingalpa and Murarrie asked the Minister to look at the town plan and perhaps make an amendment which would allow them some sort of a buffer zone between their homes and industry. Where or how can someone interested in that town plan obtain details of the action the Minister took in this regard? The Minister would recall that I have raised these matters with him by way of deputations, and I felt that I should ask about it at this stage because people might ask me what happened as a result of their deputations and the Minister's actions. I would just like to clear the matter up.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (4.47 p.m.): The Leader of the Opposition raised two matters. The first related to the amount of land required for future hotel accommodation, parking, etc. in the city area. Obviously these 10-acre sites are not available. There is a provision in the Bill exempting these city hotels, and we also understand that this is not a Licensing Commission requirement. It is in suburbs with hotels such as the Colmslie and Sunnybank that it is felt that an area of the order of 10 acres is required before a hotel can be built; but that certainly does not apply in the near-city area to smaller hotels like the Paddington Hotel. It will not restrict hotels being rebuilt in that area.

In relation to the great mass of objections to the original town plan, the Act provides that after the period allowed for objections to flow through to the local authority, the local authority considers the objections. They then come to my officers, who consider them; they make recommendations to me; I consider the recommendations and then I make my recommendations to Cabinet and to the Governor in Council, who finally approves the plan.

Clause 2, as read, agreed to.

Clauses 3 to 8, both inclusive, as read, agreed to.

Clause 9—Amendment of s. 8; Rezoning of land in Future Urban Zone—

Mr. AKERS (Pine Rivers) (4.50 p.m.): I have been reading through this Bill, but because it has only just been introduced I have not had a chance to check with the

Local Government Act to see what amendments were made to it. I am particularly concerned with clause 9 (5) (iii).

I question the need for the council to consider creating a need for increased facilities such as schools, shops or other normal service provisions. I assume that the "other normal service provisions" would include water and sewerage, although they are mentioned specifically later. I should like some explanation of why that part is needed. I think it is going too far in the controls that are necessary when the provision of schools and shops is not the responsibility of the council. I do not think we can impose a condition on a rezoning of land that a school facility be provided or take into account that there are no school facilities. That is going much too far and I do not think there is a similar provision in the Local Government Act which we dealt with earlier today.

I stress again the short time that we have had to study the details.

Clause 9, as read, agreed to.

Clauses 10 to 16, both inclusive, as read, agreed to.

Clause 17—Repeal of and new s. 20c; Unlawful conditions—

Dr. CRAWFORD (Wavell) (4.52 p.m.): The points that I made at the second-reading stage apply to clause 17, which repeals section 20c of the Act and substitutes a new section 20c. This is a controversial section in the existing Act, subsection 3 of which has allowed the council to do what it wished. All sorts of rules and regulations are set down, but under some circumstances the council can do as it wishes. Many of our Acts are so worded as to enable the exercise of discretion by the council.

Once again I commend the Minister and his officers because they have looked at this section in great detail. Although clause 20c (2) is different from the old section, it still begins with the words that I quoted before—and I think it is worth quoting them again—

> "Save to the extent that the imposition of a condition referred to in this subsection is authorised by ordinance . . ."

Nobody disagrees with the thought that there must be ordinances in local authority activity. But the great risk is that this could be a big mistake and under the ordinance provision the council could exercise all sorts of extraordinary powers under the Act and say that it is authorised by an ordinance. We have no control over the actual issue of ordinances or the promulgation of ordinances by the council, and I think this is a very big risk.

However, as the Minister said in replying to the second-reading debate, this matter can be looked at from time to time, and I am grateful to him for saying that. He has looked at this in detail, and it will need to be looked at in detail again if anomalies are to be removed.

As to ordinances in general—the exceptions in the existing Act apply only to particular items, and one could debate whether even the exception of particular items was justifiable. The wording of the Bill, of course, subjects the whole subsection of this saving provision in favour of the council. One could argue that the council could carry on all its activities by ordinance and the protection of the citizen could thereby be destroyed.

Under the existing Act, the exception by ordinance applies only to set-back and external works. Something may be said in favour of the set-back because, if it is desirable, it can be achieved, and in working out main road planning, and so on, it is a reasonable exception.

The exception with regard to external works is really much more doubtful—and the lawyers are worried about it—because it can really be justified only where works are peculiar to a particular owner's personal requirements. Apart from those possible exceptions, the other grounds that the council contemplated could not have been borne by the private individual, even under ordinances. Again it is a rational argument to say that the council should come out into the open and acquire any land that it wants from the owner. This must be done under other legislation on the basis of adequate compensation.

I trust that this particular section will work now. At least agreements will now have to be written out and there will be no more behind-the-scenes agreement, no more handshakes, no more verbal arrangements by which a council officer can make agreements similar to the so-called agreements that were made previously with a person who was attempting to develop a piece of land. If that can be accomplished under this section, the position will be very satisfactory.

These points are important and the lawyers are worried about them. Many people who are developing land around the city also are worried about them. I am sure that the Minister and his officers will continue to look at this subsection in great detail. It is necessary that they do.

Mr. AKERS (Pine Rivers) (4.56 p.m.): This clause deals with unlawful conditions and sets out the matters that the council can look at in relation to subdivisions. I refer back to my earlier comments about clause 9. One of the things the council will look at when it is dealing with rezoning is the availability of schools. Perhaps it could be claimed to be a legitimate extension of that to ask subdividers to make provision for a school. I am sorry the Minister could not answer my comments on clause 9, because I believe that some points have been added that should not have been included.

To come on to this one—although no-one would expect the city council to have the right to require a subdivider to provide a school or a school site, this clause does not rule out the possibility of the council requiring the provision of a school or school facilities in a subdivision.

Clause 17, as read, agreed to.

Clauses 18 to 28, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

LOCAL GOVERNMENT ACT AMENDMENT BILL

SECOND READING

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (4.59 p.m.): I move—

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

At the introductory stage I gave honourable members a summary of the principal provisions of the Bill and I think it is fair to say the Bill was favourably received on both sides of the Chamber.

As I explained, the Bill deals chiefly with the valuation and rating of mining claims, the definition of benefited areas, the levy of separate rates and the empowering of local authorities to exempt certain classes of land from the minimum general rate levy and clarifies the right of continuance of uses of land that were permissible under a town-planning scheme but subsequently became prohibited under a new scheme or an amendment of an existing scheme.

The amendments in question were discussed with the Local Government Association of Queensland and it is in agreement with such amendments.

In winding up the introductory debate I replied to comments made by honourable members during that debate.

Mr. MARGINSON (Wolston) (5 p.m.): I have looked at the Bill, which contains a number of amendments. Firstly I note that, because of recent changes in the State mining regulations, it has become necessary to amend the Local Government Act so far as rating is concerned, particularly with regard to gem fields and other mining claims. We see nothing wrong with this. The principle should be adopted particularly for the benefit of local authorities that have mining claims in their area.

Some years ago we experienced rating problems in Ipswich concerned with underground mining rights. Some companies with these rights considered that they were not subject to rating. However, a court of law decided that they were subject to rating. If services are provided by a local authority, people should pay something for them.

The power to declare benefited areas for rating areas is also referred to in the Bill. Although, as I said last night, I do not favour benefited areas, particularly in towns and cities (in which my local authority experience lies), I appreciate the necessity at times to have benefited areas for rating purposes in some shires and large country areas.

The levying of separate rates for specific purposes is also covered in the Bill as is the correction of apparent rating anomalies.

The Bill deals with one other important matter. Not long ago Parliament increased the minimum general rate levied by local authorities, which was particularly low. The increase was made at the behest of the Local Government Association. Since then, however, certain anomalies have appeared in that some land has insufficient value to warrant the minimum general rate being levied on it. I read this to mean that, although the land is exempt from the minimum general rate, it is not exempt from rating. I hope the Minister will make it clear that it is not exempt from the ordinary general rate applying to other land in the area.

Apart from those comments, the Opposition agrees with the provisions in the Bill.

Mr. AKERS (Pine Rivers) (5.3 p.m.): I rise to support the second reading of the Bill, to highlight certain advantages and to clarify a point raised by the honourable member for Wolston. The minimum general rate can be removed from properties that the council decides, as a class, should not be charged the minimum general rate. In my area half a dozen small Crown leases, each of about 5 perches, have been taken up. Once leased from the Crown they must have a minimum valuation and are subject to rates. In earlier years the lessees of these blocks paid 50c, but this year the Pine Rivers Shire Council fixed a minimum general rate of $30. Suddenly these people were paying $30 a year for the privilege of having 5 perches of land adjacent to a creek. As I see it, such land will be exempt from the minimum general rate. It is anticipated that next year the minimum general rate will rise to $50 or $60, which would compound the problem. If nothing else, that provision in the Bill makes it worth while.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (5.4 p.m.), in reply: I think I need to reply only to the question raised by the honourable member for Wolston about the payment of general rates. Nothing in the Bill says

that people will not have to pay the general rate. They must all subscribe to the general rate.

Motion (Mr. Hinze) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

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

Bill reported, without amendment.

THIRD READING

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

CONSTITUTION ACT AND ANOTHER ACT AMENDMENT BILL

SECOND READING

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) for **Hon. J. BJELKE-PETERSEN** (Premier) (5.6 p.m.): I move—

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

I do not propose to repeat what the Premier said about the Bill and its objects. Those statements are already embodied in "Hansard". The Bill places a general prohibition on the appointment of members by the Crown to any place of profit or any position on any body or board. There is a further prohibition in respect of the performance of services.

The Premier said at the introductory stage that the principal object is to make it clear that members cannot expect to receive privilege or privileged positions from the Crown. The Crown in this context is, of course, the State Crown, and it includes the Governor in Council, members of the Executive generally and departments and bodies which in law are part of the Crown.

The only exception which has been made is in respect of the State Government Insurance Office, which in its major operation acts in the commercial sphere in competition with private insurance companies. In the main, persons insured with the State Government Insurance Office are private persons. Because of the range of its activities and the various fields in which members can legitimately carry on their ordinary callings without infringing their parliamentary positions and services, it is reasonable to exclude the State Government Insurance Office from the normal provisions in respect of the Crown.

There is no prohibition on performing services for bodies which do not represent the Crown in the legal sense—for instance, harbour boards, hospital boards, the fire brigade and so on. In their ordinary running, as distinct from policy, these bodies act independently of the Crown.

The terms of the Bill are wide and far-reaching, and this has been done deliberately. As the Premier stated at the introductory stage, the principle of members being independent from the Crown must be observed and be seen to be observed. In some circumstances there may be perhaps anomalies, but this is inevitable with any general legislation which seeks to foster the public interest. Any sacrifices must be made for the general welfare. The alternative of listing prohibited or permitted offices was considered but ruled out as impracticable.

Members should now be under no illusions as to their position and need only refer to the method whereby they are to become part of any body set up by or through the Crown. If the method of appointment is by the Crown or by confirmation from the Crown, the prohibition operates. If the method of appointment is not in the way indicated, the member is free to belong to the board. He may of course perform services for the board to which he is not eligible to belong because of the method of appointment, provided of course that the board or body is not legally part of the Crown.

The 1976 Act will cease to have operation when the new Act comes into force, and any member who has any immunity by virtue of that Act should seriously consider his position, having regard to the new law.

Mr. BURNS (Lytton—Leader of the Opposition) (5.10 p.m.): As I indicated at the introductory stage, this Bill is repugnant to accepted parliamentary principles. It streamlines the process whereby this Assembly absolves defaulting members from breaches of this very special law which prevents patronage of members by the Crown and is supposed to guarantee the honesty of all parliamentarians.

In his introductory speech the Premier said that uncertainty surrounded the interpretation of the phrase "office or place of profit under the Crown" and that this legislation is designed to put the matter into a proper and more realistic form.

Nothing in the Bill attempts to redefine the phrase "office of profit under the Crown". We are not cleaning up the phraseology at all. The only place where I can find a definition of "pecuniary interest" which covers this area is in "Declaration of Interests" a report of the Joint Committee on Pecuniary Interests of Members of Parliament in 1975. It reads—

> "'Pecuniary interest' can be defined as 'any direct or indirect financial concern, stake or right in, or title to, any real or personal property or anything entailing an actual or potential benefit.' It is clear that pecuniary interest is such an exhaustive term as to exclude very little from its parameters."

Over the years, the sections that refer to these matters have been amended to reduce the area covered. In 1959 the Government amended the Act to reduce the areas covered by the phrases, "pecuniary interest" and "office of profit under the Crown".

Because this matter is political, the Australian Parliament set up a joint parliamentary committee composed of members of all parties. It transcends party-political parameters. At the same time it covers the questions of politics and political parties. But the Queensland Government is providing an escape route for dishonesty. And it is dishonesty to accept the two-job idea.

If a person stands for Parliament, he should make it clear that that is what he wants to do. When people argue about parliamentary salaries, the argument we put forward to them is, "Pay the top wage and get the top men." It seems that we are now arguing that a man who wants to come into Parliament and collect the top wage should be allowed also to be a doctor, a lawyer or an Indian chief elsewhere.

Mr. Ahern: Barristers will not be allowed to collect Crown fees.

Mr. BURNS: That is not what the Premier said.

I refer to one provision and the Premier's statement dealing with the exclusion of the State Government Insurance Office. Why is it excluded? I am not involved in the fight about the personal position of the Minister for Survey and Valuation but, in his ministerial statement on this matter, he explained fully that most of the money involved in the argument of office of profit under the Crown came from the S.G.I.O. I have read the Premier's speech and I do not think it was reasonable of him to argue that the S.G.I.O. has a wide range of commercial activities which have ramifications in many fields such as insurance, litigation, medical and agencies. Why should parliamentarians be involved in those areas as an office of profit? Why should the S.G.I.O. be excluded? Why shouldn't we exclude the A.M.P. or the R.S.P.C.A?

Mr. Moore: There is a good reason. Suppose a doctor treats a patient who is insured by the S.G.I.O. and receives money from it; he would be in trouble.

Mr. BURNS: Replying to that long interjection, the doctor should be practising as a parliamentarian and not practising and collecting money as a doctor. That is a weak reason.

If the Government wants to cover the questions of pecuniary interest and office of profit, the best way is to legislate in accordance with what I have read from this Commonwealth report. The Government should not set out to stop people from doing anything. It should establish a register showing the areas in which members work and where they earn their money. That would be better than the Bill.

I read a speech of the honourable member for Merthyr during a debate on matters of public interest. I agree that what he said is the ideal way to handle this matter. It is far easier than amending three or four sections of the Act to allow members of Parliament who are barristers to act as barristers or for members of Parliament who are doctors to act as doctors and operate through the S.G.I.O. All we are doing with this legislation is providing a few more loopholes. If one goes back through Acts one will find sections that provide loopholes for leases with the Crown, agreements relating to mining, insurance agreements under the Workers' Compensation Act (which covers the point raised by the honourable member for Windsor) and contracts relating to loans to the Crown involving the repayment of interest and principal. All those areas are covered, and each time we have amended the Act over the years we have allowed another loophole. In other words, it is not exactly what the Premier said. He said we ought to be writing the Act so as to make it very clear to the people of Queensland not only that members of Parliament do not accept offices of profit under the Crown but also that it is seen that they do not do so. I do not think that it appears that way when loopholes are created.

Mr. Elliott: What would you do in the case of a doctor who picks up a patient but does not take a fee?

Mr. BURNS: He is covered under section 7A of the Act right now. That section refers to any insurance agreement under the Workers' Compensation Act 1915–1959. We therefore do not have to take any action here.

The Government is arguing technicalities. The facts of life are that either we believe that a member of Parliament should not have a right to an office of profit under the Crown, or we believe that he should. The Government is saying that there are some special members of Parliament. It says that doctors and barristers are special members, while the rest of the members have to accept a separate set of standards and rules.

Members of the National Parliament in the House of Representatives and the Senate had a look at this matter in 1975 and they released a report in that year which said that the solution could best be achieved by coupling the avoidance of conflict provisions of the Constitution with provisions which require not divestment of potentially conflicting pecuniary interest but disclosure of those interests. The desirable extent of disclosure and the form in which it is to be made are in the recommendations that they make. What is required is a compromise between protecting the privacy of individual members of Parliament and protecting the interests of the public in ensuring that decisions are not being made for improper motives. I took those passages from the report, a copy of which I have with me, and it makes worthwhile reading. It clearly gives the doctor, the barrister and

the person who is dealing in shares, the right to do what he wants to do and have protection and for the people to be assured that members are not using their position to make an extra quid on the side.

Mr. Moore: You are half right but, when you speak of a technicality, they will be done on a technicality, too. That's the point.

Mr. BURNS: I do not know that they will be done on a technicality. I do not think that that is so at all. The Government is merely fiddling around with the problem. All that it is trying to do is tidy up some of the mess that has been created in the past couple of years. In 1971 a Bill was brought down for the benefit of Percy Raymund Smith. Last year there were another two similar Bills, and still more of them will be brought down. The Bill does not alter the ability of this Parliament to pass legislation to make legal the acts of any member. If a person who does such an act happens to be on the Government side, he will be all right. But if he is an Opposition member, what he did will be illegal. The legislation enables the Legislative Assembly by resolution to relieve the defaulting members from their sins if they are found out to have taken an office of profit under the Crown.

I think it is quite wrong to lay down the law on the one hand and, on the other, to provide excepting clauses and loopholes to enable members who breach the law to escape the consequences. It goes even further because in one section there is reference to matters of a trifling nature. I wonder what is meant by that? It is not spelt out what "trifling nature" means. No doubt it will depend on the political colour of a member. It is trifling if it is an act done by a Liberal under a Liberal Government but not trifling at all if done by a National Party member or Labor man.

A further escape clause is provided on page 3 and one that is probably even worse still because it empowers the Parliament to interfere with the judiciary in a determination of a court of law or the Elections Tribunal pursuant to section 101 (2) of the Elections Act. The Elections Tribunal might find that a member's seat ought to be declared vacant but this clause allows the political powers that be who control the Governor in Council to refer the matter to Parliament by resolution. If the Parliament reaches a verdict under a particular clause (whether the matter is trivial or otherwise) which may be at total odds to a court decision, then the Assembly divides and party lines prevail. There is no appeal against it. In other words, a man could be placed before the Elections Tribunal, it can judge that he has breached these Acts and he can be referred back to this Assembly, and we can pass a Bill and say it is all O.K. What sort or an Act is that? What sort of a law is that?

Mr. Moore: It's good.

Mr. BURNS: It is good for Bob Moore and it is good for people who want to rort the law, but the facts of life are different.

At the introductory stage the Premier said that not only must justice be done but it must be seen to be done. It does not look that way to the public. If honourable members read that clause they will see that it leaves a large loophole through which a truck could be driven. We have no objection to the other clause which allows a member of this Parliament to declare that he wants to have another run for his seat if he does not think he can win a Federal seat when he decides to go into Federal Parliament, but I object to this Bill. It does nothing for the standing of parliamentary members. It does nothing to protect them.

In studying this Bill and reading some of the decisions that have been made by judges over the years after hearing arguments on these cases, one realises that we have to protect the honest member who might stumble into a situation for which he could be brought to book under this Bill.

I again recommend the reading of this particular report by each and every member of Parliament because it seems to me to be a fair and honest attempt to ensure that the honest member of Parliament is not in any way disadvantaged and the dishonest member of Parliament is caught.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (5.22 p.m.), in reply: That was an amazing speech from a person who obviously does not understand the purposes for which this Bill was introduced. This Bill refers to the relationship between the Crown and members of Parliament. The reference to disclosures of pecuniary interest was answered by the Premier last night. Holdings in companies and landholdings are covered by an entirely different principle. These are private interests and the pecuniary interest is not derived from the Crown. I remind the Leader of the Opposition that this Bill deals entirely with the position of a member in relation to the Crown. The honourable member's speech was just a lot of nonsense.

Mr. Burns: Is that right?

Mr. LICKISS: Yes.

Mr. Burns: I will debate some of the clauses.

Mr. LICKISS: That is up to the honourable member. I think the House understands the intention of the legislation and the earnest endeavour to clarify the position for all members of Parliament. I think that most members of Parliament who are reasonable will see the reasoning behind the proposals. It is not a completely new Bill in terms of introducing completely new legislation. It adds to and emphasises the existing legislation in such a way that it endeavours to leave a member beyond any doubt as to what he can or cannot do.

It was interesting to hear the Leader of the Opposition suggest that we need a provision to protect an honest member who may just run into a little bit of a problem. In fact, if he reads the Bill that is what is provided. It is only in minor matters that the Parliament will decide the issue. Major matters still go before the court.

Mr. Burns: The Parliament can still override the court.

Mr. LICKISS: I do not see that in the Bill at all. The honourable member is reading something into it.

Mr. Burns: Have a look at the proposed new section 7c(2).

Mr. LICKISS: That obviously is a subject for the Committee stage and I would be out of order if I discussed it.

Motion (Mr. Lickiss) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Clauses 1 to 4, both inclusive, as read, agreed to.

Clause 5—New s. 7B; Seats to become vacant in certain cases—

Mr. WRIGHT (Rockhampton) (5.25 p.m.): When I spoke at the introductory stage, I did so mainly by way of inquiry because of some of the provisions that exist in clause 5. I now note that the question of determining whether or not a person is involved in an office or place of profit under the Crown comes back to whether or not he has been appointed by a Minister or by the Governor in Council.

The definition is now set, and two members of this Assembly—they happen to be the honourable member for Mansfield and myself—will now be required to resign from the National Fitness State Council. That is a ludicrous situation; that is the only way of describing it.

Mr. Moore interjected.

Mr. WRIGHT: I raised the matter, and the Premier took some delight in thinking, "I've got rid of Wright now"; but he has also got rid of Kaus. Bill Kaus, who was on the council before I was, has contributed greatly to National Fitness, and I believe that I have also played my part. There have been no politics. We do not play politics at the State level. There is no divulging of information. I have always known what the budgets have been; I have been involved in staffing; I have been involved in all sorts of recommendations at a State level. I have even been involved in discussions on the proposed legislation that is to come before this Assembly. But no member has ever heard me divulge any information, because I am there representing persons in Queensland who are interested in National Fitness. Unfortunately, I am appointed by the Minister. Originally I was elected democratically at a State conference at Tallebudgera, and I was there as a zone representative. Now, however, because of the system that is used, both Mr. Kaus and I are appointed by the Minister. This means that we come within the definition in clause 5, even though we do not receive any money. I use my own air fares to come from Rockhampton to Brisbane to attend State council meetings whenever I can, and I have been able to attend quite a few.

Mr. Moore: The taxpayer pays.

Mr. WRIGHT: No. I have driven down; I have organised my time so that I have been down here; I have even paid my own fare because I have run out of parliamentary air warrants. This can be proved.

An Honourable Member interjected.

Mr. WRIGHT: I have used my gold pass on the railways to attend these meetings.

The point I am making is that here are two members of Parliament who give a voluntary service—we do not receive anything; in fact, it costs us something to be involved—and we are not allowed to perform this service. Yet we know that other honourable members, because they are doctors or legal personnel, can receive money from the Crown and still be exempt. I think this is a ridiculous situation.

I have my resignation here—no doubt Mr. Kaus is getting his ready—because we have been asked to present them to the Minister. If we do not, we will vacate our seats. What a ridiculous situation that is!

The Minister for Justice said that the matter has been looked at very carefully and that we have to come up with some definition. It is quite obvious that the position has not been covered completely.

It could be said that National Fitness is an isolated instance because there is no Act of Parliament that gives us exemption. Clause 7B states that unless otherwise provided or permitted by any Act, a member of Parliament who acts in a certain capacity must

vacate the position that he holds. It protects the honourable member for Toowong (Mr. Porter) and the Deputy Leader of the Opposition (Mr. Houston) in their involvement in the senate of the University, but the honourable member for Mansfield and I certainly are not covered. I am not so much concerned that it is Bill Kaus and Keith Wright as I am about the fact that State members of Parliament are not able to carry out this duty. If we ever changed the position with the area committees and in some way they were appointed ministerially instead of being appointed by the State council, no other member of Parliament would be able to act in this way. So the David Corys and other people who play their part in National Fitness will suddenly have to withdraw, and this could go on and on, simply because of the definition that is being used.

In my opinion, the definition is inadequate. Simply appointment by a Minister of the Crown or by the Governor in Council should not separate it in some way. The office of profit should come down to the actual profit that a person gets, which is a fiscal question. Yet we find a conflict here in that barristers and medical practitioners will still be able to play their role as members of Parliament.

Mr. Moore: No they won't.

Mr. WRIGHT: They will. The Leader of the Opposition made this point very clearly and at the introductory stage the Premier made the point that special exemption was being given to them.

Mr. Moore: Isolated cases.

Mr. WRIGHT: I don't know so much. Perhaps there are some isolated cases of doctors, but I cannot visualise any of barristers. Why the S.G.I.O. is given special consideration, I do not know. The provision is ludicrous. Whilst it affects only two members of Parliament at present, I think circumstances will arise when other members are affected. I do not support what is being done here.

Mr. BURNS (Lytton—Leader of the Opposition) (5.31 p.m.): Clause 5 (3) provides—

> "In this section, a reference to the Crown is a reference to the Crown in right of the State."

Does that mean that it will not apply to office of profit under the Commonwealth or under an Act of the Commonwealth Parliament? Does it only apply to the State?

Mr. Lickiss: Yes.

Mr. BURNS: In other words, we as State members of Parliament, can accept a Commonwealth position and earn money as the result of our using our position as members of Parliament to obtain a Commonwealth position. Does it mean that that will not be an office of profit under the Crown?

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (5.32 p.m.): In answer to the honourable member for Rockhampton—I should like to put the record straight, because this is where we are determining so that members can also determine whether or not they occupy a position of profit under the Crown.

The first extension of the existing provisions is in the proposed subsection (1) of section 7B. The prohibition on holding office of profit is repeated but enlarged to include an appointment by or through the Crown to any body or instrumentality, authority, etc., whether or not any profit is involved. The disqualification arises in this regard because of the method by which the member becomes a member of any of the particular bodies referred to. If his membership is derived by or through the Crown, including, of course, through a Minister or by a Minister, the section would operate. Of course the Crown in this context refers to the Governor in Council and any Minister of the Crown, limiting the term "Crown" to the Crown in the right of the State. That answers the point raised by the Leader of the Opposition.

Any appointments to Commonwealth bodies would not have any prejudicial effect under this legislation. Members will still be eligible to belong to any of the bodies concerned where they become members otherwise than by or through the Crown. If, however, the Crown in the sense indicated has any power of appointing or confirming their appointment, then the prohibition operates.

It is appreciated that the prohibition is wide in its terms, and this is deliberately so. As has been made clear, the object is to stop members from being within the patronage of the Crown in this regard, but it also serves the purpose of protecting the integrity of the Crown in that the Executive or individual members could be prejudiced or inhibited by the appointment of a member of Parliament to bodies which, in varying degrees, are responsible to the Minister and ultimately to

the Governor in Council. This includes, of course, such worthwhile bodies as National Fitness councils. However, the principle is sound even though its operation may perhaps be, or appear to be, harsh in particular circumstances. The principle is more important than any harsh operation of it and this is so with any law designed in the public interest.

I think I have answered the two points that have been raised by honourable members.

Clause 5, as read, agreed to.

Clause 6—New s. 7C; Power of Legislative Assembly to relieve from consequences of alleged defaults—

Mr. BURNS (Lytton—Leader of the Opposition) (5.34 p.m.): Subclause (1) lays down the right of the Legislative Assembly to act, etc. Subclause (2) provides—

> "In any case where apart from this provision the Governor or the Speaker would be required to issue, when the Legislative Assembly is not in session or during any adjournment of the Legislative Assembly, a writ for election of a member thereof in the place of a member whose seat has become vacant pursuant to section 7B, the Governor or Speaker may, if it appears to him that an opportunity should be given to the Legislative Assembly to consider the making of a resolution referred to in subsection (1), defer the issue of the writ pending the determination of the Legislative Assembly."

In other words, if the Elections Tribunal, under section 101 of the Act, decides that a member, between now and next August, is in breach of this Act, the Speaker, or the Governor in Council (which is our Cabinet plus the Governor) may decide that an opportunity should be given to the Legislative Assembly to consider the making of a resolution referred to in clause 6 and defer the issue of the writ pending the determination of the Legislative Assembly. We can override the Elections Tribunal. We can say, "We will not declare the seat vacant and call a by-election. We will put it back to the Legislative Assembly when it meets in three months' time", and we can then carry a resolution here under clause 6. That will override the decision. Is that right?

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (5.36 p.m.): The honourable member should realise that Parliament does not sit on 365 days of the year. This is a provision whereby Parliament can decide on minor matters only. I explained the situation relative to the courts previously.

Mr. BURNS (Lytton—Leader of the Opposition) (5.37 p.m.): I do not see where it says that it relates to only minor matters. It says—

> "Notwithstanding the provisions of section 7B, where it is made to appear to the Legislative Assembly that any act, matter or thing has or may have caused the seat of a member of the Legislative Assembly to become vacant, the Legislative Assembly may, if it is satisfied that the act, matter or thing—
>
> (a) has ceased to have effect;
>
> (b) was in all the circumstances of a trifling nature; and"

That will be great for the lawyers to argue. The provision continues—

> "(c) occurred or arose without the actual knowledge or consent of the member or was accidental or due to inadvertence,
>
> by resolution direct that any such act . . ."

That allows us to do what we like. The Minister should be honest about it. That is what has happened on three occasions since I came here. I do not know what "trifling nature" means. That is a lawyer's phrase designed to give lawyers a field day in arguing what is trifling and what is not. As I understand it, the Elections Tribunal judge can say, "You are not allowed to hold your seat", and the Governor in Council can say, "We will have a vote in Parliament to determine whether that will prevail or not." I do not believe that we should override the judge.

Mr. Moore: Of course we should.

Mr. BURNS: I do not believe that we should interfere with the judiciary. I always thought that we did not do that, but now I am finding that the National-Liberal Party believes we should.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (5.38 p.m.): I draw the attention of the Leader of the Opposition to the provision in clause 6 which reads, "(b) was in all the circumstances of a trifling nature." I also refer him to subclause (c) which reads—

> "occurred or arose without the actual knowledge or consent of the member or was accidental or due to inadvertence,".

Mr. Burns: What about 6 (a)?

Mr. LICKISS: Without prosecuting the matter further, I say that the explanation I gave is the one that applies.

Clause 6, as read, agreed to.

Clauses 7 to 9, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

MEDICAL ACT AND OTHER ACTS (ADMINISTRATION) ACT AMENDMENT BILL

SECOND READING

Hon. A. M. HODGES (Gympie—Minister for Tourism and Marine Services) for **Hon. L. R. EDWARDS** (Minister for Health) (5.40 p.m.): I move—

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

In the introductory stage I indicated that the amendments were only machinery, to incorporate certain provisions of the Psychologists Act 1977. I am sure that no further elaboration is required at this time. I commend the Bill to the House.

Mr. MELLOY (Nudgee) (5.41 p.m.): The Opposition acknowledges the machinery nature of the Bill and accepts it.

Motion (Mr. Hodges) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Clauses 1 to 4, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

TRAFFIC ACTS AMENDMENT BILL

SECOND READING

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (5.42 p.m.): I move—

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

Honourable members will now have had an opportunity to study the Bill, which gives effect to the principles that I outlined in the introduction. The contribution by honourable members who spoke at that stage has indicated their acceptance of the special function of this kind of legislation to contribute to the greatest extent possible in reducing the road toll, and their support is appreciated.

It would be, in my view—and I was pleased to hear the honourable member for Cairns support me in this—a denial of justice to the community if we did not take steps to resolve any doubts as to the admissibility of evidence of the certificates of blood alcohol concentration in charges against those persons who have offended against the drink-driving law.

The effect of amending the existing Act is to substitute the expression "per 100 millilitres" for the existing expression "to 100 millilitres" to conform to the scientific expression on the certificates.

In addition, there is a statement of legislative intent that the certificate introduced in evidence of a drink-driving charge—which stated a concentration of alcohol or drug in the blood of any person by reference to the number of milligrams of alcohol or drug in the blood per 100 millilitres of blood—conforms and has always conformed to the expression of the number of milligrams of alcohol or drug in the blood to 100 millilitres of blood. This should clearly establish the evidentiary value of all these certificates, past, present and future.

In this connection, the honourable member for Cairns mentioned the availability of a self-assessment breath analyser which could be used at hotels and other places for potential drink-drivers to check out their blood alcohol concentration before they drive. Apart from possible legal complications that might arise in the unsupervised use of such a device, there is a very real danger that a person consuming alcohol could be misled by a reading if he were not aware that other factors had to be taken into consideration.

I would like to say to the honourable member for Cairns that I inspected the instrument he referred to. My remarks are made very seriously. There are other factors that bear on it. We are examining the analyser. Of course, it is not necessary to get the permission of the department or Parliament before installing it. The decision is entirely up to the hotels themselves.

Mr. Jones: I just indicated that it might be of some help.

Mr. K. W. HOOPER: Yes. Unfortunately, people are taking it as a bit of a joke. That was the unfortunate aspect of it in Melbourne when we inspected it.

Mr. Jones: There could be a warning above it.

Mr. K. W. HOOPER: Perhaps the honourable member is right.

As I have said, driving performance is impaired in every person to some extent at least, even at quite moderate blood alcohol concentrations, and if there is a drug factor involved, whether medicinal or otherwise, then any mistaken confidence in self-assessment is clearly destroyed.

The risk of accident, apart from the risk of detection, cannot be underestimated. The honourable member for Murrumba pointed this out in referring to drivers under the influence of marijuana, which would not be disclosed by a breath-analysing instrument.

I would commend to honourable members report No. 4 of the Law Reform Commission, under the chairmanship of Mr. Justice Kirby, published last year, entitled, "Alcohol, drugs and driving", which provides a most comprehensive treatment of all aspects of the problem of controlling the driving of motor vehicles by persons who had consumed alcohol or other intoxicating drugs.

The honourable member for Sandgate will be interested, particularly, in the statement of the commission that on a consideration of the arguments and the submissions put to it, the commission concluded that random breath tests, in the sense indicated by the honourable member, are not justified at this time.

The commission's conclusions support the views of the honourable member for Merthyr when it looked at the arguments against random testing by adding to those arguments—

> ". . . the counter-vailing rights of innocent citizens not to be detained by police at random and subjected, however courteously, to a personal indignity." (Page 111, para. 260).

The honourable member for Merthyr has also indicated his support for amending the law to avoid the necessity for an arresting police officer to be present at the initial hearing of a charge for an offence of drink-driving. The present section of the Traffic Act is intended to secure the personal attendance of a person charged. With rare exceptions, charges for an offence of drink-driving where a breath analysis has been made would be initiated by way of arrest. In the case of blood analysis, complaint and summons is the usual method for bringing the matter before the court. In either case, however, the police officer concerned with the detection of the offender would be required to appear at the initial hearing.

As the honourable member for Merthyr has pointed out, a considerable outlay is involved in government expenditure in having the police officers personally present on the off-chance that one or more of the persons charged may not personally attend the next morning if they have been apprehended the night before. The Bill provides for a procedure to overcome what is now seen to be a problem in administering the particular section of the Traffic Act.

The Bill provides that when any person who is charged with or arrested for an offence of drink-driving does not appear personally and is not represented by counsel or solicitor at the initial hearing, the court shall adjourn the hearing to a time specified by it on the day on which the court is to be next constituted at the same place, and if the person charged has been released on bail, for the bail to be enlarged accordingly to the next hearing.

At the same time, of course, the court will suspend every driver's licence held by the person charged until the adjourned hearing date, which is the situation at present.

The Traffic Act presently provides that, except at the instance or with the consent of the person who provided the specimen, evidence of the providing of the specimen of breath or blood for the purpose of determining blood alcohol concentration shall not be led or admitted in any civil proceedings. As indicated at the introductory stage, at the present time, the question of evidence in civil proceedings is under review by the Honourable the Minister for Justice and Attorney-General in connection with the proposed new Evidence Bill. It is proper that this question of evidence of blood alcohol concentration in civil proceedings should be considered by him in relation to the general question of the admissibility of such evidence in these proceedings. Whether or not the civil court would accept such evidence would, of course, be a matter for its determination having regard to all the circumstances in connection

therewith. The Bill will remove the present statutory impediment to the admissibility of such evidence.

The honourable member for Cairns has recalled that at a previous time the Traffic Act was amended to provide for air cushion vehicles. This is correct, and the definition in the Act states that an "air cushion vehicle" is "a vehicle which is designed to be supported when in motion wholly or partly by air expelled from the vehicle to form a cushion on which the boundaries include the ground, water or other surface beneath the vehicle." However, such a vehicle can also be a vessel in the broader sense, and the Bill will ensure, in interpreting the word "vessel" in the Act, that it is included in the definition.

The present definition of "vessel" covers any ship, boat, punt, ferry and every other kind of vessel used or apparently designed for use in navigation, whatever may be the means of its propulsion. It will now clearly cover an air cushion vehicle. We do not want any legal technicality to obscure the position if an air cushion vehicle is involved in the commission of an offence under the Traffic Act, either on or off the water.

Finally, as I indicated at the introductory stage, the Bill extends to the Commissioner for Transport the same protection afforded to the Commissioner of Police in regard to the supply of accident information from official records. Since 1 July last year, the custody of traffic accident records has been transferred to the Department of Transport to release police officers for other duties, and this amendment is necessary in the administration of the new procedures.

I commend the Bill to the House.

Mr. JONES (Cairns) (5.52 p.m.): The Opposition concurs with the Bill in principle. There seems to have been some splitting of straws because to the layman there is no real difference between the words "to" and "per", although it apparently has been sufficient to gain the acquittal of some persons who appeared before courts. Parliament makes the law; the police enforce it and courts interpret it. When they interpret it as Parliament did not intend it to be interpreted, the process starts again here. I am pleased to see that the legislation will now spell out the intention of Parliament.

I take this opportunity to express on behalf of the Opposition our concern at any encouragement being given to police to accost innocent motorists and submit them to a breathalyser test. I do not think that the legislation ever intended that people would be required to submit to such a test simply because a police officer felt inclined to impose it. From the very inception of this legislation, the principle was that a motorist would not be forced to take a breathalyser test unless he had been observed committing a breach. Instances of harassment of the public by overzealous police officers have been brought to the attention of the Minister for Police and probably the Minister for Transport, who administers the Traffic Act. Although I do not see any real need to refer again to specific cases, people have been accosted by the police simply because their car numbers have been taken when parked outside a hotel. People playing in bands whose vehicles are parked outside hotels have been stopped by police and subjected to breathalyser tests simply because the numbers of their cars were taken when parked in that position. They may not have had any alcoholic liquor at all. I do not think that this type of police action is necessary.

I must reiterate, however, that the law lends itself to random breath testing and, if that is to be accepted, another set of conditions should apply. I believe that the requirement that there must be initially an infringement of the Traffic Act is a reasonable bar to detention of innocent motorists on false premises to allow police officers to obtain scalps, if I may put it that way. In the light of this the breathalyser test then becomes technically a field interrogation or a revenue-collecting service. That is all I want to say on this point.

The Bill could be termed a Bill to eliminate the overtime of police officers, and to enable them to not appear in court the next morning if the defendant does not appear. The arresting officers need not now attend the initial hearing of drink-driving charges, which will be of benefit to the Police Force because it will not have to pay so much overtime.

It appears to me that the laws of evidence applying to certificates of blood alcohol content presented in civil actions will mean the same protection for the Commissioner for Transport as now applies, for example, to the Police Commissioner in giving evidence and presenting these certificates. The Minister has said that the question of evidence in civil proceedings is being reviewed by the

Minister for Justice and Attorney-General, and that this aspect will be tidied up in the new Evidence Bill. At the present moment the consent of the person providing the specimen is needed before such evidence can be admitted in civil proceedings. One of the purposes of this Bill is to remove the present statutory impediment to the admissibility of such evidence. Whether or not the courts will accept that evidence is a matter for their determination.

I think the most important provision in the Bill is that relating to retrospectivity. It will backdate the effect of the legislation to 1968. It validates or predetermines that previous counts and convictions will remain as is, and the legal loopholes will be closed. The ordinary bloke would want to know about this, and I hope that it is well publicised. I am sure that when the details of the Bill are known we will hear from plenty of people who feel aggrieved. There will be a lot of misinterpretation, and people will come running to their local electorate office saying, "Well, if it applied to them during that period how is it I copped it? What do I do about it?" So in effect any doubt about previous offences has been eliminated by the validating action of this Bill, and charges and penalties over the last nine years will not be affected. It should be emphasised that there are no further loopholes in the law, and if a person was not lucky enough to come up before Brian Harris out at Holland Park he has not a hope in Hades of getting off in the future. The intention of the Bill is clear, although I suppose the lawyers will argue over the difference in the definition. I suppose section 16 will continue to be one of the most popular sections of the Act with lawyers. I would like to know how much money has been spent arguing over it. Perhaps there was no difference, but the amendment will cover that situation.

The last couple of days have been a bit exhausting for us. I find that amendments to the Traffic Act always seem to be brought on at about 5 o'clock in the morning. Because we happen to take a little time to debate the legislation we always seem to be tail-end charlies, as they used to call us in the Air Force, and we always get the dirty jobs. Everybody starts thinking we are delaying the Assembly, whereas if we added up the time that this debate has taken and compared it with the time other debates took last night and today we would probably find that less time has been spent on this debate than any other. Perhaps the Minister can get any future Bills placed higher on the Business Paper so that we can have first bite of the cherry.

Apart from the legal gymnastics, as I said at the introductory stage, the Opposition agrees with the principle of the Bill, and I suppose continuing amendments of the Act help to keep us occupied.

Dr. CRAWFORD (Wavell) (6 p.m.): I wish to make a few brief points that I think are relevant to the second reading of the Bill.

First, all honourable members will agree that the retrospective aspect of the Bill is of the greatest possible importance and that convictions should be validated for a set number of years so that there will be no further legal argument on what I have referred to in the past as pedantic points to try to change the law as it has applied in the past. The Minister is to be commended for introducing this provision.

The technicality of "to" and "per" has been canvassed here and elsewhere in recent times. I said recently in this Chamber in the Matters of Public Interest debate that I believe that "to" and "per" and "in" are equivalent. However, I say to the Minister and his advisers that I am a little concerned to see in the Bill that "per" is to be used in substitution for "to" in one or two clauses. I should like to see even more specific wording setting out that "to" and "per" and perhaps "in" are equivalent terms, not that one could be substituted for another. Next week or the week after we will find that the laboratory that is being used by the police in enforcing these provisions will change its wording again because of some other non-legal ruling. I think this should be validated so that there is absolutely no equivocation and no possible method by which any further legal point of this type can be made in court.

Certification, of course, is an integral part of our society, and medical certificates must not be downgraded. They can be downgraded by taking advantage of legal technicalities and pedantic legal points, and it is important that it be made absolutely crystal clear as to how these matters pertain to any particular legal argument.

Police outside hotels have been mentioned. This has been a time-honoured gripe on the subject of activities infringing human rights. I think it probably is not unreasonable in our

society, in which alcohol is consumed by most citizens in reasonable, moderate or large quantities progressively over the years, that some sort of self-assessment apparatus should be set up under our law. Responsible citizens now apply to themselves the principle of self-assessment of the amount of alcohol that they consume. Therefore, it is not unreasonable that such a responsible citizen should be allowed to have facilities to check his alcohol level before he attempts or is persuaded to drive a motor vehicle. I do not know whether it is easy or difficult to do that. Many machines have been questioned in court in the past and have been found, again on some technicality, to be wanting in law. It would be useless, obviously, if a machine were available that did not give an accurate reading and so enable people to make an accurate self-assessment.

The last point relates to the role of police officers in our community. I think that police have the greatest difficulty in carrying out their duties when they have to implement the Traffic Act. The suggestion has been made recently that traffic wardens, perhaps under the control of the Police Commissioner, or perhaps not, would be better able to implement the provisions of the Traffic Act, thus leaving the police free to get back to combating crime. Such a system works in the United Kingdom under very specific rules and regulations, and the provisions of the Traffic Act are implemented just as adequately there as they are in Australia. That may be a point to be considered in the future by the Minister in conjunction with his colleague the Minister for Police. It would make a very big difference to the image of the police in our community, and I think it is worth considering.

I commend the legislation as a whole, but I would like the point relative to "to", "per" and "in" to be clarified further.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (6.5 p.m.), in reply: I thank both the honourable member for Cairns and the honourable member for Wavell for their support of the Bill. I assure the honourable member for Wavell that we have been informed that the legal interpretation is that "per" and "to" are equivalent. The expressions are made equivalent purely on a legal basis. I have been assured that this is so; however, we will certainly be watching the situation very closely. I thank the honourable member for his interest.

I should like to comment on the traffic warden aspect and say that, although it is not in the Bill, it has been examined. Certainly it will continue to be examined, but there are difficulties because of the involvement of police. We would have to look at some aspect of swearing these people in with some authority.

I commend the honourable member for Wavell for his interest in the aspect of the Bill relating to "per" and "to". He raised this point in the Matters of Public Interest debate and it was really as a result of what we read in the Press and at his insistence that this aspect was included in the Bill. I thank him for that consideration.

Motion (Mr. Hooper) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Clauses 1 to 10, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

TWELFTH NIGHT THEATRE BUILDING TRUST BILL

SECOND READING

Hon. V. J. BIRD (Burdekin—Minister for Education and Cultural Activities) (6.8 p.m.): I move—

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

As I intimated when introducing the Bill, the premises known as the Twelfth Night Theatre, since its purchase by the Crown last year, is now the property of the people of Queensland.

This property is situated at 4 Cintra Road, Bowen Hills, Brisbane, and in the Bill now before the House references to the Twelfth Night Theatre embrace all improvements on that piece of land in the County of Stanley, Parish of North Brisbane described as lot 1 on registered plan number 116943 City of Brisbane, being the whole of the land contained in certificate of title volume 4509 folio 33.

In keeping with legislation of this nature, the Twelfth Night Theatre Building Trust will be a corporate body and shall have perpetual succession and a common seal.

The Twelfth Night Theatre Building Trust shall include in its capabilities the acquiring, holding and letting of the theatre premises and any other property or interest therein. This is a most important provision insomuch as within the premises there is at the present time a fully operational restaurant. Thus there is laid down in the Bill that the trust shall have as one of its functions the letting or leasing of the theatre premises or such parts thereof as are suitable for the purpose of:—the business of a licensed restaurant; the business of a licensed club, and such other business and businesses as the trust thinks fit either in addition to or in lieu of the business of a licensed restaurant or club. The trust will of course be responsible for holding such parts of the theatre premises as are not at the material time let or leased for a business activity, available for presentation of the performing arts and to let or lease such parts for that purpose.

The trust, as I outlined in introducing the Bill, will be of five members, three appointed for their proven business ability and two for their proven knowledge and experience in the performing arts.

The trust will be subject to the direction of the Minister in the exercise and performance of its powers, authorities, duties and functions, and it shall, except where it makes or is required to make a recommendation to the Minister, be subject to the general control of the Minister.

I feel I should once again make it clear that what may be seen as the takeover of the Twelfth Night Theatre was and is the wish of the body previously responsible for the operation of the property.

As I stated in my introductory address, the Departments of the Auditor-General and the Treasury have approved those provisions of this Bill which relate to their areas of responsibility.

It is confidently anticipated that the theatre will prove an important asset to the cultural scene in Queensland and that the trust will fulfil its obligation to ensure that, so far as it is possible, the operation will be a self-supporting one.

I commend the Bill to the House.

Mr. WRIGHT (Rockhampton) (6.12 p.m.): At the introductory stage a number of criticisms were made by Government members about the person charged with administering cultural activities throughout the State. The point should be made that the Minister did not defend him. I felt that rather strange when the honourable members for Merthyr, Murrumba and Baroona had a fair amount to say in this vein. I question their statements because since then I have heard people support what was said against him and others disagree completely with it.

To return to the provisions in the Bill—the honourable member for Merthyr asked why I pointed out at the introductory stage that there was a debt and used that as the basis of my speech. I am pleased to know that my statement that there was a debt was correct and that the Minister has gone to some lengths to overcome the difficulties experienced. The debts total about $60,000 and, because of the requirements in the Bill before us, a trust with certain expertise in the business field will be established. I agree totally with the Minister that we need people with recognised, proven administrative and business ability. The Minister pointed out that the number on the trust with that ability will be three, with two others representing the performing arts. That was the total thrust of the Minister's debate and he stressed it again at this stage.

I am sure that all honourable members agree that this action is necessary. But accepting that point, I question if that is the real matter of importance here. Honourable members who have read the Bill know that we have gone to extreme lengths to ensure that controls exist over borrowing and expenditure, over the persons who will be members of the trust, on when they will vacate office and so on. In fact, if members miss three meetings without reasonable excuse and without having previously obtained permission to do so, they will vacate their position on the trust. That is fairly harsh. I do not know that there are many other organisations with such strong requirements. As well as the audit requirements, a report has to be made to Parliament, and there is ministerial control over all budgeting, special trust funds, special funds and general funds.

Another important point on page 4 concerns the disclosure of interests by members of this trust. This is a vital point. I am pleased to note that the Minister has introduced it in this legislation although Cabinet does not hold the same view about pecuniary interest of people in Government positions. We have heard the Premier say that in his opinion this is not necessary. The Minister

has done the right thing by going to these lengths to ensure that we have all these controls—ministerial controls, auditing controls and Treasury controls—but we then find that in relation to the appointment of a manager-cum-secretary nothing at all is mentioned about the desirability of that person's having any proven administrative or business ability. On page 3 of his introductory speech the Minister actually used the words "three persons nominated by the Minister for their proven business ability", yet we find that the manager will not necessarily have that. No specific qualification is stated. No specific requirements are laid down.

Accepting that, I move on to other aspects of the legislation that allow for the delegation of powers, authorities, duties and functions, except in relation to the making of by-laws, the adoption of budgets and the distribution of moneys outside the budget guide-lines. However, one notes that they will have the power to dispose of and sell certain properties. Admittedly, that clause —and I will not refer specifically to it— is linked very closely with an earlier clause in which it is stated that any sales or disposal of property must be with the approval of the Governor in Council. There is that rider, but still certain persons are given the power to carry out the function of selling or disposing of property.

Whilst one accepts that in some instances there are controls as to what these groups may do—they cannot go outside the ambit of the trust itself—I question whether we will achieve what the Minister personally wants, which is an expert body running the show. We find that there will be a manager and that certain powers can be delegated to people who are members of a committee. Some time ago an excessive amount of money—$300,000 —was made available by the State and Federal Governments to assist in the difficulties that were being experienced with the debt on the building. Although I think the Minister has done the right thing to overcome the present problems, I question whether or not it will achieve what he wants. Whilst in principle it is good that there is a management board or a trust with power, anyone could be the manager. All sorts of committees could be set up consisting of people who do not have the business expertise that the Minister himself wants to see.

I raise these points for the Minister's consideration. There is no need for opposition, but I ask the Minister to watch these matters very carefully and to ensure that his desires and the desires of those who are behind the drafting of the legislation are carried through, not just in the membership of the trust, not just in the appointment of the manager, but in all people who will carry out these duties. Otherwise I suggest we will be no better off. In theory it will be all right, but in actual practice the same old problems will arise time and time again because people carrying out the duties will not know what they are doing, although they may be versed in the performing arts.

I have a couple of points I wish to raise at the Committee stage.

Motion (Mr. Bird) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Clauses 1 to 37, both inclusive, as read, agreed to.

Clause 38—Repayment of Treasury loans—

Mr. WRIGHT (Rockhampton) (6.19 p.m.): There is only one point I have to raise here. Although I have had an opportunity to talk to the Minister about it, I think the matter ought to be raised in the Assembly as this is what debate is all about. In the second paragraph the clause provides—

> "The Treasurer may at any time make any adjustments that he considers necessary with respect to the period of any loan or the calculation of interest thereon or with respect of any other matter in connexion with any loan."

It is shown clearly that the trust may borrow money. The repayments are set down as being due half-yearly. All of the requirements that would normally be expected are contained in the clause.

If the trust entered into a borrowing arrangement at, say, 6 or 7 per cent the Treasurer could, at some time thereafter, see fit to increase the interest rate. That is the only point. I realise that the interest rate could be lowered. I think that the point should be raised so that it can be recorded in "Hansard".

Hon. V. J. BIRD (Burdekin—Minister for Education and Cultural Activities) (6.21 p.m.): I think it can be generally accepted that in any business—and let us refer to it as a business—there are times when perhaps a certain amount of money has been borrowed and the trust might want to carry out additional work while it still owes money. The

Treasury would have the right to reconsider and extend the period of the loan. If the trust seemed to be getting into difficulties and was unable to pay the interest and repay the loan in the specified period, I imagine that the rate could be altered. It is open-ended, but it is open at both the top and the bottom.

Clause 38, as read, agreed to.

Clauses 39 to 61, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

SPECIAL ADJOURNMENT

Hon. C. A. WHARTON (Burnett—Acting Leader of the House): I move—

"That this House, at its rising, do adjourn until 11 o'clock a.m. on a date to be fixed by Mr. Speaker in consultation with the Government of this State. Mr. Speaker shall, not less than seven days prior to the meeting date so fixed, give notification of such meeting date to each member of the House."

On behalf of the Premier and the Deputy Premier I thank all honourable members for their contributions, tolerance and understanding during this session of Parliament, particularly when the schedule was tight, which seems to be a feature of every session.

I extend thanks to all people associated with Parliament for their contribution towards its good running and orderly conduct. Because of their efforts the task has been so much easier.

I extend to everyone a very happy Easter. We depart in a spirit of good will and may we meet again at a later date in the selfsame spirit.

Mr. ACTING SPEAKER: Order! Before putting the question, may I, too, express my appreciation to all honourable members for their co-operation and the good will they have extended to me during the past few weeks whilst I have been Acting Speaker. I do appreciate it.

I endorse the kind wishes extended by the Minister. I wish all honourable members a happy and Holy Easter. On the rising of the House I hope that they will join me for drinks in the Parliamentary Refreshment Rooms.

Motion (Mr. Wharton) agreed to.

The House adjourned at 6.25 p.m.

BILLS ASSENTED TO AT CLOSE OF SESSION

The following Bills, having been passed by the Legislative Assembly and presented for the Royal Assent, were assented to in the name of Her Majesty on the dates indicated:—

(14 *April* 1977)—

Financial Administration and Audit Bill;

Fire Brigades Act Amendment Bill;

Fire Brigade Charges Refund Bill;

Justices Act and The Criminal Code Amendment Bill;

Rural Fires Act Amendment Bill;

Psychologists Bill;

Police Act and Another Act Amendment Bill;

Railways Land Acquisition Bill.

(21 *April* 1977)—

Surveyors Bill;

Albert Shire Council (Ratification of Administration) Bill;

(21 *April* 1977)—continued—

House-builders' Registration and Home-owners' Protection Bill;

Racing and Betting Act Amendment Bill;

City of Brisbane Town Planning Act and Another Act Amendment Bill;

Local Government Act Amendment Bill;

Constitution Act and Another Act Amendment Bill;

Medical Act and Other Acts (Administration) Act Amendment Bill (1977);

Traffic Acts Amendment Bill;

Parliamentary Committee Transitional Bill;

Uniting Church in Australia Bill;

Legal Practitioners Acts Amendment Bill;

Valuation of Land Act Amendment Bill;

Twelfth Night Theatre Building Trust Bill.

On 2 June 1977 the following Proclamation was issued by His Excellency the Governor:—

A PROCLAMATION by His Excellency Commodore Sir JAMES MAXWELL RAMSAY, Commander of the Most Excellent Order of the British Empire, upon whom has been conferred the Decoration of the Distinguished Service Cross, and Commodore in the Royal Australian Navy (Retired), Governor in and over the State of Queensland and its Dependencies in the Commonwealth of Australia.

[L.S.]

J. M. RAMSAY,
Governor.

In pursuance of the power and authority vested in me, I, Sir JAMES MAXWELL RAMSAY, the Governor aforesaid, do, by this my Proclamation, prorogue the Parliament of Queensland to Tuesday, the Nineteenth day of July, 1977.

Given under my Hand and Seal at Government House, Brisbane, this second day of June, in the year of Our Lord one thousand nine hundred and seventy-seven, and in the twenty-sixth year of Her Majesty's reign.

By Command, J. BJELKE-PETERSEN.

GOD SAVE THE QUEEN!