

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 18 MARCH 1982

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Mr SPEAKER (Hon. S. J. Muller, Fassifern) read prayers and took the chair at 11 a.m.

AUDITOR-GENERAL'S REPORT

Loans Sinking Fund

Mr SPEAKER announced the receipt from the Auditor-General of his report upon the Loans Sinking Fund for the year 1980-81.

Ordered to be printed.

PAPER

The following paper was laid on the table:—

Regulations under the Traffic Act 1949-1980.

PETITIONS

The Clerk announced the receipt of the following petitions—

Funding of State Schools; Class Sizes

From Mr Muntz (13 signatories) praying that the Parliament of Queensland will restore the education share of the Budget to the 1975-76 level, employ sufficient teachers so that the class sizes do not exceed the select committee recommendation and provide sufficient funds for necessary school building and maintenance.

Offence of Practising as a Medium

From Mr Lane (22 signatories) praying that the Parliament of Queensland will amend the Vagrants, Gaming, and Other Offences Act which makes it an offence to practise as a medium.

Petitions received.

INCORPORATION OF DOCUMENTS IN "HANSARD"

Statement by Mr Speaker

Mr SPEAKER: Prior to the commencement of question-time, I wish to mention a small problem that has arisen in the last couple of days. I am seeking the full co-operation of Ministers in relation to documents that they seek to have incorporated in "Hansard". Some of the documents that Ministers have sought to have incorporated have been very lengthy. I realise that problems are created if Ministers delay the House by making very lengthy statements. In future, unless Ministers feel that it is absolutely essential to have extremely lengthy documents incorporated in "Hansard", I suggest that they table them. Any honourable member who desires to examine them may do so at the table.

QUESTIONS UPON NOTICE

Questions submitted on notice by members were answered as follows:—

1. Drivers of Emergency Vehicles

Mr Casey asked the Minister for Transport—

(1) What protection under the Queensland Traffic Acts do drivers of (a) police vehicles, (b) ambulances, (c) fire engines and (d) any other emergency vehicles have, if any, when they are engaged on emergency work on public roads in Queensland?

(2) Does the use of their sirens or flashing lights give them any added protection?

(3) Do such vehicles have any special privileges at intersections that are (a) controlled by traffic lights or (b) uncontrolled?

(4) Do any of the other Australian States have any special protection for the circumstances outlined in (1), (2) and (3) of this question?

Answer:—

I am informed by my Commissioner for Transport that—

(1) Specific provision is made in the Traffic Act by section 67 subsection (2) that the provisions of that Act other than those relating to drink-driving offences under sections 16 and 16A shall not apply to any member of the Police Force while acting in the execution of any power or duty conferred or imposed upon him by the Traffic Act or by any other Act or law.

In the case of ambulances and fire brigades, regulation 9 of the Traffic Regulations provides that those regulations shall not apply to the driving of these vehicles by any member of an ambulance transport brigade or a fire brigade, as the case may be, while acting in the execution of his duty. However, it is further provided that every such member shall comply with the Traffic Regulations so far as may be consistent with the efficient performance of his duty.

Other emergency vehicles which may be approved by the Commissioner of Police upon which the use of a siren is authorised are not specially exempted from the provisions of the Traffic Act or Traffic Regulations.

(2) The use of sirens or flashing lights is for identification purposes only in order that other road users may comply with regulation 37 of the Traffic Regulations which requires a driver to give way wherever practicable and make every reasonable effort to give a clear and uninterrupted passage to every emergency vehicle which is sounding a siren or bell.

(3) See (1) and (2).

(4) I am advised that the provisions of the Queensland law would be similar to those in other States, which generally follow the provisions of the National Road Traffic Code. The code makes special provision for the operation of emergency vehicles conveying members of the Police Force on urgent police duty, fire brigades travelling to or on duty at any place in consequence of a fire or an alarm of fire, or being an ambulance answering an urgent call or conveying to hospital any injured or sick person urgently requiring treatment.

2. Federal Act Covering Trafficking in Addictive Drugs

Dr Scott-Young asked the Minister for Justice and Attorney-General—

(1) What Federal Act covers the trafficking in marijuana and other addictive drugs?

(2) Does this Federal Act override existing State statutes and, if so, under what section of the Commonwealth Constitution does it obtain its authority?

Answer:—

(1) Commonwealth Acts dealing with drugs are the Customs Act 1901, which is concerned with the prohibition of imports into Australia, and the Narcotic Drugs Act 1967, which governs the manufacture of drugs within Australia.

(2) The Queensland Health Act 1937-1980 which regulates dealing in drugs within the State is not affected by the Commonwealth legislation. Section 109 of the Australian Constitution applies only where the State law is inconsistent with Commonwealth law.

3. Casino Licence, Townsville

Dr Scott-Young asked the Deputy Premier and Treasurer—

(1) As Townsville has been one of the successful applicants for a casino, when will legislation be introduced to legalise these establishments?

(2) Has consideration been given to the issue of a temporary licence for Townsville, so that the impact of the opening up of new overseas airline routes does not affect the overall development of Townsville?

Answer:—

(1) It is the intention to reach a heads of agreement position with both prospective casino licensees by the end of April. The drafting of the formal agreements to be entered into by the Government and the proposed licensees will follow, and it is judged these agreements should be close to finality by the end of June. In the meantime, the drafting of the Casino Control Bill is being undertaken. The legislation, comprising a separate Bill to authorise the signing of each agreement, a copy of which will be a schedule to the Bill, and the Casino Control Bill, which will largely relate to casino operations, will be introduced as a total package in the August session.

(2) Yes. At the outset it was decided that a casino licence covering temporary premises would not be issued and this decision is quite firm. When opening dates for the casinos are known, this information will be published so that all who might be affected can plan accordingly.

4. Fraud Investigation, North Queensland

Mr Smith asked the Minister for Local Government, Main Roads and Police—

With reference to fraud investigation in North Queensland—

(1) Will he give an assurance that a fully trained and staffed fraud squad will be permanently located in Townsville to service the North Queensland region?

(2) Is he aware that unacceptable delays have already occurred in the investigation and finalisation of certain white-collar crime activities in Townsville, including apparent fraudulent actions by persons engaged in the real estate industry?

(3) Will he give an assurance that police handling of complaints against certain real estate interests and their legal adviser, which resulted in the police offering no evidence when the matter came before the court, was fully investigated by police trained to deal with white-collar crime?

(4) If he cannot give this assurance, is this because there were insufficient police in Townsville trained and equipped to deal with cases of fraud?

(5) Are Townsville police currently investigating a complaint by the Townsville Australian Football League that moneys in excess of \$20,000 are missing from its funds?

(6) Are charges to be laid against a former senior league official?

(7) If so, when will court action be taken against that person?

Answer:—

(1) I give no such assurance for the following reasons:—

(a) There is no demand for such a fully trained and staffed Fraud Squad to service the North Queensland Region.

(b) There are detectives stationed at Townsville who are trained and competent to investigate all fraud matters. One such detective was, for a considerable period, attached to the Brisbane-based Fraud Squad.

(c) The charter of the Brisbane-based Fraud Squad provides for the personnel of that squad to render assistance as required to country Criminal Investigation Branch personnel.

(d) This type of assistance, when asked for, is always supplied.

(2) I have no knowledge of these matters, nor does the senior administration of the Police Department in Brisbane know of these assertions. Regional Superintendent Bopf at Townsville likewise has no knowledge of these assertions.

(3) The matter adverted to was investigated by Detective Sergeant Holland of the Townsville Criminal Investigation Branch. Detective Holland was previously attached to the Brisbane-based Fraud Squad. The matter was fully investigated.

(4) See (1) and (3).

(5) Townsville police are presently investigating a complaint by Townsville Australian Football League in respect of a possible theft of approximately \$8,000. Basis for such complaint is a reduction in profit margin from club trading.

(6 & 7) Police investigations, which are still being conducted, have not to this date established that a criminal offence has been committed by any person.

5. Visits by School Dentist, Gulf of Carpentaria Area

Mr Scott asked the Minister for Health—

(1) When did a school dentist last visit schools at Croydon, Normanton, Karumba and Kowanyama?

(2) How many visits were made by a school dentist to each of these schools in the years 1979, 1980 and 1981?

(3) What are the factors involved in determining the frequency of visits by a dentist to schools in the Gulf area?

(4) Will there be any improvement in this service?

Answer:—

(1) Cairns-based dentists last visited Croydon during March 1982 and Kowanyama during February 1982. Normanton is currently being serviced. No service is at present provided to Karumba.

(2) No visit by a school dentist has been made to these schools during 1979, 1980 and 1981.

(3) Itineraries for the travelling dentists based on Cairns are the responsibility of Cairns Hospitals Board, the principal factors determining frequency of visits being the size of the community to be serviced in each centre and the availability of dental staff.

(4) As the previously existing shortage of dentists is no longer a reality, it can be expected that less interruptions to schedules will occur in future.

6. Apprentices, Government Motor Garage

Mrs Nelson asked the Minister for Environment, Valuation and Administrative Services—

(1) Is the Government Motor Garage playing an active part in training apprentices in Queensland?

(2) How many apprentices will be employed by the garage this year?

(3) How does this number compare with the apprenticeship intakes for the last three years?

Answer:—

(1) The Government Motor Garage is playing an important part in boosting apprenticeship training in Queensland.

The garage is currently conducting a one-month concentrated training course in basic trade skills and safe working practices for 12 first-year apprentices. Seven of the apprentices are from private enterprise, three are from the State Government and two are from the Brisbane City Council. The course, organised by the Department of Employment and Labour Relations in co-operation with the Federal Government, provides an incentive to employers to take on additional apprentices. It could take up to a year for the apprentices to learn these basic skills during normal working hours.

A second school, starting on 19 April, will provide 12 first-year apprentices from private enterprise with a more comprehensive accelerated course in basic trade skills. It is worth while noting that these 12 apprentices, who are all indentured to private enterprise, are spending the first year of their apprenticeship with the State Government under the Group One Year Apprentice Scheme.

(2) Nine apprentices are currently undertaking apprenticeships at the garage in motor mechanics and panel-beating.

(3) The intake of apprentices at the garage for the last three years is as follows:—

1979	..	..	..	6 apprentices
1980	..	..	..	7 apprentices
1981	..	..	..	5 apprentices.

7. Women in the Work-force

Mrs Nelson asked the Minister for Employment and Labour Relations—

(1) Has his department evidence to suggest that women in Queensland are not entering the work-force in the same proportions as in other States?

(2) If so, in what areas of employment is this trend most evident and what measures are under way to change the total female participation ratio?

Answer:—

(1 & 2) Employment growth for women in the year to January 1982 in both Queensland and Australia was approximately 2.6 per cent. Over the same period there was a decline both in Queensland and nationally in the number of unemployed women seeking full-time employment, and the major growth in Queensland has been the level of women seeking part-time employment.

The female labour force participation rate, that is, the female labour force expressed as a percentage of the civilian female population aged 15 years and over has increased marginally in the year to January 1982 both in Queensland and in Australia over all. Queensland has a 41 per cent participation rate by females as against the national rate of 43.5 per cent.

It is apparently easier for women to enter the medical and legal profession than it has been for them to enter the trades. Women should think about the trades for full-time occupations, as there are no legislative barriers preventing the employment of female apprentices in Queensland.

The wholesale and retail trade sector and community services predominate as the major industry areas of employment for women both in Queensland and Australia. The major occupations are clerical, professional, technical and related occupations, service, sport and allied occupations.

I recently held a seminar with 25 women who are leaders in commerce and the professions to discuss the question of women in the work-force. In the coming months I plan to arrange a series of meetings with various bodies to underline the scope of employment available to women in both full-time and part-time occupations and to discuss possible means of achieving an increase in the female participation rate.

8. Investigation of Applications for Enrolment, Brisbane City Council Election

Mr Gygar asked the Minister for Justice and Attorney-General—

(1) Is he aware that 11 letters sent to persons who recently enrolled to vote in the Brisbane City Council ward of Hamilton at the coming council election have been returned by the Dead Letter Office marked with statements such as "Never here" and "Not at this address"?

(2) Are the addresses of these alleged new enrollees confined to rooming houses in the suburb of New Farm?

(3) As these envelopes, which were marked with the official Dead Letter Office stamp, have been made available to him, will he carry out an immediate investigation into these supposed enrolments and inspect all the application cards allegedly filled in by these people?

(4) Are there any similarities between the cards lodged on behalf of these persons, and will he table these cards in the House?

(5) What safeguards currently exist in the State Elections Act to prevent such practices as phony enrolments, "roll stacking", double voting and similar forms of electoral fraud, and what penalties are provided?

Answer:—

(1) Yes.

(2) Inquiries have shown that the addresses to which these letters were sent are rooming houses in the New Farm area. Six of the cards carried the address of the same rooming house.

I understand that people have visited some of these rooming houses in an effort to locate these enrollees, but were unable to find any person who knew these persons who allegedly lodged these enrolment cards or who could recall them ever having lived at those addresses.

(3 & 4) I have investigated the matters raised and examined the enrolment application cards lodged in respect of those voters. There appears to be some similarity in the handwriting on many of the cards.

It is also noted that seven of these applications were witnessed by B. A. Dawson, who is stated to be an elector in the seat of Merthyr, and two were witnessed by K. J. Cruickshank, who is also identified as an elector in the seat of Bulimba. I will table photocopies of those cards for the information of the House.

The only B. A. Dawson listed on the Merthyr electoral roll is one Barbara Ann Dawson of 5/141 Stoneleigh Street, Windsor, and the only K. J. Cruickshank listed on the Bulimba electoral roll is one Keith James Cruickshank of 82 Philip Street, Hawthorne.

It is interesting to note that Barbara Ann Dawson is the ALP candidate for this same ward of Hamilton at the coming council election. Cruickshank is intimately associated with Miss Dawson's campaign, and I believe he is the campaign director for the ALP in Hamilton.

I table an example of the ALP campaign material being used in Hamilton, which has been authorised by Mr Cruickshank.

It strains the imagination to believe that it is a coincidence that so many of the people who Miss Dawson and her campaign director assisted to get on the electoral roll just before an election in which she is a candidate have apparently vanished in the few months since those cards were lodged, and that no-one appears to be able to remember that they ever lived at the addresses which were given on those cards.

(5) As the honourable member knows, section 117 of the Criminal Code makes it an offence punishable by seven years' imprisonment for any person to make a false claim that a person should be entered on the electoral roll. The Criminal Code makes it an offence punishable by two years' imprisonment for anyone to vote in the name of any other person, whether real or fictitious.

The conduct of Brisbane City Council elections is in the hands of the town clerk, and other candidates in the ward of Hamilton might consider it in their best interests to formally advise the town clerk and their local returning officer of the above matters.

They might also request that presiding officers exercise their responsibilities in respect of these and any other suspicious enrolments by requiring any persons who seek to vote in the names of these people to complete a Form 13 under the State Elections Act prior to being given a ballot paper.

Whereupon the honourable gentleman laid on the table the documents referred to.

9. **Bikeways, Brisbane**

Mr Gygar asked the Minister for Transport—

With reference to the "Sleeman Blueprint", which was the initial policy document for the ALP in the 1979 council elections—

(1) Did the "Sleeman Blueprint" promise to extend its current program to provide bikeways in the city?

(2) To what extent has this program been implemented, and approximately how many kilometres of bikeways have been constructed in Brisbane in the last three years?

Answer:—

(1) The "Sleeman Blueprint" of 1979 did state—

"The Council's current programme of providing Bikeways will be extended.

The first Bikeway has been established at Sandgate and further Bikeways are being investigated at Fruitgrove and at Toowong.

A percentage of the Road Works Budget Allocation will be spent each year for extending Bikeways in the city."

(2) To date, there has been very little tangible evidence that that promise has been met. Some signs have been erected for the existing bikeway at St Lucia near the university, and I understand that a few hundred yards of bitumen have been laid in a park somewhere. This is hardly an extensive bikeway program.

I understand that a number of sites are under consideration but they have been that way since 1979—as have all Labor promises.

If the council continues to move this rapidly on the development of bikeways, I will have to ask my departmental officers to send them feasibility studies on the reintroduction of the penny farthing as a mode of rapid transport.

10. **Parking Vouchers, Brisbane**

Mr Gygar asked the Minister for Transport—

With reference to the "Sleeman Blueprint", which was the initial policy document for the ALP in the 1979 council elections—

(1) Did that document promise to introduce parking vouchers in the city?

(2) Have such vouchers been introduced?

(3) If not, what is the reason?

Answer:—

(1 to 3) Yes, I am aware of the "Sleeman Blueprint", which was introduced by the Brisbane City Council in 1979. In that so-called "Blueprint", the Labor administration said—

"To determine their practicality parking vouchers will be introduced during 1979 in a restricted area of the central city.

If successful, the scheme will be extended and the forest of parking meters and signs removed."

That was contained in the "Sleeman Blueprint" circulated by the Labor Party in the election campaign in 1979.

To date, no such vouchers have been introduced, nor has any attempt been made to implement any part of that blueprint. It is just another case of broken grandiose plans and promises. As far as parking in the city is concerned, certainly something needs to be done, and done urgently.

The only "blue print" that will work in the Brisbane City Council is when a Liberal team is elected and the "red print" of the tardy Labor administration is replaced by a competent team of city administrators.

11. GEA Pty Ltd, Contract to Build Aluminium Rail Wagons

Mr Davis asked the Minister for Transport—

(1) Did Tony Rock of GEA Pty Ltd, 891 Ingham Road, Bohle Industrial Estate, Townsville, win the contract to build 122 aluminium rail wagons to carry bulk sugar?

(2) On what date did he win the contract?

(3) Was a prototype wagon to be delivered to the Railway Department for appraisal and testing in April 1981?

(4) Was this prototype wagon delivered and, if so, at what time?

(5) Has any penalty been applied and, if so, to what extent?

(6) Is there an escalation on costs clause in the terms of the contract and, if so, will Tony Rock receive escalation on cost on wagons delivered after May?

(7) Was a decision made in Cabinet that no penalties were to be applied to this contract?

Answer:—

I am informed by the Commissioner for Railways that—

(1) Yes.

(2) The contract was awarded on 29 September 1980.

(3) The contract provided for the delivery of the first 20 wagons by 30 September 1981, this date being subsequently extended in accordance with the general conditions of contract to 21 December 1981.

(4) The first wagon produced, which was dispatched from the company's works on 4 November 1981, was treated as a prototype and tested in a test rig that became available after the contract was awarded.

(5) Up to the present, \$38,000 has been withheld, representing ascertained and liquidated damages in respect of the late delivery of the first 20 wagons. Failure to deliver the balance of the wagons by the due date of completion (27 June 1982) will incur the application of further damages.

(6) Escalation will be paid up until the due date of completion of the contract, including such extensions of time as may be approved in accordance with the general conditions of contract.

(7) No.

12. Ayr Railway Refreshment Rooms

Mr Davis asked the Minister for Transport—

- (1) Are the railway refreshment rooms in Ayr to be closed?
- (2) If so, when is the proposed date of closure?
- (3) What are the reasons for the closure?
- (4) Has any consideration been given to extending the lease of the rooms?

Answer:—

(1 to 4) I am informed by the Commissioner for Railways that there is no present intention to close the railway refreshment rooms in Ayr. The present licence is due to expire on 28 February 1983, and at an appropriate time prior to that date consideration will be given to the question of extending it.

13. Coal-handling Complex, Fisherman Islands

Mr Davis asked the Minister for Transport—

- (1) When will the coal-handling complex at Fisherman Islands be ready to receive deliveries?
- (2) What is the commencement date for rail haulage to the complex?

Answer:—

(1) This is not a matter coming within my responsibility, but my colleague the Honourable Minister for Northern Development and Maritime Services has authorised me to say that the complex is expected to be ready to receive deliveries in October or November of this year.

(2) The Railway Department's planning is aimed at ensuring that the department is in a position to undertake the transport of coal to Fisherman Islands as soon as the complex is ready.

14. Queensland Film Corporation

Mr Muntz asked the Minister for Tourism, National Parks, Sport and The Arts—

- (1) Has his attention been drawn to a statement by Mr Gary Rhodes, who has been described as a world-famous film producer, that the Queensland Film Corporation has refused to back a film based on the Gatton murders?
- (2) Why has investment in this film been rejected?
- (3) What productions does the Queensland Film Corporation have completed or under way?

Answer:—

(1 to 3) I am aware of statements attributed to a Mr Gary Rhodes in the "Sunday Sun" that the Queensland Film Corporation had rejected investment in his film "The Perpetrators", based on the Gatton murders of last century. I also am aware of statements attributed to Mr Rhodes that he had investment of \$2.5m from a New South Wales syndicate, that the stars would be Oliver Reed and Gerard Kennedy, and that the film would now be made in New South Wales or South Australia.

The Queensland Film Corporation was set up to develop a film industry in this State and would not lightly reject a project from a Queensland producer. Because of the defamation laws, the corporation does not give written reasons for rejecting a project. However, honourable members should ask themselves why a producer who has \$2.5m in private investment would need taxpayers' money in the first place. Secondly, it is a common practice for producers to state in their publicity that such and such a star will appear in a project, whereas in fact no star appears until firm contracts and money are forthcoming.

Mr Rhodes was seeking script development money, so it is hard to know on what basis his New South Wales backers have put in their \$2.5m. Mr Rhodes is at liberty to make his film where he wishes, particularly if it is with private money. The Queensland Film Corporation drew up the present taxation incentive scheme, of which Mr Rhodes is able to take advantage, and I hope his project is successful.

I would say to anyone considering investment in film or television projects that they should first contact the Queensland Film Corporation, which will give unbiased information on the track record of film producers and companies. The corporation, unlike newspapers, makes its judgments on hard commercial grounds, taking into account the track record of the producer, his or her financial backing and the worth of the film script.

To illustrate the Queensland Film Corporation's judgment, I inform the House that the television mini-series "Silent Reach", shot in and around Mt Isa and the Sunshine Coast, has been sold to the Channel 9 network for a record sum per episode and that the biggest budget movie yet made in Australia, "The Pirate Movie", will premiere in Brisbane later this year. "The Pirate Movie" will go into general distribution in 1 800 theatres in the United States in August—unlike "Breaker Morant", "My Brilliant Career" and "Gallipoli", which have been shown only in art cinemas.

The following is what the Queensland Film Corporation has under way—

Four telemovies; one animated full length feature film "Coojee and the Monster", co-produced by Rolf Harris; two television mini-series—"Air Hawk", of 26 episodes, and "Capricornia" based on the Xavier Herbert novel; four feature films—"Buddies", "The Real Thing", "Desolation Row" and "The Academy"; preproduction and script development of 28 film and television projects; and negotiations for a major film studio complex.

15. Electrical Accidents

Mr Muntz asked the Minister for Mines and Energy—

With reference to a report in "The Courier-Mail" of 16 March headed "Electrical accidents up", in which it is stated that since June 1981 26 people have died from electrical accidents and 219 people have been injured—

(1) What percentage of these accidents are attributed to (a) misadventure and (b) faulty installation?

(2) Are the requirements of section 175 (f) of the Electricity Act 1976-1980 being adhered to?

(3) Has the liberalised system of issuing certificates to part-time electrical contractors, with fewer apparent electrical inspections when the work is carried out, been a contributing factor to this accident rate?

Answer:—

(1) The fatal accidents reported have been due to—

(a) Contact with overhead mains	11
(b) Unauthorised work	6
(c) Misadventure	4
(d) Unsafe working	3
(e) Lack of maintenance	1

Of these 25 accidents, none has been caused by defective work by a qualified person. One fatality is still under investigation, its definite cause having not yet been established.

The figures requested by the honourable member about the 219 non-fatal accidents reported are not immediately available. However, I will be pleased to provide such statistics for the honourable member's information in due course, should he so desire.

(2) All electricity boards comply with the requirements of section 175 (f) of the Electricity Act 1976-1980.

(3) No, not at all.

QUESTIONS WITHOUT NOTICE

Judicial Inquiry into Queensland Police Force

Mr CASEY: I direct a question to the Minister for Local Government, Main Roads and Police, as he has the television cameras here this morning especially to film him. Following the presentation last night of further serious allegations of high-level corruption in the Police Force by a serving officer of medium rank, and his preparedness to give evidence to a judicial inquiry, and a growing indication that many other members of the Police Force have the same feeling, will he reconsider his decision to establish an independent judicial inquiry into the Queensland Police Force?

A Government Member: It's a Dorothy Dixier.

Mr HINZE: I asked him to ask the question. Of course, he has fallen right into a trap.

Last night, with thousands of other Queenslanders, I witnessed the first episode of a new soap opera on Brisbane television under the title "Nationwide". In an interview that would have done "General Hospital" or "Days of Our Lives" proud, "Nationwide" ran a segment in which a paid actor mouthed allegations allegedly from a member of the Queensland Police Force. I have already made clear my thoughts to this House on the integrity of "Nationwide". Those same thoughts have been reproduced in a letter sent this morning to the ABC's general management. The allegations were vague, meaningless and non-specific, but successfully cast another cloud over the Queensland Police Force.

Before I continue, let me review the events of the last few weeks.

(1) In December last year whilst a serving policeman, former Senior Constable Robert Campbell raised allegations of police corruption. When questioned by police, Campbell admitted he had nothing to back up his allegations.

(2) An offer by me, as the Minister, to have these allegations investigated was rejected by Campbell last week.

(3) Kingsley Fancourt, who left the police force seven years ago, went to "Nationwide" with allegations of corruption within the force.

Of course, "Nationwide" tried to convey to Australia that Fancourt had recently been with the Police Force. He was asked, "What are you going to do after the show tonight?" The public at large was not told that he had not been with the Police Force for the last seven years. That, of course, is the way "Nationwide" operates. An offer by me to have the matter investigated was rejected.

(4) The member for Archerfield has made continuous allegations of police corruption. He has used the privilege of this House to slander the police in a cowardly fashion. An offer by myself to have these allegations investigated was rejected.

Mr Speaker, as the Minister responsible for the Queensland Police Force—which currently holds the finest efficiency and crime clear-up rate in Australia—I do not intend to allow this matter to continue any longer. I intend to seek Cabinet approval for the establishment of an ongoing tribunal to investigate internal and external complaints against the Queensland Police Force.

This morning I have had discussions with the Queensland Police Union. We do not want McCarthy-ism in Queensland. We do not want 4 000 police officers, their wives and children continually slandered in this Parliament.

There will be no inquiry or royal commission into the Police Force because not one single scrap of concrete evidence has come forward. The special tribunal I refer to will, I believe, be independently chaired by a member of the judicial fraternity, possibly a magistrate or a senior justice. It will also comprise representatives of the Police Department, and certainly the president of the Queensland Police Union. I stress to this House and to the news media that discussions for the establishment of such a tribunal have been under way for some weeks.

Queenslanders are sick to death of the dispicable actions of the member for Archerfield and his smut campaign against Queensland's police officers. The day is fast approaching when Mr Hooper, his cronies, and anyone else with allegations against the Queensland Police Force, will have to put up or shut up. I hope to be in a position to take an initial submission to State Cabinet next week relating to the establishment of this tribunal.

I am not in a position to release details of its proposed working operation other than to say that I will be supporting a move to grant the tribunal power of subpoena and also qualified protection under the Criminal Code to persons to appear before it. I will also be examining the possibility of providing that action be taken against anyone who brings obviously frivolous and unsubstantiated claims before the tribunal.

Establishment of Port Clinton as Coal Port

Mr CASEY: As the Premier is not in the Chamber, I direct a question to the Deputy Premier and Treasurer. I refer to an answer by the Defence Minister (Mr Killen) in the House of Representatives last week in which he stated clearly that the Federal Government opposed the transfer of part of the Shoalwater Bay Army Reserve for the purpose of opening up a coal port at Port Clinton. I ask: What inquiries were made, and to whom, regarding such a transfer? What effect will Mr Killen's statement have on the future of the port, the establishment of which was previously rejected by Cabinet and is now being resurrected and sponsored by the Premier for his well-known friend and supporter Lang Hancock?

Dr EDWARDS: The reason why the Queensland Government did not follow through on the Port Clinton development in the early stage was that the Federal Government indicated very clearly that the provision of access to that port would not be easy because it traversed a Department of Defence area. Recent investigations indicate that, because of the depth of water, the access to the site and the protection that it is afforded from high winds, the site is desirable as a port. Recently the Queensland Government had discussions with the Prime Minister on the Defence Department's attitude. That matter has been clarified; the Department of Defence is not prepared to give access to the site. That decision has been accepted. The State Government will now investigate other areas that are considered suitable as ports.

Power Crisis in New South Wales

Mr SCASSOLA: I ask the Deputy Premier and Treasurer: In view of the power crisis facing the people of New South Wales, will he inform the House to what extent the present situation can be attributed to poor economic planning and development by the New South Wales Government, bearing in mind that it appears likely that industry in that State will have to work a four-day week, thereby incurring huge losses in production? Is the Queensland Government aware that many businesses are quite disenchanted with the New South Wales Government and are thinking seriously of moving interstate? As the Victorian Government has supplied power to New South Wales, has any approach been made to the Queensland Government to help the so-called "premier" State through its power crisis?

Opposition Members interjected.

Dr EDWARDS: It is no wonder that Opposition members are sensitive on this issue. If ever a Government has engaged in despicable behaviour in Australia, it is the Wran Government. Its planning in the power industry is indicative of its whole behaviour in government.

Mr Vaughan interjected.

Dr EDWARDS: The honourable member for Nudgee is not saying very much about the power crisis in New South Wales where industry is to work a four-day week, where lifts cannot be operated and where people cannot turn their lights on. Yet the honourable member for Nudgee has the audacity to support the Wran Government!

I will make a few facts plain on this matter. The power situation in New South Wales is disastrous. New South Wales has insufficient power. That is typical of the short-term planning by Labor Governments in this nation.

An Opposition Member: Why don't you go down to them?

Dr EDWARDS: They have asked us to come down on a number of occasions. The honourable member would not be any asset to them.

Further despicable behaviour by the Wran Government is obvious in the poor planning of ports. The large number of ships standing outside the ports are known as Wran's Navy. At one time they were the subject of jokes by airline pilots who said to their passengers, "We would like to draw your attention to the number of ships standing outside Newcastle. Today there are 73; yesterday there were 57."

Mr Fouras interjected.

Mr SPEAKER: Order! The House will come to order. I warn the honourable member for South Brisbane under the provisions of Standing Order 123A.

Dr EDWARDS: After the next election, the honourable member for South Brisbane could well be employed by the Wran Government to further mess up the system down there.

The power industry in New South Wales is an absolute disaster. It faces a crisis. It should be recognised that the crisis is attributable totally to poor planning. On a number of occasions the honourable member for Nudgee has criticised the Queensland Government's economic planning in the electricity industry. Even union people in New South Wales have stated publicly that Queensland's long-term planning in the electricity industry is better than that of other States. That is on record in union files. The honourable member for Nudgee knows full well that Queensland has set an example which the other States should follow. I repeat that that was stated publicly by New South Wales union members who, I should think, would not be friendly to this Government.

The Western Australian Government is undertaking a campaign to attract industry. I repeat what was said by Mr Sullivan in Sydney last week, or the week before—

An Opposition Member: Who said this?

Dr EDWARDS: Mr Sullivan. We were asked to go down there to talk about industry wanting to come to Queensland. If the members of the Opposition want to ship out, they can go because they are no use to this State. The Government will continue to attract people to Queensland and, based on the result of information requested in the past few days, there will be a major influx of industry to Queensland from New South Wales. The people are coming already. Industry is now starting to come. Mr Sullivan will continue his efforts to bring industry to Queensland from the worst-organised State in Australia under the Wran Government. I warn the people of Australia that if they want to dilly-dally in this nation, they should flirt with Labor. The Government of Queensland has long-term economic planning, and the results speak for themselves.

Home Loan Interest Rates

Mr D'ARCY: I refer the Deputy Premier and Treasurer to the proposed increase of 1 per cent in interest payable on home loans provided by savings banks and organised by the Fraser Government. Does the Deputy Premier and Treasurer agree with the Fraser Government's policy? As he has continually rejected predictions of increases in interest rates, will he reject the flow-on to Queensland building societies, especially as home buyers, over the past four years, have paid an additional \$1,200m in interest? Will he instruct the SGIO Building Society and request the other building societies to give absolute preference to first-home buyers?

Dr EDWARDS: I do not think it is fair to ask me to comment on a policy that has not been announced. The Deputy Leader of the Opposition knows that no statement has been made by the Federal Government on alleged increases in interest rates. I am sure that the honourable member knows full well my stand on interest rates. I have continually been outspoken on the determination, by the money market, of interest rates in this nation. The quicker that the Federal Government grasps the nettle and deals with interest rates, the sooner there will be some control over the situation. I have not been backward in saying that.

I admit publicly, as I have done on a number of previous occasions, that my forecasts on the implementation of such a policy have been inaccurate. I am prepared to admit my error of judgment in that regard.

Mr D'Arcy: Will you withdraw the statements?

Dr EDWARDS: If the Deputy Leader of the Opposition were to admit all his mistakes, the House would never be able to adjourn.

I regret that the Federal Liberal Party and the Federal Government have not grappled with the problem of interest rates. Quite clearly, the only way to deal with this problem is to have greater control over the monetary system. I have made my stand clear on that matter.

At this stage, there has been request for an increase in building society interest rates in Queensland. As to our issuing a direction—we have control over the pass-book rate only. We have continually monitored it and kept it as low as possible so as to attract reasonable funds to the industry for housing purposes. We will continue to keep the matter under review, and, if a statement is made, no doubt we will make our position clear later today.

Stamp Duty on First-home Purchases

Mr D'ARCY: As far as first-home buyers are concerned the Treasurer did not answer the question I asked.

Dr Edwards interjected.

Mr D'ARCY: They need some sort of assistance from building societies. The Government should direct the building societies to give first-home buyers the priority they are not now receiving. I refer the Deputy Premier and Treasurer to initiatives being taken in other States, such as Victoria, by making home loans cheaper and more freely available. What initiatives has the Queensland Government taken to increase the availability of home loans? Does the Treasurer intend to reduce the stamp duty paid by first-home buyers, particularly since stamp duty paid by home buyers in this State is some four times higher than that in other States?

Dr EDWARDS: I am delighted that the Deputy Leader of the Opposition has placed on record his strong support for the Victorian Liberal Party by paying tribute to its housing policy, and I will certainly pass that on to the Victorian authorities. This Government's housing policies are continually under review—

Mr Warburton: What about the stamp duty?

Dr EDWARDS: I will come to that in a moment. On the subject of housing allocations, my colleague the Minister for Works and Housing and I some time ago discussed the fact that this Government has continually had to make more money available because of the downturn in the amount of Federal funds available for Housing Commission activities. We will continue to make money available in that area.

On the subject of stamp duty, it is all very well for the Deputy Leader of the Opposition to pick on one aspect of State taxation, but this Government has led Australia in reforms of stamp duty, pay-roll tax, land tax, gift duty and death duty, and has achieved a high standing in Australia in that regard. Indeed, the Commonwealth Statistician has recently produced figures which show that on a per capita basis Queensland is still the lowest-taxed State in Australia. I do not intend to tell the honourable member what the Government intends to do in the forthcoming Budget in regard to stamp duty, and I suggest that he wait until September to find out.

Government Initiatives to Reduce Unemployment

Mr D'ARCY: I refer the Deputy Premier and Treasurer to the recently announced appallingly high unemployment figures in Australia. In Queensland there are now some 73 000 people, or 7.1 per cent of the work-force, unemployed. As the number of unemployed in Queensland has risen by 9 500 in the past 12 months, and Queensland now has 7.1 per cent of its work-force unemployed, compared with 6.7 per cent in New South Wales, 6.6 per cent in Victoria, what initiatives has the Government taken to reduce this unacceptably high figure?

Dr EDWARDS: My colleague the Minister for Employment and Labour Relations has these facts at his fingertips, but let me say that with the national unemployment average at about 7 per cent the Queensland figure is only marginally higher. The Deputy Leader of the Opposition has not taken into consideration the number of jobs that have been created in this State over the last few years. The figure is the highest in Australia. I recall Sir William Knox saying that this year jobs in this State passed the one million mark. Queensland has a population of 2.3 million, which means that about 40 per cent

of the total population are in full-time employment. Surely that is a reputation of which any Government can be proud. The implementation of initiatives has always been part of this Government's policy to promote Queensland industry, particularly by way of apprenticeships and activities within the business sector. I am aware that the Deputy Leader of the Opposition is embarrassed by the number of job opportunities the Government has created.

Air Transport of Racehorses from Brisbane to Sydney

Mr HARTWIG: In asking a question of the Minister for Local Government, Main Roads and Police, who is also in charge of racing I state that, because of a tick ban by the New South Wales Department of Agriculture, for many years it has been possible to fly racehorses to Sydney only via Melbourne. I understand that the Minister has endeavoured to have the New South Wales Department lift that ban. I congratulate the Minister on his initiative and ask him to inform the Parliament of his success, if any.

Mr HINZE: Discussions have taken place to see whether it is possible to get the New South Wales Government to give a sensible decision on the transport of racehorses by air from Brisbane to Sydney. Presently, racehorses can be flown from Brisbane to Sydney only via Melbourne, which is absolutely stupid. I have asked my colleague the Minister for Primary Industries to discuss with his New South Wales counterpart the possibilities of lifting the ban. Those discussions are continuing. As the honourable member said, the present arrangement is a blight on the industry. Year in and year out the Queensland racing industry has been told that it has to transport its horses to Sydney by road. As I said, discussions are continuing and I hope to be able to get a sensible arrangement in the very near future.

Belmont Shooting Complex

Mr KAUS: I ask the Deputy Premier and Treasurer: Last week-end, did he officially open the new clubhouse extension for the Brisbane Pistol Club, built by the Works Department for the Commonwealth Games, and did he inspect a small section of road-works which had just been completed by the Brisbane City Council? Does he agree that the quality of the road-works just completed is third rate, especially when compared with the road-works for all other Games venues? Is he aware that the Brisbane City Council will be planting 300 to 400 trees at the Belmont shooting complex next week-end, for which it is asking assistance from youth clubs such as the guides, cubs and scouts, when not two years ago the council refused to supply trees for planting by the Queensland Rifle Association? As the Queensland Rifle Association at that time bought 380 trees from the Forestry Department and planted them, does he agree that the present action by the council is nothing more than a gimmick before an election?

Dr EDWARDS: I can answer the last part of the question by saying, "Definitely yes." Most people would see it that way.

I was in the area last Saturday to open the Brisbane Pistol Club's new facilities, which were jointly funded by the Commonwealth and State Governments. No funding whatsoever was provided by the Brisbane City Council. However, the Brisbane City Council did agree to put bitumen on some of the roads. I am not an engineer, but from information available to me and also from my own observations, it indeed appears to be a third-rate job. Furthermore, it stops short of the area. That, of course, will cause great problems for electronic and other equipment used in connection with the Commonwealth Games events held there.

I regret that, once again, the Brisbane City Council has not co-operated with the rifle and pistol associations in Queensland. It is regrettable that its lack of co-operation has hindered the progress of those sports in the Belmont area. I thank the honourable member for his personal interest in the matter. I realise that the tree-planting was an enormous effort by the Queensland Rifle Association, undertaken despite a refusal of help by the Brisbane City Council.

FISHING INDUSTRY ORGANIZATION AND MARKETING BILL

Second Reading—Resumption of Debate

Debate resumed from 16 March (see p. 4804) on Mr Ahern's motion—
 "That the Bill be now read a second time."

Mr POWELL (Isis) (12.5 p.m.): For many years the fishing industry in Queensland has been plagued with a number of problems. There are those who see the Bill as the panacea for all the industry's ills. I disagree with them. This Bill will introduce into the industry many more problems than it will solve.

Having been given the responsibility of fisheries, the Minister for Primary Industries has done all that he can to separate the wheat from the chaff. He faces an extremely difficult task. In my view, he has quite properly taken cognisance of the information given to him by the State Council of the Queensland Commercial Fishermen's Organisation, and therein lies his problem. In all other primary industry organisations a Minister accepts the advice from the representative and acts upon it. However, if he continues to do that in the fishing industry, the family interests in that industry will be destroyed. A group of company-owned boats in the Queensland fishing industry will be all that will be left. Many fishermen use different techniques to earn their living. To a large degree the QCFO does not recognise those individual differences. I would accept with a great deal of suspicion the advice given to the Minister by that State body.

Mr Scott: You are bashing your own Government's union.

Mr POWELL: The honourable member for Cook does not know what he is talking about. The State Government does not have unions. The QCFO was established under legislation different from the legislation that is before the House. The problem that we are trying to solve here will not be solved with stupid and inane remarks by the member for Cook. He does not know what he is talking about.

The QCFO State Council comprises 26 members who are supposedly representatives of individual branches throughout this State. Such a system works satisfactorily in the sugar industry; it works with a fair amount of success in the dairy industry; it works well in the wheat industry; but in the fishing industry it is a disaster. Why is it a disaster? The answer is simple: the fishermen who are efficient and successful are out fishing. The job of fishing is a 365-day-a-year job, provided the weather is fine. Because of inclement weather conditions, for a greater part of the year fishermen cannot work. Consequently, those who accept positions on the QCFO State Council do so if they are in a financially secure position—in other words, they have someone operating their boats and their business for them—or, alternatively, they are so unsuccessful that they might as well be on the QCFO State Council and earn some money that way. That is the position.

Mr Scott: Are they a union of primary producers?

Mr POWELL: Of course not. That is garbage.

The QCFO was established through legislation. The members of that organisation do not represent the hard-working and honest fishermen. An examination of the members on the State Council reveals exactly who they are.

Mr Burns: They are all National Party members.

Mr POWELL: They are not National Party members. I do not care whether the members of the QCFO belong to the National Party, the Liberal Party or the Labor Party. What I am saying is that they do not represent the interests of every fisherman in the area. It would probably be impossible to do so. Although I believe that, in principle, the Minister is correct in listening to that body, in practice he is being given the wrong information. When I talked to fishermen in my electorate I found that they did not know that the State president is being paid \$50,000 a year—\$25,000 in salary and \$25,000 in expenses.

Mr Burns: He is not even in the gallery when the Bill is being debated.

Mr POWELL: That is correct. He has so little to do, it is a wonder that he is not listening.

An Opposition Member: He is a broken-down dairyman.

Mr POWELL: He is not. I understand that he went bankrupt in the trawling industry. That is the sort of person who is the State president.

The fishermen in my area are appalled that he is the one who told the Minister in writing, "In all conscience, the Bill is exactly what we want." He told the Minister, "Get it through the Parliament as soon as you can. We want it in." The legislation is as full of holes as a sieve.

Mr Warburton: He has been travelling all around Queensland pushing the contents of the Bill.

Mr POWELL: That is correct. He, or one of his stooges, has been pushing it. Last Saturday he held a meeting in Maryborough. I was not invited to it. The honourable member for Maryborough was invited, and I am pleased that he was there. I know that he and the member for Bundaberg have the interests of the fishermen in our area at heart. I do not know why the QCFO will not listen to we three members. We live on the coast and we are vitally concerned with the fishing industry in our area which has a very good fishing resource. Fishermen in my area are totally appalled by the legislation. I can only say to them, "What more can you expect?"

When we turn to the provision relating to the members of the authority, we find that only one fisherman is to be included. It is scandalous that only one fisherman is to be on an authority in this State to manage fishing. One person is to be nominated by the Minister as chairman. That is good. One member shall be the Director-General for the time being. Another shall be a person representing the board, that is, the Queensland Fish Board. Another will represent fish processors; another the fish wholesalers, and there will be one single representative of the fishermen—the people who invest their capital and do the work. Every other primary industry has exactly the same problem. Those who invest the money and do the work are manipulated by the processors and wholesalers. On this authority the primary producers representative is far outnumbered. That is absolutely scandalous and, in the Committee stage, I will be attempting to have that changed.

Mr Moore: The Minister should withdraw the Bill.

Mr POWELL: The member for Windsor makes a very good point. I should say, in reply, that the Minister is listening to the so-called needs of the industry, but he is being given the wrong information.

Clause 13 of the Bill relates to disqualification from and vacation of office. It outlines how a person becomes disqualified. I suggest that if similar terms applied to the State Council of the QCFO we might get rid of some of the malcontents and those who are misleading the Minister.

Clause 16 deals with meetings and when they will be held, and clause 25 refers to the remuneration payable to members, but it does not say what the remuneration will be. I see this authority as a sinecure for some people, just as the position of chairman of the QCFO is a sinecure.

Clause 27 refers to the functions and powers of the authority. Probably I have no objection to subclauses 27 (a), (b) and (c), but subclause (d) reads—

"to promote improved methods of production, harvesting, treatment, supply, delivery, storage, grading, preservation, distribution, transportation and sale of fish;"

Does that mean that "somebody", who is probably a public servant, will tell a fisherman how he is to catch his fish and what he is to do with them once he has caught them? I hope not. These people, most of whom have been in the industry for many years and have been operating successfully for the last generation, will not take very kindly to an academic saying to them, "You are doing it the wrong way."

Subclause (f) reads—

"to supervise and control the method, extent and conditions of production, harvesting, treatment, supply, delivery, storage, grading, preservation, distribution, transportation and sale of fish for use in the State or elsewhere."

I am appalled that the QCFO could consider that this legislation will be to the advantage of fishermen. It may be to the advantage of the big operators, and that is what I fear. The person who will supply the cheap fish will get pushed out of the door. The people who

are currently supplying the mullet and whiting will be pushed out of the door by an academic who will ruin the fishing industry, just as the meat industry has been ruined. I do not want that to happen. I hope that honourable members listen to my speech so that they will know something about fishing. That is the crux of the whole matter. They ought to be reading this Bill from cover to cover.

Mr Blake: They have.

Mr POWELL: I know that the honourable member for Bundaberg has read it and I know that the honourable member for Maryborough has, but I doubt that some of the other members have.

Mr Warburton: On your side.

Mr POWELL: On both sides of the Chamber. I am appalled at some of the principles in the Bill.

Clause 30 deals with the power to inquire. The authority will be allowed to demand from fishermen all manner of things. Imagine some of the fishermen having to keep all the records that the authority might want! The Minister will no doubt tell us that that is not the intention of the authority. How does he know its intention?

Clause 31 deals with licences. It provides a lever that the authority will use to destroy many of the family fishermen in this State. The clause provides for seven types of licence. The first is a processor's licence. Nobody has adequately explained to me whether a fisherman will need to have a processor's licence to clean his fish. If the Bill provides that he needs one, it should be thrown out of the door. There is no reason why that should be acceptable.

The next type of licence is a commercial buyer's licence. I suppose that that is fair enough.

The next is a restricted buyer's licence. I want that explained.

The next is a master fisherman's licence. Whom will that include? Will a master fisherman be able to trawl, net, crab, and undertake every other form of commercial fishing? Or will the licences be broken up?

I understand what is involved in the community fisherman's licence and the assistant fisherman's licence.

The final provision is, "such fishing vessel licences as are prescribed." Where and by whom? By the authority? I have said that I have very little faith in this set-up and I am worried about the net fishermen who work in the Boonaroo, the Sandy Straits, and the Bundaberg areas who supply South-east Queensland with fish. They will be pushed out altogether.

Clause 32 deals with the registration of fish transport vehicles. Is every fisherman's vehicle to be registered to transport fish? Some garbage will be served up to us by an academic who will talk about a truck being a bit rusty and therefore fish should not be carted by it. I have never heard so much rubbish in all my life. I will be told that I am dealing with people's lives, and the academics will carry on piously with a lot of nonsense about fish going off, people being poisoned, and so on. I would like to know how many people have become ill after eating fish sold straight off boats.

Fish transport vehicles will have to be registered, and the poor fishermen will have to bring their vehicles in for inspection every so often—we are not told how often—by some inspector who will probably want the entire vehicle covered in stainless steel. We will end up with the situation where armoured cars will be the only vehicles permitted to carry fish. Either that or there will be a requirement for refrigerated trucks, which is totally unnecessary.

I want to make another point about prawns. Does each trawler master have to obtain a processor's licence? I can tell members that as prawns are caught the best way to treat them is to put them straight into the cooker and then straight into the brine. That is the only way a suitable product will come onto the market. Does a trawler master have to obtain a processor's licence? Does he have to have his trawler completely remade?

Dr Scott-Young: The deck-hand has to hold several licences, too.

Mr POWELL: Yes, it is a lot of rot.

Clause 34 talks about the cancellation, revocation and suspension of licences, but it says nothing about an appeal. As far as I am concerned, the present licensing situation is completely unsuitable—

Mr DEPUTY SPEAKER (Mr Miller): Order! I point out to the honourable member, and to all other members, that he should not be discussing the clauses at this stage. Only the Bill as a whole should be referred to.

Mr POWELL: With due respect, Mr Deputy Speaker, I am discussing the principles of the Bill.

Mr DEPUTY SPEAKER: Order! The honourable member must not mention the clauses.

Mr POWELL: All right, I will not give the number; that will fix that.

There is no provision for an appeal against the cancellation of a licence, and the present system of either granting or revoking licences is, to say the least, very untidy and very suspect. At the moment an application is made to a committee of local fishermen who then make recommendations to the licensing authority. That is as open to corruption as anything I know of, and the proposed provision will be no better, particularly if there is no appeal to at least a magistrate. The licence to operate a fishing boat or to be a master fisherman is a man's livelihood. In every other primary industry there is a system of orderly marketing and an orderly arrangement of production; for example, sugar, wheat or dairy products. If a cane farmer has his assignment taken from him or there is a change in the assignment he can appeal to a court. Yet there is no appeal provision in this Bill. Are fishermen being regarded as second, third or tenth-class citizens?

The Bill refers to the power to permit the taking of fish for sale. I would have thought a master fisherman's licence covered that. I cannot mention the number of the clause, but one part of the Bill does refer to that power. The Bill is full of holes; one could drive a cart through them.

Mr Scott: Who made the legislation?

Mr POWELL: The QCFO, and that is what I am whingeing about. The legislation was presented to this Government and the Minister accepted the advice of a mob of broken-down people who are not worthy of the name "fisherman".

Reference is made to the persons who will be on board a fishing vessel. Mr Deputy Speaker, if one accepts the Bill the way it is written, if you and I want to find out something about the fishing industry we cannot go aboard a trawler while it is trawling unless we get the official permission of the authority. I guarantee that if I am giving the authority trouble in this place there is no way that it will give me permission to go aboard a trawler. Can members imagine the authority doing that? Of course they cannot!

If a person fails to comply with any direction or order of an inspector he has a \$1,000 penalty thrown at him. Where is the possibility of being able to argue against that except in a court? From the way in which this legislation has been framed, it is fairly obvious—

Mr Blake: Is the "Melbidir" a licensed fishing vessel, and is that the reason why the Government will not take any Opposition members on it any more to have a look at the Torres Strait?

Mr POWELL: If the "Melbidir" were a licensed fishing vessel, I am sure that I would not have been allowed on it. As far as I know, it is not a licensed fishing vessel.

Fishermen in my electorate are extremely worried about this Bill. They have an absolute mistrust of the Department of Primary Industries and its officers.

It is good to see the Minister for Primary Industries come into the Chamber to listen to the Bill being discussed.

Mr AHERN: I rise to a point of order. For the purposes of the record, I point out that I was attending a special Cabinet meeting that was called to discuss certain matters.

Mr DEPUTY SPEAKER (Mr Miller): The Minister's point is taken.

Mr POWELL: As I was saying, fishermen in my electorate have an absolute mistrust of the DPI officers. I understand that some of those officers have been telling fishermen all sorts of weird stories. Apparently one of them said that they will stop fishermen, after they have caught fish in their nets and put them in their boats, from transferring the fish onto sand, as they often do, then onto trays, and then onto the back of their utilities to cart them to the Fish Board. Fishermen will no longer be able to do that. Apparently that is what some DPI officers in Maryborough have told fishermen in Maryborough, and that is why the fishermen are upset. The Bill does not state that that cannot happen. It provides that fishermen have to register their vehicles for the transportation of fish.

As I have said, some people are piously saying that fish are being transported unhygienically. That is a lot of nonsense! Fish products certainly must be handled with care. There is no argument about that, and I think that all honourable members, particularly those who have had anything to do with fishing, would agree.

Fish should be cleaned as soon as possible after they are caught; there is no argument about that. But if fishermen do that, they will have to have a processor's licence. Who will inspect where the fish are cleaned? Are inspectors going to travel on a boat that is fishing for reef fish on the Great Barrier Reef and inspect the conditions under which the fish are cleaned? Or are they going to wait until the fish are taken to the board and then say, "I am sorry, that is not good enough; you have not got a processor's licence."?

The Bill is so full of holes that this Parliament must give it far more consideration than has been given to some legislation in the past. The fishing industry is very important to my electorate, as it is to the electorates of Maryborough and Bundaberg. I do not want to see the good, hard-working, honest small fisherman destroyed simply because a group of processors have got together and sold a yarn to the State Council of the QCFO in such a way that honourable members now have this legislation before them. I have already stated what I believe is a true assessment of the worth of the State Council of the QCFO.

I also fear greatly for the tourist fishing industry. A section of the Bill provides for a fish supply management area, or something like that. If the authority, for the want of something to do, suddenly steps in and decides that a certain area may not be fished, what will the amateur fisherman be able to do about it? Is amateur fishing to be wiped out? If the tourist fishing industry in my area is destroyed, it will destroy the livelihoods of many thousands of people. The economy of Hervey Bay, in particular, is based on the tourist fishing industry, and without that industry tourism would not be as popular as it is.

I have many more reservations about this legislation. I do not believe that it will do what the Minister wants it to do.

Mr Innes: We will help you out.

Mr POWELL: I thank the honourable member. I need some help.

As I have said, people who have fished themselves and know the industry should thoroughly examine the legislation. I am absolutely disgusted at the advice that the Minister is receiving from the State Council of the QCFO. It is not the advice that the individual fisherman would give him. A number of good and successful fishermen in my electorate would dearly love to comment on the legislation, but they have been unable to do so. They have had one meeting of their branch at which to formulate some sort of proposition. If I had not provided them with copies of the Bill before the branch meeting, they would not have known what it was all about.

Mr Warburton: We have a White Paper on the racing industry, don't we?

Mr POWELL: Yes. Clearly racing is more important than fishing, and that is why that was done.

Mr Warburton: You are saying that facetiously, aren't you?

Mr POWELL: The honourable member is totally correct; I certainly am saying it facetiously.

After the last election the best news I heard was that the fishing industry was being brought under the control of the Minister for Primary Industries. I thought that was the best thing to do. But if this Bill is the result, then it was the wrong thing to do.

Quite clearly, within the QCFO State Council men of vision and without a personal axe to grind are needed. The industry needs men whom it can trust. What the industry does not need are men who, when there is a change in the licence structure—as there was with beam trawl licences—will grab as many licences as they can for themselves before others in the industry know about the change. That certainly has happened. If that sort of thing happens with the authority, with its advice and links with the State Council of the QCFO, other members and I will object to the way in which the industry is being run.

Mr Warburton: I would hate to be an assistant fisherman trying to get a licence.

Mr POWELL: Only by a very great accident will an assistant fisherman get a licence. Under a previous Government decision, which was never spelt out properly, a great number of boats, some of which are still under construction, were granted licences. However edicts, which come from either the Department of Primary Industries or the Department of Harbours and Marine, are issued by the State Council of the QCFO. Every time I find out something about the fishing industry I get back to the State Council of the QCFO, which is the adviser to the Minister. In this instance, the council is telling the Minister to get rid of boats and licences. I accept that too many licences have been issued. However, when a person has been told that he has a licence and can build a boat, into which he has already put \$40,000, the Government cannot in all morality say to him, "I am sorry, but your \$40,000 is down the drain. You can't build your boat."

Mr Smith: With a \$40,000 boat he would be wasting his time, anyway.

Mr POWELL: I am sorry if I did not explain the position fully. The figure of \$40,000 is the first payment to be made. One of the boats of which I am speaking will be worth nearly half a million dollars.

Surely such a person should not lose his \$40,000. That aspect has to be tidied up. If it is left to the authority, through the QCFO, I know how it will be tidied up—the man will lose his \$40,000.

In my area the issue of beam trawler licences has led to the ripping apart of creeks. There is hardly a prawn left in any of the creeks, because the beam trawlers have been up every little nook and cranny on the spring high tides and have ripped every prawn out. As a result, the number of banana prawns, that is, the prawns in the open sea, has been very much depleted. Apart from those problems, an ecological one arises because the fish that feed on those prawns in the creeks cannot get food. If the fish go hungry, so do the fishermen who fish for them.

I do not try to take away the fact that the management problems the Minister faces are immense. The fishermen themselves need to clean out the membership of the State Council of the QCFO. I am busily telling every fisherman I know the worth of that body's decisions. When the fishermen come whingeing to me about the Government's doing A, B or C, my answer to them is the same as the answer that the Minister gives to me: that is the advice from the fishermen's own body. Therein lies the nub of the problem. The fishermen themselves need to organise to ensure that that body accurately represents them. At the moment it does not. Although the State president of that body says that the Bill is acceptable, the fishermen themselves are saying that it is not.

(Time expired.)

Mr EATON (Mourilyan) (12.35 p.m.): The intent of the Bill is clearly shown in the fourth paragraph of the Minister's second-reading speech. While the intent may be stated in this Bill and in many other Acts of Parliament, the implementation and administration which follow make the difference between the legislation's being effective or not effective. It appears to me that the Bill has a number of inconsistencies and perhaps even contradictions.

The Minister said—

"It is the intention of the Bill to establish the machinery to allow direct industry participation in determining its future course. To achieve this result, the Bill proposes an entirely new management system for the fishing industry in Queensland."

Let me examine that for a moment. First, I point out that the Bill does not cover a number of matters that will have a great effect on the long-term prosperity of the fishing industry in Queensland. For example, marine parks are not mentioned. Some fishing

areas or zones, whichever term may be used, will be closed to professional fishermen. Areas for fishing will be limited, and that in turn will restrict the income of the local fishermen. For scientific purposes, the preservation of the reef or the ecology of the fishing grounds, certain areas will be closed. However, the Bill does not mention how the Government will deal with that sort of decision.

Later in his speech the Minister said—

“Membership of the authority will include representatives of fishermen, proprietary interests, the Fish Board and the Government.”

The Bill provides for various sections of the industry to be represented, including the fishermen. In one instance, out of six members, they will have one. The regulations will provide for his appointment by Governor in Council. We realise the Government's intent is to have a fishermen's representative, but we feel very strongly about two divisions of the Bill—those dealing with the Queensland Fish Management Authority and the Queensland Fish Board. Ample scope exists to give the fishermen a far more equitable representation on those organisations without their taking control. For the Fish Board, which will have a membership of eight, the Minister nominates “3 persons . . . from a panel of names of persons . . .”. The Bill does not define whether they are to be fishermen or to come from some other section of the industry or the community. The Bill could have been more definitive. Greater representation could have been given to the fishermen by stipulating that those three “persons” should be elected by fishermen. That would result in first-hand knowledge by and communication with members who make decisions which will be either beneficial or disastrous for the long-term interest of the industry.

Such an approach has been adopted and proven in other industries administered by the Department of Primary Industries. I refer particularly to the dairying, sugar and tobacco industries, all of which have governing bodies entrenched in the relevant Acts. Some members of those organisations are elected by the people involved in the industry. One has to be a producer in the industry to qualify for election by vote by members of the industry. As well, in the dairying industry, dry shareholders and others are not allowed to vote. Voting is restricted to those actively engaged in the industry. A similar principle could well have been embodied in this Bill. I hope that at some future date, in the best interests of the fishermen, the Government will introduce amending legislation dealing with the Queensland Fish Management Authority and the Fish Board to ensure that fishermen have equitable representation. Under the legislation as presented, even if the Minister chose people from the industry, they would still be outvoted, so there is no way that the Government would lose control of either organisation.

The Minister said in his second-reading speech—

“The board will continue to provide a market outlet for producers. This is considered essential, as otherwise there would be areas where no alternative outlet for fishermen would exist.”

That should have been the Bill's main aim. It is no good having Acts and other laws to help an industry if they do not cover all the areas of concern within the industry.

Late last year the Minister referred to the sale of the Queensland Fish Board's assets. In some areas some of its assets have been sold. I am not quite sure of the number of depots that have been disposed of by the Government. In my own electorate, a good depot has been closed and it now lies idle. When it was operating, it could supply sufficient product to meet the demand. The mainstay of any industry is the law of supply and demand. The fishing industry is no exception.

As recently as last Saturday, inquiries were coming from interstate concerning the purchase of seafood that only North Queensland can supply, such as our famous reef fish, barramundi, scallops and prawns. Fishermen and processors in the North have been contacted continually by southern buyers of seafood, who have a ready market for the product.

The Government should become involved because it has the means and resources to provide transport and to find the markets. The Department of Primary Industries has many competent officers who could be given the task of finding stable markets so that the law of supply and demand can prevail in the best interests of the Queensland Fishing

Industry. The intent is in the Bill, but I have grave doubts about whether the intent will be put into effect by the selection of those persons who will constitute the Queensland Fish Board and the Queensland Fish Management Authority.

Although the appointment of personnel will be made by the Minister, the very people who are presently members of the Fish Board and the QCFO State Council will be the people from whom the Government will choose the members of the new board and authority. That causes me grave concern. Under the present system, there is a lack of co-ordination. The Minister stated that one of the purposes of the Bill is to provide within the fishing industry greater co-ordination and liaison than exists at present with three or four different set-ups in the industry. The Bill provides for the establishment of one body to overcome the problem of lack of communication, liaison and co-ordination. However, I have grave doubts about that provision because exactly the same persons will be involved. Because the debt structure of the Fish Board still has to be coped with, the problems may be bigger than beforehand. I hope that the implementation of the Bill's provisions will get the fishing industry out of trouble. Of course, the Government may have to foot the bill for this very costly exercise.

One clause appears to indicate that the Government is optimistic. The clause refers to the distribution of profits. I hope that the Government's optimism proves to be justified and that there are sufficient profits to create a distribution problem. I hope that profits will be made for distribution.

The aspect of financing causes me concern. On several occasions in the past I have had dealings with the three banking institutions that are the mainstay of primary industries in Queensland. I refer to the Rural Reconstruction Bank, the Commonwealth Development Bank and the Queensland Agricultural Bank. Many years ago I was personally involved with the Agricultural Bank and the Development Bank.

The Bill provides for a means of borrowing finance from one of those banks for either debt reconstruction, greater involvement in the industry or assistance in making a business viable. The trouble is that no finance is available.

The Bill appears to be a good one, but it will be a waste of time putting it through Parliament if the money cannot be found to keep fishermen in the industry and finance others into it. That is a problem for Cabinet as a whole, not just the Minister. Money must be available to finance the industry. The Minister said that the success or otherwise of the legislation depends on how much money the Commonwealth Government will provide. Because of the many fishermen in the industry, a large sum of money will be needed.

The Commonwealth Development Bank could have proved itself by now, but it has failed badly. Because the Commonwealth Government has failed to finance various primary industries, and markets that Queensland has tried to develop interstate, it can be written off. Any finance that it could advance would be so small that it would only get the Queensland fishing industry into trouble.

Under the legislation, fishermen, wholesalers and commercial distributors will be able to apply for a licence. Last Saturday, I was told by someone in the industry that no reference is made in the Bill to the harvesting or sale of bait fish. At present some shops sell fish for human consumption and bait fish, but I have been unable to answer questions put to me about the future sale of bait fish. The Bill may have to be amended to allow businesses to sell fish for human consumption and also to sell bait fish to professional and amateur fishermen.

I have emphasised the shortage of money because I believe that, if the Bill is to work properly, more finance must be provided to allow the employment of licensing and fishing inspectors and the other people who will be required to make the legislation work successfully in the interests of fishermen. Most Government departments, including the Department of Harbours and Marine, do not have enough money. I have been informed by letter that the department does not have sufficient finance to put the appropriate number of officers into the field. When honourable members write to the department suggesting that some of the problems should be alleviated, they can virtually predict the stereotype answer they will receive, namely, "We are very sorry. Because of the shortage of finance we are unable to grant your request to appoint more inspectors." That has been a continuing source of annoyance.

The Department of Primary Industries is the biggest or the second-biggest department in the State. It has wide ramifications. Because of the diversity of the industries it covers, it is confronted with big problems. My electorate is the most diversified rural electorate in Queensland. The only two rural products not produced in it are wheat and wool.

I am deeply concerned about this legislation because I represent a large number of fishermen. Their assured future, and that of their families, depends on the successful implementation of the legislation. The welfare and benefit of the people involved in the industry, and of the community as a whole, must always be kept in mind.

In the short time that I have been a member, I have known of Bills being introduced and, shortly afterwards, several amendments being made to them. One amending Bill last year required 51 amendments, and less than 12 months after the introduction of the Racing and Betting Bill, 86 amendments were made to it. That occurs because the provisions are not sufficiently definitive and because the Act does not specify whether it will be administered by regulations that can be changed from time to time. Usually, Bills provide for "such regulations as may be made from time to time by the Minister or the Governor in Council". That is always a bugbear. The Opposition does not oppose the changing or regulations. All rules and regulations must have a certain amount of elasticity to allow for different circumstances arising from time to time.

I hope that the full intent of the Bill is achieved and that it will be in the best interests of the people concerned—the fishermen. I should like the Government to note what I consider are the problems confronting it. The first is how the licensing clause will be implemented. Much of the blame for the problems in the fishing industry must be laid squarely on the shoulders of the fishermen themselves, and they will have many problems during the transition period. One of the biggest problems will arise during the establishment period. A good deal of patience and tolerance on the part of the Government will be required, particularly in the early years of the legislation.

The way in which the Government administers the Act will have a great bearing on its success. More money should be put into the industry. Many of the problems in the Queensland fishing industry have arisen because the Federal Government has not played its proper role and has not measured up to its responsibilities in the export of fish and the injection of finance into the local industry.

As I have mentioned before in this Chamber, many underdeveloped Asian nations harvest fish in our waters, and the Federal Government has done nothing to protect local fishermen. Improvements to fishing boats allow them to travel great distances to better fishing grounds. Those improvements have been brought about through necessity not through any help from the Government.

The State and Federal Governments could work together more closely in the establishment of markets. As late as last Friday, fishermen were receiving inquiries from interstate. Those markets must be opened up. In the past, fish boards were virtually storage depots at certain times of the year. This enabled them to supply the markets on a regular basis. It is no use having a glut today and a famine tomorrow. The industry does not want boom-and-bust periods.

At the moment what the fishermen want more than anything else are stabilisation and a fair return on their investment in the industry and for the work they do to obtain the product. The only way the Government can ensure that is by establishing better interstate and local markets. There is still a demand for seafood products such as scallops and reef fish. A few weeks ago in Hobart I tried one of the local specialties, a beautiful fresh fish. It was light brown in colour, and was one of the worst fish meals I have ever eaten in my life, despite that fact that it was very daintily prepared. The rest of the meal was quite enjoyable. I said to my family, "There is no way in the world that in future I will ever eat fish outside North Queensland. Once bitten, twice shy." There is a market throughout Australia for our fish products. Queensland waters are the richest seafood bowl in the world, and nowhere else can one obtain such delicacies, particularly reef fish from North Queensland.

The Government is just waking up to the fact that there is a market for these products. In all fairness to the Minister, he has inherited a lot of the problems he now faces—they were not of his making—but he is now in the hot seat and it is his job to get the industry out of trouble. The industry's problem will get worse in the next 12 months to two years before they get better. I sincerely hope that this Bill

is passed, and that the high hopes expressed by the Minister are realised, although I fail to see how they can in the short term. I see a lot of hard times ahead. We can only hope for the best and wish the industry every success.

[Sitting suspended from 12.57 to 2.15 p.m.]

Mr INNES (Sherwood) (2.15 p.m.): In looking at this legislation, one is left with the clear impression that a Bill that set out to catch the fishermen of mackerel has caught the fishermen of sprats. A typical problem is involved here. We seek to regulate an entire industry, and people who have the interests of the industry in mind have set out to have created for them legislation that entitles them to control the full breadth of the industry. But in seeking to control the industry, they have to come to the interface of the interests and rights of the average member of the community.

At the outset of this contribution to the debate, I point out that I recognise the importance of the fishing industry in this State and its importance to the lives of many people in coastal towns and cities in Queensland. I also recognise the importance of fish as a nutritious and delightful part of the diet of most Queenslanders. I assert the paramountcy of the principle of a competitive market and a free and private-enterprise as the most efficient overall mobiliser of productive energy and producer of goods and wealth.

A Government that professes to be a private-enterprise or free-enterprise Government and claims to stand for small government should intrude into the market-place only for a compelling reason; and generally that will be only to ensure the maintenance of a genuinely competitive market-place, which, on occasions and in certain circumstances, can include the maintenance of the product for the market. Indeed, that can be the only justification for the support that this side of the House gives to legislation that is so typical of primary industries.

In recent times in this House we have seen some major instances of conflict between the principles of free enterprise and those of a controlled or assured market. One might say that such instances are increasing in number. Earlier, there were the proposals for the bread industry, which I for one think, in the form in which they are cast at present, are repugnant to any view that one has of private enterprise or free enterprise.

However, here we have the opportunity to recast the inheritance of an unashamedly socialist Government, by the presentation before the House of a distillation of two Acts that find their origin in the control of the fish industry, which started in the 1920s during the days of a Labor Government. There is the bringing together or distillation of the Fisheries Act, which certainly has been recast and amended in the life of this Government, and the Fish Supply Management Act, which has likewise been reviewed in the life of this Government.

There is always a problem when one sets up a closed shop or a controlled industry. People acquire certain rights in that regard. Because there is some control and limitation and because of a system of licencing, businesses acquire an extra value. Very often, licencing leads to as much monopoly as it does control. Here we have the possibility of reassessing the standards on which we say we stand. We also have the opportunity, on the part of the people, to register some response to the type of legislation that is proposed.

When an interest group gets a chance to have a hand in the framing of legislation, we see, understandably, and humanly, that the legislation will suit that interest group, and nobody else. The dominant or paramount interest or purpose in the Bill will be that of the interest group.

This is distilled through parts of the fishing industry—I say “parts” because it is certainly not through the interests of all the fishing industry—through the Department of Primary Industries, which is used to dealing with orderly marketing situations. What I say today is not symptomatic only of the Department of Primary Industries; it applies to all departments. When a department is confronted by a problem, it looks in terms of increasing its own powers to deal with the problem, and invests itself with more powers and its inspectors with more rights.

We are the Parliament and we have the chance to put the other side of the coin. We are the people who can say that this goes too far in terms of the line, which is the line around each average member of the community which protects his rights and freedoms. I intend to point out, almost to the level in places—although it is not intended—of absurdity, that the line has been drawn around the interests of the industry, forgetting the interests of other people in commerce and, indeed, all the rights of the average Queensland.

The reality is that this Bill is the distillation of two Acts, and that produces problems. The industry is established and has an established way of doing things with an established terminology of licences. So the attempt is to bring them together with some urgency, which the Minister has already indicated to the House, in terms of protecting those people who claim to speak on behalf of the industry and those people whom they say they represent. I recognise and understand that parts of the industry feel the need for urgency. But the Parliament has to take this opportunity not to bow inevitably to that interest group; it has a responsibility to register the interests of others and a responsibility to make sure that the legislation is, in human terms, comprehensible, fair and not illogical.

Merely for the purposes of argument I wish to turn to clause 6 which contains a definition of fish that includes all freshwater and salt-water fish. It goes further and includes filleted, frozen, preserved, salted, cooked and canned fish. So that fish in all its forms is covered—live or dead, processed or unprocessed. Although the Bill inherits sins from the past, I would have thought it is about edible fish, those fish that are usually consumed fresh. I would like to see the Bill modified to ensure that it is limited to those fish which it intends clearly to cover. Goldfish and guppies should not be covered and should not have the potentiality to be covered by the actions of an authority vested with great powers and with a capacity to licence and to control, which is given by the terms of the Bill. Get the goldfish and guppies out of the Bill; do not allow an authority misguidedly to do anything that can control the affairs and the interests of the pet shops of the State.

When one turns to the definitions of “processor” and “treat” in that same clause one finds some very major sins. “Processor” means the occupier of premises at which fish are treated and “treat” is defined in the widest possible terms to include cleaning, filleting, salting, refrigerating, shelling, peeling, deveining, crumbing, smoking, sorting, processing and packing. I emphasise cleaning, refrigerating, sorting and packing, because they are matters that can be very neutral in their activity but, through the combinations of words and clauses in the Bill, can leave the average citizen, the fisherman who goes to Fraser Island or the shopkeeper who sells canned salmon, liable to criminal charges with the serious fines that are provided in the Bill.

I now wish to turn to the clauses in which those terms become significant to provide illustrations of why I believe the legislation has to be held up for a rethink, for a reappraisal and for dialogue to ensure that it does in fact register what is intended.

One provision requires fish transport vehicles to be registered. For the first time this State will require the registration of fish transport vehicles. Clause 32 states—

“The Authority may subject to such conditions as may be prescribed, register vehicles for the purposes of and in connexion with the transportation of fish.”

Another provision creates an offence which backs up that registration procedure. It is an offence for a person to carry fish for sale or for treatment for human consumption other than in a vehicle registered under clause 32. I ask honourable members to note this: that will be an offence from the time the Act is proclaimed, whether or not the registration authority has set up a system of registration. It will be an offence to carry in any vehicle, other than one registered under clause 32, fish which is for sale or for treatment for human consumption. Remember the word “treat”. I repeat that its definition includes cleaning, refrigerating, sorting or packing. Men who have been to Fraser Island for their annual week’s fishing who have an Esky full of fillets—perhaps they went fishing on the last day and did not bother to clean that day’s catch—will be carrying fish for treatment or for human consumption. Even if the fish had been filleted, they would still have to be sorted, refrigerated and packed. If it had not been cleaned, then of course it would have to be cleaned or filleted. The Bill is not intended to apply in those circumstances, I would have thought; but in its terms it does apply to them. Unless the authority gets off its tail and sets up a system of registration, nobody will be entitled to carry fish in any vehicle in the State.

Apart from the absurdities involved—apart from the innocent behaviour that would be caught by this—I question the need for that provision at all. As somebody rightly pointed out this morning, it will cover so many sets of circumstances: the boxes or baskets of fish or prawns thrown on a truck at the jetty to be carried to the processing room, or the little trip from where the boat comes ashore down to the depot. Too many innocent actions will

be covered by the legislation. It will be an entirely new procedure and a new set of offences. It should be rejected. It should at least have the benefit of rethinking so that the patent absurdities are altered.

Mr Blake: The provisions could be used to discriminate against certain operators.

Mr INNES: That is possible.

Subclause (1) of the clause creating offences says—

“A person shall not treat fish for a commercial purpose unless he is the holder of a processor’s licence granted and issued under section 31.”

From the date of proclamation of this legislation, that offence will come into force. I repeat: the authority will have to make sure that it has set up a system of registration; otherwise everybody will be guilty of an offence.

Even assuming a system of registration is established, let us consider the sort of person who will have to be licensed as a processor, remembering that “fish” means cans of fish. “Commercial purpose” means to sell, trade, process, manufacture and so on for the “purpose of any kind directed to gain or reward”. The corner store having cans of salmon on its shelves or smoked salmon in its freezer, under that provision will have to be licensed as a processor, because selling for reward is covered in the Bill, and that is exactly what the corner store does.

The Bill is far too wide. Blinkered, the department is saying, “Give us all power and we will let out little bits of it as we go along. Cast the net wide.” My word, a great job has been done in this Bill! The net has been cast over the whole of Queensland. Every Queenslanders will be in the net and struggling if the legislation is passed in its present form. It has to be limited. I know that the response will be, with all the good will in the world and all the sincerity that the Minister can muster—and he is a man whose sincerity I respect—“We would not use it in this fashion. We would make sure that it was implemented sensitively and sensibly.”

I will give an illustration of what happens when people are given powers. Unfortunately, the Minister will not be the person who will be policing the Bill; it will be somebody else with less training, less intelligence and less sensitivity. The Traffic Act contains regulations that govern the lives of everyone. Most people have fallen foul of the provisions of that Act at one time or another. That Act contains a provision in relation to the wearing of safety helmets by motor cyclists. Three weeks ago I received a telephone call from a constituent who complained that he had been stopped twice by the police, and on each occasion had received an on-the-spot fine for wearing a black safety helmet. Of course, that meant losing licence points, too. I said to him, “You can’t be serious. How long have you had the helmet?” He replied, “Ten years.” I said, “Is it safe? He said, “Yes, it is safe.” He was not a hoon; he was a middle-aged vintage motor-cycle enthusiast. Twice he was stopped and twice he received on-the-spot fines in terms of the regulations because he was not wearing a helmet. That was the blind eye of the law—he certainly wore a helmet, but because of its colour is was not recognised under the Act. I took the matter up with the relevant authorities. I said, “That cannot be real.” I was told by a person in authority that it should not have happened because the regulations stipulate that a person must wear a helmet in terms of the Australian standards. The purpose of the legislation was to provide an adequate standard of safety of helmets. In fact, the legislation includes observations on the colour of helmets. It points out that a helmet is safer if it is white. Some authoritarian, insensitive and stupid policeman has stopped him, fined him and made him lose points because he was wearing a safety helmet that was dark in colour. That is one absurdity that occurs when people are given powers that are inherently too wide. There will always be a galah who will abuse those powers. A person who has been upset by a smart alec will throw the book at him.

Mr Scott: Are you on the wrong side of the Chamber?

Mr INNES: No, I am on the right side of the Chamber.

Mr Booth: I am getting a little worried, too.

Mr INNES: The member for Warwick should be worried. We are trying to produce sensible legislation. Perhaps the reason for the frustration is the tremendous momentum to introduce legislation to satisfy a pressure group. If the dairy industry was the subject

of debate before the House, I can guarantee that the member for Warwick would say, "You cannot do this because people in my electorate and in an industry that I understand will be affected by the legislation." The average member of the community will be affected by the legislation. The community wants to preserve the freedom that it has.

The legislation has not been before the House for very long. A recent practice in this House has been to allow substantial legislation to lie on the table of the House for some time. I will freely concede that there has been a delay in my reaction to the legislation. The Bill has been before the House for two weeks, but there has been a variety of other legislation before the House to which I have made a contribution and on which I have sought amendments. I appeal to the Minister by way of forceful argument, not in criticism of him, not in detraction of this important industry and not to stop the industry from being assisted in every way by the Legislature, not to proceed with the legislation beyond this reading until the matters to which I will draw attention have been rectified. I say that as forcefully as possible. The next step is a vote on the second reading, and usually the Committee stage follows immediately, and finally the Bill is an Act of Parliament. I am using the forum of Parliament, the avenue that is available to me, to register my concern. I know that the Minister will apply his usual sensitivity, take on board the comments I have made, and seek to rectify the problems I address.

Mr Ahern: I give you an undertaking that we will not proceed to a vote on the second reading today.

Mr INNES: I accept the Minister's undertaking without reservation. I am grateful for it.

I am concerned generally about the licensing provisions and the apparently unlimited and undirected way in which licences can be given. Because of the width of the definition of "processor", people who presently deal with fish products without requiring a processor's licence will require a licence. Personally, I should not like to see anyone who is conducting a legitimate business—one who is complying with the Health Act and is a reputable businessman; not a back-door man who is deliberately subverting or acting illegally under the existing legislation—saddled with an unnecessary licensing system. Much depends on the definition of processing. If there has to be a licensing system, the legislation should specify the criteria to be taken into account so that the authority may determine the licence to be given.

The inclination in controlled marketing is for those who already have a place in the system to want to stop competition. That is inevitable, although they may rationalise their attitude in many ways. They may say, "There is not enough cake to go round. We are having a bad time. It is in the interests of the continuing viability of all of us."

I do not want licensing to impinge on people who are not presently affected by licensing, unless there are objective criteria that will allow anyone with initiative who is prepared to invest capital in adequate cold-rooms, refrigerated trucks, or anything else that is necessary to take part in retailing, to enter the processing industry. If others cannot compete, they can go out of business just as people do in other marketing systems.

That is a different proposition from the licensing of fishing. I understand the reason for licensing them, and I support it. The fishing industry resource is quite different from beef or wheat and barley resources. Fish supplies cannot be renewed by the action of man. As anyone who tries to fish in Moreton Bay knows, waters can be overfished. Overfishing threatens either to exterminate the resource or to reduce it to the level where it cannot satisfy the reasonable needs of the market-place.

Dr Lockwood: Another such resource is mining.

Mr INNES: Quite so.

I approve and support the Minister in providing a licensing system for fishermen, but I am concerned about the new environment in which there is no longer a single board to which people are supposed to sell their product. I am concerned also about the independence of other processors set up under the export and interstate trade powers, because there will be processors as well as the board. In that new scenario, I do not want to see processing used to free the area of operation and allow people

to become involved in the retail side of the fish industry. I understand why the Minister wishes to control processing in a big and significant way. While the definition of processing is so wide, there will be people who are just involved in wholesaling, "middlemaning" or retailing. The definition of processing must be restricted to those who are genuinely on a completely commercial basis when dealing with the fish product.

The licensing system that I envisage should take into account the criteria that will allow a person to be admitted to the privilege of fishing a licensed area, and the Bill should set that out. The licence will become something of significant financial value, particularly if the number of licences is restricted.

I have brought to the attention of the Minister and of honourable members matters which relate to drafting, matters that impinge upon the recreational fishing behaviour of the majority of Queenslanders, and matters that impinge upon the industry itself. I ask the Minister to tell me, either formally or informally, whether the exclusion in the definition "fish", as compared with the definition in the Act, in terms of fish that comes into this State under any export agreement or on the basis of trade between the States, is intentional and, if so, for what purpose.

Without arguing the merits of the matter, let me point out that a processor in my electorate is a significant buyer of Queensland, Australian and New Zealand fish. I want to know whether the intention is to seek, through this legislation, to exclude, for instance, the purchase in Queensland of New Zealand perch, which provides a very significant part of the Queensland market. If it is, honourable members should know about it. There might well be merit in it. There are arguments from the industry point of view in favour of the exclusion of some importation. I should like to know whether that has any intention or consequence.

I am grateful for the opportunity that we will now have to speak to the Minister about the ramifications of the reservations that I have expressed.

Mr HANSEN (Maryborough) (2.43 p.m.): I am pleased to have the Minister's assurance that a vote will not be taken on the second reading of this Bill today. I am more convinced of the need for that move after listening to the two previous speakers on the Government side.

The members of the committee that investigated the fishing industry were the Minister for Welfare Services and Mrs Kippin. They made recommendations, and I fail to see any of them in the Bill. From my reading of the Bill, I suggest that honourable members are being asked to set up an organisation to be known as "the authority", and that authority will make all of the regulations, set the cost of licences and interpret the Act. Nothing is spelt out in detail.

I was interested to hear the honourable member for Sherwood—and I bow to his legal knowledge—say that even a shopkeeper handling imported processed fish would have to be licensed as a processor. The licensing of processors concerns me.

Mr Ahern: That is not right.

Mr HANSEN: There is a difference already.

Mr Ahern: There is a lot of difference.

Mr HANSEN: I just took a legal opinion.

Who is a processor? Is a fisherman who cooks his prawns on board his boat a processor? Cooking is a delicate stage in the handling of prawns. Will he be classed as a processor?

Mr Ahern: No.

Mr HANSEN: I am pleased to have that assurance, because it is not set out in the Bill.

I agree whole-heartedly that some type of orderly marketing should be introduced into the industry. I do not think that there will be much difference of opinion on that.

I agree with the member for Isis, who said that producer representation on the authority should be greater. I do not know whether he would agree with me that there should be a ballot for the positions, as there is in some other primary producer organisations, rather than having them appointed from a panel of names submitted to the Minister and being beholden to him for their positions.

One of the questions highlighted by the member for Isis was: Although the Queensland Commercial Fishermen's Organisation is recognised, to what extent is it representative of fishermen? Fishermen in Queensland are made up of various groups such as estuary fishermen, those who work around Sandy Strait, others who do not go very far off shore, those who work on prawners, and the trawlermen who work up in the Gulf. There is a wide divergence in the needs and desires of all those people. Anybody who knows fishermen knows that all they want is to be left alone to make a few dollars as best they can. It is true that there must be some sort of organisation: but there might be a repetition of what happened when the dairying industry was reorganised, with many people leaving the industry. The number who leave and what effect their leaving will have on consumers worries me.

There should be some control so that licences are not issued to every person who applies for one. I wonder whether licences will be issued for certain types of fish, and for that purpose alone. As recently as last week I was speaking to a licensed mud-crabber. He can only work at certain times of the year, when the crabs are full, because it is no good trying to sell empty crabs. When he is netting for bait, he picks up the odd barramundi. He told me that in 1980 he forwarded something like \$40,000-worth of barramundi to the southern markets. But when he applied for a barramundi licence, as he was required to do, he was told that barramundi fishing was not his principal source of income and that he would not be granted a licence. He looks round and wonders what all the other barramundi fishermen do in the off-season. I do not think that any of us would wonder too much about that.

There is no definition of a fishermen's licence. Of course, there are many types of fishermen with many types of boats. A previous speaker said that some of them should be cleaned up, and I could not disagree with that. About 18 years ago, when the late Charles Adermann was the Federal Minister for Primary Industry, the Government brought a man out from Denmark to tell fishermen how to build better boats and how to handle deep-water fishing. I have not seen very many changes effected since that man's visit, but those of us who have had a great deal to do with fishermen would agree that some of their handling methods could be very much improved.

I turn now to the licencing of vehicles. I am aware that all fishing boats must be licenced and that certain standards must be maintained, but the requirements are not policed at all times. The conditions under which some fish are caught preclude their being handled in the most hygienic manner. For instance, fishermen who travel along the beach in old "blitzes" catching tailor and sometimes mullet are interested only in getting the fish in and iced down as quickly as possible. They could now be faced with having their vehicles licensed in the same way as the Department of Primary Industries licenses the vehicles of meat-carriers only when they meet an approved standard.

Dr Lockwood: Fair enough.

Mr HANSEN: I do not think that that sort of a vehicle would be able to be driven along the beach near Double Island Point or on the Gold Coast where a lot of beach fishing takes place. There is no doubt that the hygiene standards must be lifted, and perhaps that could be done gradually.

There is an inherent feeling amongst fishermen that the legislation was born in the Minister's department and not as a result of the recommendations of the inquiry that said straight out that there should be a majority of fishermen on the authority. Fishermen see a lot of power being vested in the authority. I think there is good reason for them to have some distrust, particularly when the position is not spelt out. I would like to have seen the position spelt out a lot more clearly.

I have just received a letter from the Queensland Commercial Fishermen's Organisation, and I think I should read it.

Mr Scott: Would you say that it has come from the architects of the Bill?

Mr HANSEN: I listened to one honourable member and I did not hear him give the organisation credit for knowing anything. He did not give the organisation credit for being the architects of the Bill.

Mr Booth: How would you select them?

Mr HANSEN: I would let the fishermen select their representatives, in the same way as primary producers do. There should be a ballot; there should not be a few selected people. If there was a ballot, the people standing for election would know that they had to toe the line and produce the goods. We have seen what happens with people who are appointed to boards. They remain on the boards until they are 84 years of age, and then someone suggests that they should retire.

The Queensland Commercial Fishermen's Organisation does not want to see any dilution in the power of the Fish Management Authority to create a framework for the industry and market restructuring. The fishermen are looking for something; they are grabbing for something. They saw the Fish Board being sold up and placed into the hands of overseas companies. Fishermen are looking for something, and they see this authority as perhaps giving them their last chance to reorganise their industry. But they should not have to accept this reorganisation at any price. If fishermen have problems, they should be able to raise them with the Minister. He should look at those problems, rather than merely set up an authority and leave everything to it. Within six months there will be complaints about what the authority is doing.

Fishermen are saying that they want at least equal representation on the authority. They also say that there should be an equal number of processor representatives. I agree with that. It is good to see that one side of the industry is prepared to get together and suggest that other sections of the industry should be represented. Because the fishing industry is diverse, it is very difficult to see one or two persons representing the various sections of the industry.

I agree with the statement of the honourable member for Isis that the good fishermen are those who get out and actually catch the fish. Although the honourable member for Warwick (Mr Booth) might not agree that the same applies to dairymen, those who make a success of fishing very seldom find the time to involve themselves in the politics of it. It is only when they come into port with a load of fish and find that they have only a few people to whom to sell it and therefore cannot get rid of it that they want to take some action. In that regard the authority of the board is fairly specific. It can decide under what priority the fish will be sold when the fish is taken to the board. I have had discussions as to whether the board should have that authority.

The Minister might recall the problem caused by the limited number of buyers in the tobacco industry. Accusations were always being made about cartels of buyers. In one season the leaf from one area would not be purchased, which caused a slump in that area. However, in the next season the sales for that area peaked. I am sure the honourable member for Cook (Mr Scott) would agree that that happened. That industry saw fit to appoint a referee. I realise that tobacco can be kept much longer than fresh fish, but if there was a referee to whom the parties in the fishing industry could appeal, he could indicate what he considered to be a fair reserve price. I realise that people are always very keen to draw comparisons and set a value on someone else's produce. I also realise that they usually display bias towards their own product which they think is a little better than an intending purchaser might. If a referee was appointed permanently, the manager of a board could put his price on the fish, the fisherman could set his price and then the referee could nominate the price. Both parties would then have to accept it. That would prevent many arguments and stop fishermen claiming that they have been robbed by the board or board managers saying that fishermen are asking too much.

Mr Booth interjected.

Mr HANSEN: I think they would accept it, because "you win some and you lose some" If somebody goes away and blames another for his troubles, that is another story.

One of the clauses of the Bill states—

"The Authority (or other person duly authorized by the Authority) may, by writing, permit the sale of fish taken by a person otherwise than in contravention of this Act or the Fisheries Act 1976-1982 that are surplus to that person's personal requirement."

Although the Minister is not now present, I take it that that might deal with amateur fishermen. I wonder whether it is better for an amateur who returns from the reef with fish surplus to his requirements to be encouraged to sell his fish through the board or to go down to the pub and sell it on the black. I do not know that I agree with the interpretation of that clause.

I do not disagree with the purpose of the Bill, but we are being asked to agree to something about which we know very little. We do not know what the provisions of the Bill will cost, the prices of licences or how they will be applied. So many things are left to the authority to decide that I believe we should have a second look at the Bill. I hope the Minister will see fit to leave further consideration of the Bill for at least another week.

Dr LOCKWOOD (Toowoomba North) (3 p.m.): The Bill will go a long way towards solving many of the problems, although some of the finer points in drafting that are the concern of honourable members may not yet have been tidied up. The power of the Governor in Council to authorise the authority to take over as many of the functions of the Fish Board as he chooses might need to be closely examined when the Bill is in operation. It still can be a good function of government to pass legislation, see how it operates, amend the legislation, and then amend it again if need be, so that the legislation works well for the benefit of the whole of the community, the State and the industry.

Mr Ahern: I give you that undertaking.

Dr LOCKWOOD: I repeat that that is a good function of government.

The Government is faced with the problem of two pressures within the fishing industry. The first is for the netting of every trawlable species. With people moving in from other States, requests have been made for more and more licences. In this State we have a knee-deep navy, operating in rivers, bays and on the continental shelf. A few vessels operate in the wider reaches of the Gulf of Carpentaria or inside the Great Barrier Reef, but most operate in sight of land. In the main, the operators are fishing in shallow waters of less than 30 fathoms. There are 300 boats too many, or perhaps even more, licensed to fish in Queensland waters, with pressure being applied on the Government to license even more. The inevitable has happened. The catches marketed are insufficient to meet the cost of wages, fuel and repayments on the vessel so a great many fishing vessels at the moment are tied up at their moorings. Clearly the industry has to go through a period of cut-back. It has to be rationalised. I hope that, with this legislation, the Government is able to get on with the job of assisting the industry to introduce rational operation procedures.

Many surveys and inquiries have been held into the fishing industry. If this type of legislation is not passed, eventually we will have the same problem as was faced by the fishermen in Monterey, California. Before World War II, a survey was carried out to see what had happened to the Monterey sardine. After a good deal of experimentation and research in and about the waters of Monterey, the researchers in a very brief report said that every Monterey sardine had gone into a can. The species had in fact been wiped out. Because of their shoaling habit, every last one had been trawled. We must consider the pressures of our fishermen wiping out many of the species, at least in trawlable quantities, for a great many years until the few that survive meet up with stragglers and begin to breed up again.

The industry needs to re-examine itself. Perhaps the only way out for the vast numbers of superfluous boats in the industry is for them to be refitted for charter fishing. They could be taken out to the wider Barrier Reef on week-long trips for amateur fishermen. That is a popular exercise, although fairly expensive. Groups band together and charter a boat with sufficient bunks. Costs are shared and the amateur fisherman enjoys a holiday and a type of fishing he will never experience while he is within sight of land.

Other boats could be converted and made more comfortable so that they could take part in the tourist fishing industry, perhaps taking overnight fishing parties from the resort islands, mainland harbours and rivers along the coast.

At the time of the introduction of the 200-mile fishing limit, I said to the then Minister that it was a pity that Queensland was not buying Japanese longline vessels and European deep-sea trawlers, particularly those manufactured in Poland. Those boats were on the market because fishermen were being denied access to many of their traditional fishing grounds. They discovered that they could not compete as closely as they used to near the borders of other countries. A great number of vessels were laid up in their home ports and offered for sale at a quarter of their real value. It is a pity that, in those years, the State was not able to rearrange its Budget to buy three or four vessels of each type.

Although a great deal is known about the shallow waters, very little is known about the deep waters off the Queensland coast. The waters are there for Queensland fishermen, the Russians, the Taiwanese and the Japanese. However, very few Australians travel out to the deep water beyond the continental shelf.

Queensland should have its own longline vessels, its own factory vessels and deep-sea trawlers operating for as long as possible when the weather remains good. Those vessels could form the basis of a much larger fishing industry, which would undoubtedly aim at supplying canneries. It could provide a great deal of employment for many of the traditional fishermen who are presently unemployed. The vessels now in use are not suitable for deep-sea fishing. They could be converted or sold to the emerging Pacific nations that have claimed their 200-mile territorial limits. Under the tuition of Australian skippers during the transition period, fishermen in those nations could learn to fish in their own territorial waters.

Mr Scott: Where would you suggest that the finance would come from to convert those boats into more suitable units?

Dr LOCKWOOD: Not many would be suitable for conversion. Perhaps 50 boats along the coast could be converted, but it is possible that 300 or 400 boats, or even more, will not remain in the industry.

It would mean a great deal of reorganisation within the industry, but it may give fishermen a better chance of earning an income. A great deal of assistance would be needed not only from the people who are able to sell their boats but also from the Commonwealth Government. International co-operation would be needed for the purchase of the vessels.

Mr Scott: There will be a loss to Australia, of course.

Dr LOCKWOOD: I doubt that there will be a loss to Australia. If fishermen are trying to fish in the same shallow continental waters, they cannot all fish profitably. If some vessels were sold to enable the establishment of a joint fishing venture, sufficient money might be obtained to purchase larger vessels to carry out deep-sea fishing.

As I said earlier, chances have been lost. Queensland does not have any deep-sea research vessels. The great resources of the pelagic fishes off the coast and the deep-water species that could be trawled remain unknown to Australians. Those resources are rapidly becoming known to the Russians, Japanese and Taiwanese, some of whom are already masters at fishing off the continental shelf.

The proposed conditions relating to vehicles concern me. The legislation should contain exact definitions of the vehicles to which it will apply. I am concerned that the holidaymaker who takes a 240-volt generator and a domestic-size freezer with him to Fraser Island could find himself in breach of the Act if he brings home a freezer containing tailor fillets, frozen meat and pilchard bait. I want to be assured that the proposed provisions will not apply to the holiday fisherman.

The fishing authority must take an interest in the surf fisherman, the man who uses a rod, reel and line to catch tailor on a commercial basis. No one can deny that that happens. On one occasion I met a group of fishermen returning from Fraser Island, not with 300 lb. of tailor fillets but with 300 lb. of frozen West Australian pilchard bait. If they returned with so much bait, they were clearly expecting to get a ton or more of tailor fillets. Some fishermen do not fish for their own needs. They use rods, reels and a West Australian pilchard on four hooks, and they pay for their holiday. All the fish caught are destined for sale. A distinction must be drawn between the holidaymaker catching fish for his own freezer and the groups who go to Fraser Island or Double Island Point with the intention of catching enough fish to pay for their holiday.

Tourists and people on holiday like to buy fish when they are alive and kicking, and no-one can truthfully say that does not happen. I have seen fish being sold live on beaches in the Minister's electorate. On one occasion the fishermen told the onlookers that they could not buy the sea mullet that they had caught, but people were picking the fish up, live and kicking, and offering the fishermen money. The fishermen had either to get policemen to prevent the fish being stolen or enter into illegal selling. The legislation should provide that fishermen may sell part of their catch to the many people who are willing to buy, especially when the nets are pulled in front of a crowd of tourists.

I am pleased to have had this opportunity of speaking to the legislation, and I look forward to making further comments on it.

Mr SCOTT (Cook) (3.12 p.m.): This legislation is another clear example of the totally disorganised state of the Government. We are debating in the Queensland Parliament a Bill that has been completely degouted by the Minister. How can we debate it properly when the Minister has virtually told us that it will be withdrawn? The Minister may shake his head, but how do members know what changes will be made? I am wasting my time speaking this afternoon. However, I must speak because, in the unlikely event that it comes back in its present form, I will not have another opportunity to speak. It is disgusting that any Government should foist legislation on the House in this way.

Mr Ahern: I think that the honourable member is a waste of time.

Mr SCOTT: The Minister may say what he wishes. I will respond by saying that his future in the Government is extremely limited. I have the advantage of being on my feet—

Mr Burns: Vic Sullivan beat him the other day.

Mr SCOTT: That is right. The Minister is a small boy in politics. He is a nice bloke, and that is in his favour. He does not think I am a nice bloke, but that does not worry me. Because he is a nice bloke, he cannot manage his portfolio. Possibly he is too nice. The Minister's future is history. He has no leadership prospects in the Queensland Parliament. He is in charge of the Bill, but he has let us come to the sorry pass where we are debating legislation that may not be proceeded with. It is scandalous that the legislation should be presented in such a way.

The trouble can be traced to the infighting between the Liberals and Nationals. The legislation was dredged up hastily. The Government does not know which way it is going. Of course, if it were dealing with a coal-mine, the position would be totally different. Because the welfare of the fishermen and the ordinary people of Queensland who eat fish are involved, the Minister does not care about not being able to get his act in order. It is a crying shame that that should be so. I will probably be drummed out of the Chamber for using this pun, but the Minister's legislation has been weighed in the scales and found wanting.

The industry is crying out for stabilisation. On the superficial look that we are able to have at the Bill and knowing that it will be changed, I admit that it is not a bad effort on bringing stability to an industry. But obviously it does not even meet the Government's requirements. What will it be like when it is redrafted?

Reference has been made in previous debates to the bread and cattle industries being two prime examples of industries that suffer from lack of organisation and lack of a little practical socialism. The Government is frightened of the word "socialism" It will not admit that it is a very useful form of economic control. It hates the word and the people who use it. But the Government should open its eyes and admit that that is what is needed.

Labor members have known it since our party became politically organised. That is what modern economics are about—the degree of control and organisation that can be imposed by government. I admit that they can be stifling in their effect, but in Queensland they have been largely beneficial because they have been based on very well thought out principles organised by the Australian Labor Party, which was responsible for introducing into industry the type of control that is needed. The right control is badly needed in the bread, cattle and fishing industries.

One of my colleagues said that a White Paper should have been prepared to open up the whole area of debate on the fishing industry. Because the Bill raises more questions than it answers, that is what is needed. I intend to demonstrate a total lack of planning on the Minister's part. I intend to show that he is not competent in his portfolio and why his political shortcomings are his own fault.

The Bill will set up the Queensland Fish Management Authority. I like the word "management" very much. It is needed so badly. But why has the Government waited until 1982 before setting up such an authority? Even a year ago the Queensland Fish Board was to be sold off, and the industry was in total chaos. Is that the Minister's

idea of sensible and constructive planning—to let the industry take an incredible nosedive and to demonstrate to the people involved in it that they cannot manage their own affairs? Now the Minister, like a knight in shining armour, is pulling the industry up by its bootlaces. Why did the Government wait so long before introducing this Bill? It could have been introduced at least seven or eight years ago.

Many things are wrong with the Bill. I am concerned about the composition of the authority. It is typical of the Government's attitude to the composition of boards. The authority will have three Government members. That is wonderful! That retains control in the Minister's hands. The next people to be concerned are the big fry—the processers and the wholesalers—so they have two representatives. What about the people who run the industry? It is the same with everybody the Government deals with—the people hewing the coal, the farmers growing produce, the graziers and the men—not the large wholesalers—who make the bread. The Government's concern is not with the little people. It should wake up and realise that it will have better legislation if it views things from a different angle. If it did so there would not be this fiasco today.

At this late hour, the Queensland Commercial Fishermen's Organisation has seen fit to write to various members criticising this aspect of the legislation.

Mr Ahern: Read the letter.

Mr Burns: Table it and have it incorporated in "Hansard"

Mr SCOTT: I will table it and have it incorporated in "Hansard".

Mr DEPUTY SPEAKER (Mr Miller): Order! Is the honourable member seeking leave to have the letter incorporated in "Hansard"?

Mr SCOTT: I seek leave.

(Leave granted.)

Queensland Commercial Fishermen's Organisation

Andrew House,
1 Wickham Terrace,
Brisbane, Q. 4000.

18 March 1982

C/- Parliament House

Dear Member,

It is important at this time for you to be aware that Independent Commercial Fishermen throughout Queensland generally accept the principles embodied in the Fishing Industry Organization and Marketing Bill now before you in State Parliament.

It is equally important for you to be aware that fishermen have two major concerns in regard to this legislation—

1. There should be no amendment to the Bill which in any way dilutes further the power of the Fish Management Authority to create a frame-work for industry and marketing restructuring and stabilization.

2. The make-up of the Authority, outlined in the Bill at present, does not ensure fishermen of satisfactory direct representation on the Authority.

It has been proposed to Government that the Bill be amended so that the Authority of six members shall include one representative of the Combined Fishermen's Co-operative, one representative of the Q.C.F.O. and one representative of the Queensland Fish Board who shall be a producer.

Your assistance in these matters would be greatly appreciated by Queensland's Independent Commercial Fishing Industry.

Yours faithfully,
D Bryan,
State Chairman.

Mr SCOTT: I ask the House to take note of the date—18 March 1982.

Among the people who are leaning over the Minister's shoulder for his portfolio is the honourable member for Isis who spent a great deal of time denigrating the QCFO. Unfortunately some of his criticism is well founded, but it is the way he goes about it, his totally destructive approach, that annoys me. He virtually said that the QCFO is the architect of this legislation, yet here we find that august body writing to us, on the day we are debating the legislation, putting forward these proposed changes.

As the letter will appear in "Hansard" I will not waste time reading any more than the key paragraph—

"It has been proposed to Government that the Bill be amended so that the Authority of six members shall include one representative of the Combined Fishermen's Co-operative,—"

totally ignored by this legislation—

"one representative of the Q.C.F.O. and one representative of the Queensland Fish Board who shall be a producer."

At least it is starting to look at the little man, but I do not know that that organisation entirely represents the little man either. But that is what is needed. By virtue of the legislation they are all nominated positions, and the fishermen's representative is to come from a prescribed body. But I cannot find any reference to a prescribed body, and I ask the Minister whether there will be a whole set of regulations attached to this Bill. I imagine that there will be, and they will be introduced in the silent style of Executive Government that this Government has honed to the nth degree. It will be qualified, added to and detracted from by a set of regulations. Will there be regulations?

Mr Ahern: Yes.

Mr SCOTT: There will be regulations, so we might find out what the prescribed body is.

Mr Ahern: Tabled in the Parliament and subjected to disallowance.

Mr SCOTT: Oh, yes, if they happen to be spotted in time.

Mr Burns: Listen, Mike, don't stretch the long bow too much.

Mr SCOTT: The Minister is trying to retain his sense of humour, and I suppose I can only admire that after what he has been through in the last few weeks. But the QCFO could do something about it and ballot for the positions on the authority.

The Queensland Fish Board is being reconstituted, which is a good thing, but I notice from a recent Press release that that reconstitution is being opposed by the QCFO, so I wonder whether its left hand knows what its right hand is doing.

One aspect of the Bill I like is that there will be promotion of improved methods of production and harvesting. I will not read the rest of it because we are not debating the clauses, but the clause gives the authority a wide charter. You might agree, Mr Deputy Speaker, that I have mentioned on many occasions the need for better planning in the fishing industry. I have spoken about it in regard to the Gulf, half of which I presume is in my electorate, and the Torres Strait, all of which is in my electorate. I would be pleased to hear the honourable member for Mt Isa, in whose electorate the other half of the Gulf is, say something about fishing in that area.

Mr Burns: He's not here; he's out running his Jindalee chemist shop.

Mr SCOTT: Is that what it is?

The Minister has done certain things, for which I give him credit, but I am waiting to find out the effect that the closed barramundi season has had overall. The time since the closure period has been far too short to determine whether the closure will increase the numbers of that species, but it is certainly a step in the right direction. The Minister is a trier, but I do not think he measures up.

Mr Ahern: The results so far are encouraging.

Mr SCOTT: I am pleased to hear that. I accept that it is necessary.

The moves to reduce licences and other matters have been mentioned to me by the Minister's staff, who are doing a good job under very trying circumstances. They have a terrible job trying to get some sort of organisation into an industry about which so little is known and in which there are so many individuals rowing their own boats, and there is not much fishing done from a row-boat.

I like the way the legislation cements the powers to inquire, and it is cemented with powers enforced by the Commissions of Inquiry Act. That means that a body inquiring into the Torres Strait fisheries resource will have some teeth and perhaps bring some good to the industry up there.

Reference is made in the Bill to financial reconstruction, something on which I tried to get a previous speaker to comment. It is a query that is frequently directed to me. Fishermen face problems when their boats are breaking down, the price is low and the catch is small. That is an unusual combination of circumstances, but it does occur, and there is no way for them to obtain the necessary finance because the small to middle-range fisherman does not have the ability to build up sufficient finance to reconstruct his boat and carry on until the market improves.

Because of the rapacious interest rates that are set by the present economic system, again these people face a fearsome battle as they try to repay the very large loans that are necessary to buy their boats. I return to the point that they are the backbone of the industry.

The licensing provisions are interesting, and I think that they are good. But I must ask again: will they be in the new Bill? I wonder whether the authority itself will negotiate with the National Parks and Wildlife Service regarding the Princess Charlotte Bay estuary fishing permits. That is an important question. I am often asked, "What is happening with fishing in the national parks?"

The other question that I wish to be answered is: will this authority be given a direct voice on our national fishing authorities? Today, we have heard reference to Commonwealth fisheries in respect of the long-line activities of the Japanese in the waters of the Coral Sea. So much of the resource in that area is taken out of the hands of Australian fishermen. We are wondering where the capital can come from for the restructuring. It can come from that very area. Without any doubt, enough fish are being caught there to pay for the total restructuring, certainly of the Queensland fishing industry.

This authority, which I believe will be the ultimate fishing authority in Queensland, should be given wide powers to play a part on the national fishing authorities.

My contribution would not be complete without specific reference to the Torres Strait. I shall use information that has come to me, again from the QCFO, and surely one could not turn to a better source for information. It has produced a 10-page document, giving all the facts about the Torres Strait. Because of the planning aspect of the authority's future activities, these facts are very relevant and pertinent to this legislation.

I must say at the outset that the Torres Strait prawn-trawling industry does nothing for the Torres Strait. The Minister has given very token recognition of this situation by requiring these people, if they want to get around certain changes that have been made to this legislation, to employ one Torres Strait Islander. I am not quite sure that that is set out.

Mr Ahern: At the meeting on Yorke Island, the chairman of the eastern group supported the prawners' continuing in that area.

Mr SCOTT: Of course he did, and that is very easily answered. He supported them because a particular mother ship is working in that area. That, in itself, highlights one of the many things that are wrong in the Torres Strait. As the Minister well knows, the "Paluma" provides a direct service from Cairns to Darnley Island. Could there be a better set-up than that?

Mr Burns interjected.

Mr SCOTT: That highlights the fact that there are no facilities up there for the mother ship. How does the ordinary Torres Strait Islander get on when he catches his fish? How does he market them?

Mr Ahern: He is elected by the people.

Mr SCOTT: He is not elected by them to speak about fishing matters. As a chairman and as their representative, he has every right to contribute to a discussion. I do not deny Mr Mye that right at all. He is very good; do not worry about that. He is right on to this Government about its being remiss about the Aboriginal and Torres Strait Islander legislation. The Minister should not try to knock Mr Mye with me.

I wish to take up with the Minister the reason why he held that meeting on Yorke Island. I express my appreciation here to the Minister for the very full explanation that he gave in response to my question. It was a good answer, and he certainly did not spare himself. But I do not think he fully appreciates the fact that he went to reserves virtually stuck out on the eastern group of the Torres Strait islands to have a meeting about a subject that concerned a whole range of fishing people—the people who live on Horn Island and the northern Peninsula area; people from everywhere. The Minister qualified his statement by saying that he held a meeting on Horn Island. He was good enough to do that, but he did it only after I had drawn his attention to the fact that he was denying access to him to many people who were concerned about the industry. He fobbed them off by saying that he would see them in between plane-refuelling stops, or something like that. I know that the Minister was there and spoke to them, but that is not good enough.

Mr Ahern: You didn't even turn up, and you were entitled to turn up. I gave them all the time that they required on Horn Island. I went to Yorke Island because it was the centre of the controversy, and representatives from all over the Torres Strait came there.

Mr SCOTT: No, that is not true. That gives the lie to the Minister's own answer. The Minister knows as well as I do that they did not come from all over the Torres Strait. The Minister went out of his way to talk to a particular group of island people. The Minister has every right to do that just as they have every right to have access to him. But in the same process he must not deny access to other people in the area, and that is what he has effectively done. However, I do not hold that against him because I know that, as a fair-minded person, he will attempt to make redress and go up there and talk to a whole range of people. I certainly hope he does that.

I mentioned the Yorke Island fiasco because it is indicative of the way the Government goes about things—behind closed doors. Yorke Island is a closed door, the Minister cannot deny that. As he said in his answer, it is a reserve and people cannot go there without getting permission.

Prawn-trawling in the Torres Strait makes no contribution to the economy of the area. No boat-servicing or maintenance is carried out on Thursday Island. The crews do not purchase their goods from the area; they come from mother ships or are brought in by aeroplane—interestingly enough—to Yorke Island. Prawn-processing is not carried out on Thursday Island. The 800 tonnes that is taken out of the area is said to be a very important part of the Queensland fishing economy. If the trawlers do take out that quantity of prawns, they are extremely selfish people because they return absolutely nothing to the area. Simply employing one person per boat or per unit, whichever it is that the Minister has spoken about, will not provide any redress in that regard.

The article that I have here, which must express the point of view of the QCFO, criticises the Minister for the secretive manner in which decisions were made. It refers to the time when the Minister originally banned prawn-trawling around all islands. What a totally inconsiderate move that was. Then the Government had to back off and apply the ban to only half the islands. Why go about things like that? Why does the Minister get himself into such a cleft stick because, if I can mix my metaphors, it will beat him around the head?

The QCFO has an incredibly mixed view of the Torres Strait. That organisation says that it is a wonderfully fertile area to farm. It denigrates the Torres Strait Islanders while it is trying to promote its own interests. That is wrong. That organisation should admit the facts and not try to denigrate the people up there. The preamble to the article sets out a history of commercial fishing in the Torres Strait. Part of the article states—

“The growth of exploitation of the Torres Strait fishery has been extremely slow. There is no evidence of deliterious effects from the development of commercial fishing in Torres Strait on the species populations of mackerel and crayfish.”

That is the statement of the year! It says that only mackerel, crayfish and prawn-fishing is carried on up there and ignores pearl-fishing. That is simply not good enough.

I have spoken to divers who have been to the sea-bed after an otter board trawler has passed. They say that it has the same effect as sweeping this Chamber with a huge broom. It is totally destructive of species, yet the QCFO says that it is not destructive of pelagic species. It cannot say that, because it is not known.

Mr Ahern: Are pearls pelagic species?

Mr SCOTT: If the Minister does not know, I will not tell him.

Mr Burns: You are talking about all species, not just pearls.

Mr SCOTT: Yes, that is right. I have quoted from this article which speaks of pelagic species, but it does not mention pearls. The Minister should not try to belittle me. I thought he had a little more in him than that.

The article also states—

“Notwithstanding the absence of development planning by the normally accepted authority . . .”

The “absence of development planning” is so true. The Government is very vulnerable to that sort of criticism. The article also says that the commercial fishing industry in the Torres Strait today is a well controlled, viable and stable industry. That is simply not true.

The QCFO is very critical of the Torres Strait Islanders and says that they have shown a marked disinterest in commercial fishing. I do not say that is true, but if they have it is only because there is no outlet for their product. They have a very relaxed attitude. They want to conserve their resources; they do not want to mercilessly exploit them. I wish the Queensland Commercial Fishermens Organisation had more sympathy in that regard. It refers to those Islanders who prefer the old life of subsistence which, it says, includes a measure of reliance on a cottage fishing industry.

They have had no choice. They have not been able to do anything else. The article talks about a number of Islanders being engaged in commercial pearling, but that there is no record of Islanders' taking part in administration or management in the pearling industry. That makes me laugh. There is no record of Islanders' being allowed to take part in the administration or management of anything run by white people up there. The article says—

“Both the Commonwealth and State Governments inject millions of dollars every year to support the Torres islanders' way of life through subsidies, health and education, transport and building support schemes.”

That is a shocking indictment of the Australian community as a whole and certainly not of the Torres Strait Islander people. It is no argument at all for maintaining the privileged positions white trawlers have in the Torres Strait. The article talks about a new traditional way of life, which is the artificial funding schemes and the dole.

The QCFO then engages in a little bit of self-praise. It talks about its own management capabilities and the way in which it has gone about looking after things up there. It has gone about looking after its own interests only; that is all. The article says that “before any attempt can be made to manage the resource”—that is, the total fisheries resource—“the resource must be quantified”. Again, there is the constant criticism that the Minister is not doing sufficient up there. The QCFO talks about the primary source of information about the fisheries resource being a survey completed in 1974-75 under the direction of Dr Rex Pyne. It then proceeds to shoot that survey down, saying that it is no longer tenable; it does not hold any more; conditions have changed; and that most of the findings and recommendations of the report are obsolete. It says that the Pyne report has got a marginal value as a reference for consideration today. What has anything but a marginal value? I am hoping that in his reply the Minister will spend a little of his valuable time to tell the people of Queensland what he has done to conserve the resource up there, apart from changing his mind about trawling.

Mr Ahern: You will get the full facts.

Mr SCOTT: I will be pleased to receive them.

The QCFO says—

“In regard to the Government of Australia, there are no known definitive study results available to that Government to assist in considering a Torres Strait resource management authority.”

Mr Booth: Before you sit down, can you tell us where you stand on the Bill? Are you for it or against it?

Mr SCOTT: If the honourable member tells me which Bill we are talking about I will tell him how I stand.

Mr Burns: That's right, the one the Liberals are going to change next week?

Mr SCOTT: Is it the one the Liberals are going to amend?

The release by the QCFO states—

“The Queensland and Australian Governments should ensure close co-operation to pursue, without interruption, the work of the C.S.I.R.O. to identify, quantify and recommend management measures in regard to crayfish.”

Of course, they should do it in regard to all other species up there. I hope that will be the role of the authority. I am sure the member for Warwick heard me praise it as an embryonic authority.

It continues—

“In the absence of the information to quantify the resource, the Queensland commercial fishing industry has implemented voluntarily a number of measures designed to protect, conserve and manage the resource . . .”

I would not say that it has implemented them voluntarily; nor would I say that they have been anything like adequate. The QCFO speaks of its complete ban on commercial trawling in the area of the Torres Strait west of the Warrior Reefs and that action was taken to ensure that commercial trawling could not interfere with commercial pearling.

However, no concern is expressed about the shift of the immature pearl shells across the sea-bed before they become fixed and become pearl shells as we know them. The QCFO says that it acceded to a request from the combined Torres Strait Islanders communities to impose a maximum size limit of 20 metres overall length on otter trawlers operating in the region. I do not think the size matters very much if the result is terrible damage to the fish species. The article says that a voluntary ban has been imposed on daylight trawling during the crayfish migratory period in response to claims by State Government officials that Islanders were concerned about commercial fishermen adopting migrating crayfish as a target species. It is well known that they have not been doing that. That caused the Minister's concern, his trip up there early this year and the precipitate action he took. The crayfish are being taken in large quantities. With this Government's incapacity to provide sufficient supervision up there, I do not think anything will be done to change it, whether the Bill sees the light of day or not.

The article says that the voluntary actions designed to manage the fishery resource taken by the industry have proven satisfactory. That is arrant nonsense. It continues—

“. . . the fishery now sustains an annual catch of high quality export market product of some 800 tonnes. A substantial percentage of the Queensland commercial trawling fleet relies on the Torres Strait fishery for a major proportion of annual income.”

That only means that there has been total mismanagement elsewhere. I have been told by fishermen and colleagues that it has been necessary to progress along the coast from Moreton Bay because that area has been fished out, and they have been fishing out other areas as they go. There has been total destruction. No management qualities have been displayed. The fishermen have reached New Guinea. I will leave it to one of my colleagues to develop that argument.

I would like to hear the Minister make some reference to the proposed Torres Strait Treaty Act. I would like to know what part the Queensland Fish Management Authority will play in regard to the administration of the treaty. It might involve Commonwealth water, but it impinges on Queensland waters.

Mr Ahern: That will be a separate Act.

Mr SCOTT: I am pleased to hear that. I hope that it ties in with the Queensland Fish Management Authority.

Mr Burns: It will refer to fishing rights.

Mr SCOTT: Of course it will. I am worried because the Minister is diversifying the legislation.

Mr Burns: In essence, New Guinea says it is waiting to see what we are going to do.

Mr Ahern: It is with the Commonwealth at the moment, and I am hoping to be able to legislate soon.

Mr SCOTT: I am pleased to hear the Minister say that. It has been recommended that all parties to the Torres Strait Treaty should agree to establish consultative procedures between the parties and/or their representatives and the Queensland commercial fishing industry. I will not quote further that part of the QCFO's submission. What it has said is quite significant. It is concerned about the way in which the new treaty will impinge on fishing rights. It does not mention the problems confronting the Torres Strait Islanders, the residents of Saibai, Boigu and Dauan who are now effectively stuck behind the New Guinea border, and the manner in which their rights will be protected. As the Minister well knows, that treaty is an extremely complex one. Even though it will be the responsibility of people who operate under another Act, it will make the life of the members of the authority very difficult.

The Department of External Affairs has established an office in the area. It realises the seriousness of the border treaty. I am worried that the Minister's department is greatly understaffed. I am pleased to see that the Minister is nodding his head in a positive fashion. Although I have been rather critical of the Minister, I have meant every word that I have said. I appreciate the difficulties under which the Minister's staff work. I again give credit to their efforts.

(Time expired.)

Mr BOOTH (Warwick) (3.43 p.m.): It is my intention to speak on the principle of the Bill.

Mr Burns: How do you milk a fish?

Mr BOOTH: The experience I have had on other boards leads me to believe that the legislation is in the best interests of the fishermen. It is not my intention to knock the legislation. It is my intention to support the principle of the Bill. The principle of the Bill and the principle of orderly marketing are in line with the policies of the Government. For that reason I believe that I am on fairly firm ground.

It is important to examine some of the reasons for the introduction of the Bill and to consider some of the things that have happened in the industry. The fishing industry has been in the doldrums. The Queensland Fish Board has had some problems throughout its existence. Most of its problems were brought about because it was unable to obtain a fair allocation of the total fish caught. It was unable to generate the throughput necessary to make it an efficient organisation.

Although the member for Maryborough was critical in a few areas, he was inclined to support the Bill. He referred to key words in a letter written by the Queensland Commercial Fishermen's Organisation. I think that the key words in that letter are these—

“It is important at this time for you to be aware that Independent Commercial Fishermen throughout Queensland generally accept the principles embodied in the Fishing Industry Organization and Marketing Bill now before you in State Parliament.”

The organisation requests different representations. I do not knock it for that reason. I think I am reading it correctly.

Mr Jones: Do you want us to make an assessment on that?

Mr BOOTH: I suggest that, if the member for Cairns is going to contribute to the debate, he make an assessment on whether or not the fishing industry requires the legislation. That should be the basis of our assessment.

If I thought that the fishermen of Queensland did not want this Bill, that they wanted the board disbanded, and that they wanted to go back to the conditions of years ago, I

would not be speaking now. I am in favour of the Bill, and the Minister believes that it is necessary to control the industry and improve it. Some of my thoughts are embodied in the Minister's second-reading speech. For instance, he said—

“Despite a popular belief to the contrary, Queensland waters are not as abundant in fish as are the seas surrounding many countries of the world.”

That is all important. If there is a shortage of fish, if fish stocks can be overfished—and the honourable member for Cook expressed concern about that—we should be doing something about it. Although the honourable member for Cook was critical, I think he believed that we must take legislative action.

I intend to read another brief comment that the Minister made.

Mr Jones: It is in “Hansard”

Mr BOOTH: It is, but I think the statement I intend to read is one of the key reasons for introducing the legislation. The Minister said—

“The fishing industry in this State is, in reality, made up of a number of fisheries. Each requires specialist knowledge and equipment and each is subject to different influences.”

He gave the reasons in these terms—

“In recent years, poor seasons, competition from imports, rapidly escalating fuel costs and interest rates, and general uncertainty on world markets have led to a situation where many of our fishermen are now struggling to survive.”

Mr Burns: How will this Bill alter imports, fuel prices and poor seasons?

Mr BOOTH: It will not alter those things. That is why the Bill is regulating the industry. The honourable member made a pertinent observation, but that is no reason to toss the Bill out. He will have an opportunity to say whether he wants the Bill or not.

The Minister then said—

“The impact of these influences is probably best reflected in the fortunes of the Queensland Fish Board. The board, like most other sections of the industry, went through a period of relative prosperity in the 1970s and invested heavily in the industry. However, circumstances in the industry have changed quite rapidly, in most cases due to factors largely outside the industry's control. As a result, many sectors of the industry are now heavily overcapitalised, thereby placing the long-term future of the industry in jeopardy.”

Most industries have been affected in the same way. If a downturn occurs in an industry we must do something about it, and that is where the DPI plays its part. Some of the department's problems could be solved if additional staff were employed, but there is a limit to the number of people who can be employed. We must bear with that.

The honourable member for Maryborough said that he believed in elected members. I do not quarrel with that. It is not a bad idea. I prefer that system of election to the submission of a panel of names. The QCFO has elected members.

Mr Burns: We have compulsory unionism, too.

Mr BOOTH: I do not think the honourable member has ever heard me knock the unions.

Mr Burns: Do you believe in compulsory unionism?

Mr BOOTH: A statutory organisation and compulsory unionism are very similar.

Mr Burns: That is interesting, because when the Government starts sacking the teachers, I want to know where you stand.

Mr BOOTH: I have knocked union leadership, but I have not knocked the unions.

The people who were elected to the QCFO were elected by the fishermen. The honourable member for Isis said that they are old fogies, that because they cannot struggle into a boat they are elected to that organisation. That is not so.

Mr Jones: That is a bit rough.

Mr BOOTH: It is.

I have great faith in the members of all the other industries I have been associated with. They have a fair idea of the people whom they should elect. Quite often there was a close finish in the elections. That leads me to believe that they know what they are doing.

Mr Frawley: Who said that?

Mr BOOTH: The member for Isis said something like that. That may not be exactly what he said. He threw some doubt on the men who were elected and that worries me.

If the principle is adopted that the Minister cannot seek advice from an organisation because he does not have faith in it, he will be in a fair amount of trouble. It is hardly likely that he, as the Minister or acting on the advice of his people, could come up with a Bill or regulations controlling an industry without obtaining some advice from that industry. It has been said that it would be easy to get better people than those on the authority to make decisions, but it is my opinion that if the Government says, "Those people are no good; we will get advice from someone else.", the Government will be in a much worse position. All that can be done in the present circumstances is to accept advice from the organisation.

It is not my intention to go through the Bill and point out where someone has not dotted the i's and crossed the t's. I will leave the nit-picking to someone else. The Minister has said that he will accept reasonable amendments. I do not know exactly what he means, but I think he means that as long as the principles of the Bill are not affected, he will accept amendments.

Fishing is different from the other industries because some people in it are referred to as "shamateurs", in that they sell some fish although on the face of it they went out to do some recreational fishing.

Mr Burns interjected.

Mr BOOTH: If there is concern about overfishing, the Government has to step in.

Mr Burns: They are not doing that with the pro-am.

Mr BOOTH: No, but the Government is trying to introduce a Bill that will establish certain guide-lines and prevent overfishing. No-one can guarantee that that will not occur, but if fishing can be restricted to some extent a good deal of headway will be made.

The Bill sets up an appeals tribunal which can be approached by anybody with a problem. It is unfortunate that the Bill has received so much heavy-handed treatment this afternoon. Some of the speeches have been a little emotional. It would be unfortunate if the Bill lost its teeth or it could not protect the fishermen. Protection is what they require. I think that is why members received the letter from the QCFO.

It is not my intention to criticise the representation because it might be found that that is what is needed.

The main object of the Bill is to provide an orderly marketing structure in Queensland. That will lead to a stable industry. The industry will be able to make a direct input into policy determination. That is why the Bill has been introduced and that is why the advice of the QCFO has been accepted. The fishermen will have a direct input into policy determination. If we are not prepared to accept advice from the QCFO or to set up a structure that can put its thoughts into effect the Government will have failed the industry. Many people will run for cover and say, "Well, I did nothing to make the Fish Board go to the wall or to stop orderly marketing", when in fact they could have made quite a substantial input.

Another point made by the member for Cook—and rightly so—related to the difficulty faced by the industry in obtaining finance. The industry will be much better organised to obtain finance if—

Mr Burns: How?

Mr BOOTH: It will have a better chance of getting finance if it is properly regulated than if it is allowed to run wild—

Mr Burns: We passed a couple of Bills in this House about finance for fishermen. Name me a few fishermen who have received any money under them.

Mr BOOTH: I cannot do that. The Minister will answer that at the appropriate time. It is a good question, and the Minister appears to be ready to answer it.

In my opinion, it will be easier for fishermen to obtain finance from ordinary banking and financial institutions if the industry is regulated and if orderly marketing is introduced. Such a set-up will ensure the future of the industry, and for that reason I support the Bill. I believe that it is a sincere and genuine attempt to promote orderly marketing.

The direction from which some of the opposition is coming is surprising. I thought that the honourable member for Bundaberg substantially agreed with the Bill. He usually supports orderly marketing. Members should think long and hard before attacking the Bill just for the sake of attacking it. If they do attack it, they ought to put forward alternatives. Many members say that they do not want this or that. However, if they want to destroy the Bill they should be clear in their minds about what they want to put in its place. A great deal of work has gone into the Bill, and I support it.

Mr BURNS (Lytton) (3.57 p.m.): I support orderly marketing and the idea of marketing boards, but there are many principles in this Bill that I do not support. I most certainly cannot see why fishermen should be treated any differently from dairy farmers or grain growers. If there is to be a fish board, I do not see why it should not be dominated by fishermen, just as most other primary producer boards are dominated by primary producers. I cannot see why honourable members have not been given greater detail of what the Bill will mean for the fishermen.

The Minister's second-reading speech was quite lengthy; but when one analyses it one sees that he did not go into any of the details we need if we are to be assured that the industry will be properly stabilised and organised. In many earlier Press releases the Minister referred to the large debts of the Fish Board. Then we were told that the Fish Board was starting to make profits again, and all sorts of other things. Finally we were told that the Fish Board was in trouble and that depots had to be closed. Fishermen who had invested a great deal of money in their boats and their gear were thrown into confusion.

If you doubt me on that, Mr Deputy Speaker, let us go back a couple of years to 29 January 1980, when "The Courier-Mail" reported that Max Hooper, the then Maritime Services Minister, was to recommend that the Queensland Fish Board be dismantled. The article stated that the board had lost \$400,000 in six years. Since then the figure splashed about by Government members has grown to millions. The Cabinet submission prepared by Mr Hooper referred to the sale of the Colmslie market to private enterprise. The disposal of that market and other coastal depots would, it was suggested, adequately cover the board's current debt of \$3m. The jobs of board employees would be ensured, with a considerable number of employees helping with research and promotion. We know that that did not happen. When the axe finally fell, they were sacked; staff numbers were cut in half overnight. Mr Hooper said that he wanted to sell the board, and I still think that the end result of this Bill will be the disappearance of the Fish Board as we know it; it will be a semi-commercial operation competing with private enterprise. The Bill removes the board's regulatory powers, and that will mean its demise as a marketing board.

On 30 January 1980, in a three-paragraph story, "The Courier-Mail" stated—

"State Cabinet yesterday decided to dismantle the 40 year old Queensland Fish Board.

The Maritime Services Minister, Mr Hooper, said the Board had outlived its usefulness.

He said fishermen would be given financial help by the State Government to buy the board's 26 depots and operate them as co-operatives."

That was the end of it. All the assets that had been built up over 40 years of marketing were to be wiped aside in three paragraphs in "The Courier-Mail"

Throughout February and March 1980, fishermen were forced to fight this Cabinet sell-out of their interests. One can imagine their worries about not having the Fish Board depots and not having the processing facilities to take their excess catches. The QCFO was given a very short time in which to raise the money.

It was said that the organisation would have to raise \$12m. It was also said that fishermen were to contribute \$4,000 each. At the time I thought that that was a bit rich. Mr Hooper himself said that, if fishermen would not pay \$50 a year to join the QCFO, he doubted whether they would contribute \$4,000 towards their fishing organisation.

He told the fishermen, "If you don't pay your levy to the QCFO, if you don't join that particular union, we won't let you get a fishing licence. You can't get a commercial fishing licence in Queensland unless you join the QCFO." We hear all the arguments from Government members against unionism, but when it comes to marketing boards they want to force people to join an organisation which, in many instances, they do not want to join.

Mr Hooper was then under attack from all sides, and he finally said that a 7-member committee, with himself as chairman, would be appointed to inquire into the Queensland Fish Board's operations. That was reported on 13 March 1980, but on 18 March 1980, five days later, Mr Hooper was sacked as the committee chairman, as were the representatives from the QCFO and the Queensland Fish Distributors Association who had been on the original committee. It took five days to reorganise the committee that was to inquire into the fishing industry. Cynics pointed out that without representatives from the Opposition, the QCFO and the Queensland Fish Distributors Association, the committee looked like an election year eunuch that was designed not to bring forward any recommendations until it was too late. How right they were!

By May 1980, the Government leaks were telling newsmen and newswomen that the Fish Board would survive with a major restructuring of its management and marketing techniques. Fishermen pointed out that the recommendations were remarkably similar to recommendations brought down at great expense by management consultants two years before, and immediately pigeon-holed by the Government. That was not the first time that the Fish Board had been reorganised. That was not the first time that inquiries had been held and their recommendations ignored.

The point that I am trying to develop today is that this inquiry was set up at election-time to try to convince fishermen that something was being done. As soon as the election was over, the Government completely ignored the recommendations of the inquiry. The basic recommendation was that the Fish Board would be reconstituted, with seven members representing fishermen and one member representing the marketing side of the industry, making a total of eight members. If we look at the composition of the authority in this Bill we see how that recommendation was ignored. I think that \$80,000 was spent on one inquiry by a firm of business consultants. Then there was this other inquiry.

In July 1980, we were told in a Department of Primary Industry's Press release that the "Fish Board was once more trading profitably." Two fishermen's representatives were then added to the committee of inquiry. In August a committee member and a QCFO Officer, Mr Conaty, who is presently sitting in the gallery, said—

"The Fish Board was neither a financial burden to Queensland nor was it going broke."

He further said—

"Fish Board losses did not cost Queenslanders one cent. The Government's only support was to act as guarantor for the Board's overdraft."

At the same time, the Premier was parading around saying, "We can't continue to subsidise and support the Fish Board." Who was telling the truth—Mr Conaty or the Premier? Mr Conaty said that the board made a profit of \$150,000 in the first three months of the year, that it had extensive property and that it had accumulated funds of more than \$3m. With due respect to Mr Conaty, many of us had waited for a long while for him to come out and say something, as the deputy chairman of the Fish Board, in defence of the board and fishermen. We were surprised that he finally found a little bit of courage and came out and said that. We were not very surprised when he stopped at that, but I understand his position was difficult considering his desire to protect the National Party. I think that he resigned from the Fish Board because he had been removed from the position of deputy chairman.

The Fish Board was then transferred to the Department of Primary Industries and a new nine-member board was appointed. Six of those members were professional fishermen. It looked as though the fishermen were going to have a say in the operation of their board. In January 1981, another Press release from the Department of Primary Industries stated—

"The Queensland Fish Board will continue its marketing and processing operations, the Minister for Primary Industries, Mr Mike Ahern, announced today."

He said that Cabinet's decision to continue operations was based on the board's improving position. He also said that in the first eight months of the 1979-80 trading year, the board had recorded a loss of almost \$815,000. He said that that had been slashed to \$85,000 in the corresponding period of 1980-81, with the best three months of the fishing season still to come.

He went on to say that he confidently expected that the board would be showing a profit by the end of the trading year, 30 April 1981. In January 1981 the Minister said that he planned to introduce legislation during the next session of Parliament to correct the anomalies in the present fish marketing legislation and to provide greater flexibility for the board, particularly in the areas of finance and marketing.

Anybody in the industry who does not get details of the board's report would be a little worried about the ever-changing stories. Both Mr Conaty and the Minister were stating that the board was a profitable organisation. However, very shortly after that the public was told that the board was so heavily in debt that more than half of its assets had to be sold, that if it was to survive many depots would have to be disposed of.

The legislation that the Minister promised in January 1981 is probably the Bill we are now debating, and I say if we waited that long then there is no urgency and there should be more time for the Parliament and the fishermen to study it. I know of meetings at which people from the QCFO, who are here today, waved one copy of the Bill around and said to the fishermen, "We cannot show the Bill to you but we will tell you all about it." I have distributed approximately 50 copies of the Bill to fishermen in the Wynnum and Hemmant areas.

Other fishermen ought to have the same opportunity to read it and discuss it because it will affect their lives for quite some time, especially the licensing provisions that the authority will apply. It will have dramatic control over fishermen and their rights of entry into particular areas and the industry generally.

On 6 February 1981, just after the election, the final report of the committee of inquiry was released. It recommended that the Queensland Fish Board continue to operate in the spheres of processing and wholesale and retail trading. I emphasise processing and retail trading because although that committee of inquiry spent a great deal of time investigating the matter, nobody took any notice of its report and processing and retail trading are to be disposed of.

Mr Blake: Do you think it was an election inquiry?

Mr BURNS: Of course it was an election inquiry.

The Minister said that the report also made several recommendations relating to the future operations of the board. It highlighted the need for greater participation of fishermen on the board and called for the introduction of a producer-controlled commodity marketing board.

On 17 February the Minister announced that Cabinet had considered and approved in principle the committee's final report. In a Press release the Minister said that among the recommendations considered and approved by Cabinet were that the Queensland Fish Board should be reconstituted along similar lines to other commodity marketing boards in the State and should become a fishermen's board with seven fishermen representatives, including a chairman, with the Director of Marketing of the Department of Primary Industries acting in an ex officio capacity. I ask honourable members to look at the Bill to see what those Cabinet approvals have been watered down to. Another Cabinet approval was to upgrade port and processing facilities at the various fish ports. The Government also said that initial estimates indicate that some \$3m on new works and maintenance needs to be spent over the next five years. Recently I heard a Press release on the radio, although I have not been able to obtain a copy of it from the Minister's office, which revealed that the Government was not speaking of \$3m on the maintenance or upgrading of depots. The amount mentioned was less than half that amount.

In his Press release the Minister said that the Government initiated the investigation into the fishing industry because of losses incurred by the Fish Board and the depressed state of the industry, particularly during the past years. He was happy to report that there had already been a dramatic improvement in the board's financial results and predicted that the board would be profitable by the end of the current trading year, which ended on 30 April.

A person by the name of Haling was then appointed as the new Fish Board manager. His policy for the Fish Board depots can be compared with Hitler's policy for the Jews of the world—extermination. At many Fish Board depots and other places I stood and listened to him. He wanted most Fish Board depots to be sold so that millions could be recouped from the assets. I suppose he was going to do to the Fish Board what he did to the dairy industry in the Wide Bay area where one can see closed butter factories which I am told are the result of his managerial period there.

In June the Cleveland Fish Board depot was closed. In July Mr Haling announced that eight of the 22 Fish Board depots would operate for only one or two hours each weekday. On 23 September the Government again reconstituted the Fish Board. At that time the chairman appointed in April resigned, the deputy chairman (Mr Conaty) was demoted and the number of fishermen representatives was reduced. In October the axe fell. The Government announced that only four of the board's 22 depots would remain substantially unaltered; that more than half of the board's staff would be sacked—they were reduced from 98 to 45; the board would close processing plants at Townsville, Colmslie and Tin Can Bay; the retail and service departments would close; freehold market facilities at Townsville, Rockhampton, Bundaberg, Maryborough, Tin Can Bay, Tewantin, Wynnum and Labrador would be sold; leases would be transferred, assets sold and the board would withdraw from unprofitable operations.

On 29 October 1981 the joint Government parties approved legislation to overhaul the industry from top to bottom. It was reported that the Bill would go before Parliament within two weeks. That must be the same as the one we were promised in January 1981 and October 1981—the one being debated now, in March 1982. Then there was another compromise. How can fishermen in the industry plan with any assurance when no-one in the department or the Minister's office seems to know what is going on?

On 21 December a compromise reconstruction scheme was announced. That followed the failure of some of the board's depots to attract a bid at auction. Depots that were to be sold in October were now to operate. For example, down at Wynnum the board's premises were offered for sale. Bids were dragged out of a couple of National Party businessmen in the area who thought they might make some money out of it, but their bids were \$300,000 or \$400,000 below the reserve price. As a result, it was not sold. What has happened? Mr Haling said that he could not keep the premises open. The Minister wrote me letters—I will read them later—about how much money had been lost each year, but now the board that Mr Haling said must close is to be kept open. What sort of constructive, well-planned programs are there if the plans change so dramatically between 16 December and 18 March?

Let me talk about the board's financial position. On 6 October the Minister answered a question saying—

“The financial position of the Queensland Fish Board is as follows: at present, the board has a \$2.5m overdraft . . .”

He did not speak about much other than that. Then on 13 October in another answer he said—

“The reasons for the recommendation were that the board had a \$2.5m overdraft, guaranteed by the Treasury, which was fully drawn, there were \$600,000 in contingent liabilities, some of which were falling due, and losses were approximately \$100,000 a month.”

Next, on 15 October, when he announced the sell-out of some of the assets, he said—

“In financial terms, the board's re-organisation is expected to realise a total of \$6,600,000, made up of \$4,500,000 from the realisation of assets, \$1,000,000 from the realisation of seafood stocks and \$1,100,000 from collection of debts.

Amounts realised will be applied to the repayment of board term loans of \$1,500,000 outstanding against properties being realised, repayment of overdraft of \$2,500,000 and repayment of creditors of \$750,000.

Provisions must be made to meet demands on the board's guarantees to fishermen of some \$600,000 and to accommodate the present monthly loss situation of around \$100,000 . . .”

We should be told today's position. Now that some depots have been sold, what is the true figure in March 1982? The Minister said that much of the information on which the decisions were based came from the committee report; so let me deal with that report.

It made a number of recommendations—recommendations which I think are very valid. It said—

“The Committee recommends that the composition of the Board be altered to ensure that fishermen control their own destiny.

Since the Committee's first report the Government has, of necessity, appointed a new Board and as a result, fishermen now comprise the majority of members.

However, the Committee recommends that under any new legislation the Board be composed of the following members:—

- (i) A fisherman as Chairman;
- (ii) Six other fishermen members;
- (iii) The Director of Marketing (ex officio).”

That was its recommendation on the composition of the board, but that was ignored.

The Committee also made these recommendations—

“The Board should continue to operate in the spheres of processing and wholesale and retail trading in fish, but each section of the Board's operations should be required to operate on a profitable basis, with separate accounting for results.

The Board should place much greater emphasis on the domestic market, which is not adequately serviced at present.

There is a need for more effective promotion of fish and the fishing industry generally.”

It estimated that some \$3m would have to be spent on depots over the next five years.

I looked through the back pages of the report, because I was very much interested in the Wynnum depot, and I found that the report had this to say—

“The Wynnum market appears to have three major problems, the most significant of which relates to the mooring and unloading facilities.”

The member for Wynnum (Eric Shaw) would know that. One of the problems is that no-one will dredge the creek. The Port of Brisbane Authority shows little interest, saying in replies to our letters that there is no money in it.

Mr Shaw: At times you can walk across the creek and not wet your feet.

Mr BURNS: Yes, at low tide. And most of the boats are tied one to the other. A person can walk across them from one side to the other. If there was ever a fire, 80 per cent of boats in Wynnum Creek would be wiped out in one go. The unloading facilities are bad, the wharf facilities are bad and the creek is poorly serviced and handled. Major sums of money need to be spent. However, the committee's report was to the effect that at Wynnum \$30,000 should be spent on a retail shop, \$4,500 on refrigeration equipment and \$3,000 on fender piles. Out of that \$3m that was mentioned, that is all that was recommended, yet the Wynnum depot was informed that it was a drain on the finances of the board. The figures for Wynnum show that over the years the Wynnum depot made a reasonable profit. I accept the observations of the committee that it cannot reconcile how the overheads are struck against particular depots. No local fisherman can reconcile the overheads, either.

In 1978 the Wynnum depot made over \$3,000 profit and was charged approximately \$16,000 in overheads. In 1979 it made a profit of \$1,500 and was charged about \$20,000 in overheads. In 1980 it made a small profit of \$57, and was charged about \$25,000 in overheads. In 1981 it made \$2,600 profit and a loss of \$28,000 after overheads. Those overheads were charged as a result of losses made by processing plants in North Queensland and head office costs.

National Party members years ago demanded that a North Queensland fish board should be established to give representation to fishermen in the North. A Bill was passed returning northern assets of the Fish Board to the fishermen in the North. A North

Queensland board was allowed to operate for a few years; however, it went broke. Following a cyclone in Townsville, processing could not be carried out and the North Queensland Board was in financial difficulties. What did the Government say? It said, "We will not have a North Queensland Fish Board any more. We will close it down and put it all back under the South Queensland Fish Board and all Queensland fishermen can pay for it." The people in Brisbane, who would not have been allowed to be involved if the North Queensland Fish Board had made a profit, were forced to bear the losses at that time. That sort of overhead was loaded onto the little market at Wynnum, which had been a successful market for many years.

Page 54 of the report outlines the criticism by the committee of the overhead expenses. The committee of inquiry made a number of other recommendations. I feel strongly that the Fish Board should stay in the retailing industry. It is important that the Fish Board have an outlet of its own. It should be involved in the process of selling and marketing in this, a tourist State. No-one can disagree with the committee when it said—

"The committee is convinced that the Board needs to expand its retailing activities in Brisbane, the Gold Coast, the Sunshine Coast and Townsville. These areas are major population centres where the potential market is sufficiently large to sustain aggressive retailing by the board."

"Aggressive retailing" is the key. Those little old brick shops that the Fish Board erected beside the depot at Wynnum are not what I would describe as "aggressive retailing". They are so small that someone would need a spotlight and a seeing-eye dog to find them. They lead no-one to the conclusion that the board was engaging in aggressive retailing.

In major areas the fish market ought to be selling direct to the public. Great opportunities exist in the wet-fish market. Too much concentration is placed on the prawn market. The Fish Board was carried away when it started to make a little money out of prawn-processing some time ago. It decided that it would continue in that area. It burnt its fingers.

The number of fishermen in Queensland has dropped considerably. I do not agree with the licensing provision contained in the Bill. A number of powerful fishermen in the QCFO seem to be interested in forcing other people out of the industry.

Mr Scassola: A closed shop.

Mr BURNS: Yes, a closed shop. We do not want that.

I know a large number of fishermen who cannot keep operating with rising fuel and other costs. For example, in Townsville the Harbour Board will force fishermen out of an area from which they normally operated. It will put them into a situation in which their cost of operation will increase. Those fishermen do not have a lot of money but they are not considered. Reference is made to financing the industry. The only time when financial assistance appears to be given is after fishermen have failed to obtain finance anywhere else. Today the loan sharks want to lend money at 23 or 24 per cent. If a person cannot get money from them, he has to return to a body similar to the rural reconstruction authorities. Any farmer or other person who is engaged in a rural industry and who has been in financial trouble knows how difficult it is to obtain money.

The people representing fishermen on the Fish Board and the authority must be fair-dinkum fishermen. Half the problem today lies in the fact that they are not. Any fisherman who attends a board meeting at \$50 a day when he could be out in the bay earning far more than that does not have faith in his fishing ability. Most of the fishermen who are on these boards cannot make a real quid in the market-place. Every fisherman worth his salt wants to be at sea.

A dairy farmer can milk his cows in the morning, attend the board meeting, and then come home and milk the cows in the evening—or he can get his wife and children to look after them. The cane grower can do much the same. He can do some scaring at the beginning of the week, go to the meeting on Thursday and come home to the farm on Friday. Men in the fishing industry cannot do that. If a man wants to achieve anything in the fishing industry, he must be able to go out when the weather is right. He must be out there working at it.

Mr Scassola: It is hard going, isn't it?

Mr BURNS: On my father's side of the family, I had a lot of relatives in this industry. Most of them are now old and retired and are no longer fishing. They worked long hours under hard conditions. They were not the type of people who would attend meetings. I do not think that good, hard-working fishermen will ever attend meetings when they can be out fishing.

Mr Blake: The weather does not permit it.

Mr BURNS: That is part of the problem. A fisherman has to fish when the weather is right. He cannot afford the luxury of attending a meeting in Brisbane or Townsville at that time.

The battlers who have been forced out of the industry should be told, "From May this year you can apply again." Attrition will then force many of them out. They will not be able to afford to engage in the industry. The cost of fuel, boats and gear will force them out, but we should give them a go. Now that the Government is getting rid of processing, the market prices will force them out.

No-one can justify the prices paid to the ordinary fisherman who receives 30c a kilo for his fish which is later sold for \$2 to \$3 a kilo. No-one can tell him that he is getting a fair go, when the Government is negotiating with the Japanese and saying, "You buy more of our beef and we will let you exploit a little more of our 200-mile limit." The fishermen cannot be told that they are getting a fair go, when the free trade agreement between New Zealand and Australia is being opened up all the time and the orange roughies caught by Russian trawlers are being dumped here and putting Queensland fishermen out of business. All the fishermen in Queensland believe that they are getting a raw deal, and that someone should be speaking for them. All the little fishermen must get a fair go.

What is wrong with conducting a ballot to select the people who represent them? What is wrong with saying to the fishermen, "Select your representatives." I am not in favour of giving the president of the QCFO the amount of money that he is getting—and that is probably the only fight I have with him. I do not agree that that amount of money should be coming out of that which is paid by fishermen into a compulsory organisation. I have been a unionist all my life. I know that union dues are not high enough to enable a union official to be paid \$50,000 a year. If about 2760 members are paying that sort of money to one official, that is far beyond what he is entitled to receive.

I want some stabilisation arrangements, but I do not know how the mullet industry can be stabilised without processing. When fishermen used to catch a tonne of mullet on a Friday and take it to the board, the board did not have the freezing or cold-room facilities to handle it, and it could not sell the catch. The fishermen were then in the hands of the wholesalers and retailers. When I hawked fish I used to pay a shilling a pound for it. The price dropped to eight pence and finally to a penny and twopence a pound. The hawkers used to squeeze the mullet to see whether they had roe or melts. They always bought fish with roe because they could sell them to the White Russians and other people who made a form of caviar from the roe, and they would sell the rest for virtually nothing. If the Fish Board does not move in and buy at a minimum price and guarantee that the price does not fall below that price, and if the Fish Board does not engage in processing, there will be no stabilisation in the industry. If the board does not do that, the mullet will be sold at the lowest price that somebody is prepared to pay.

The big retailer and the big wholesaler have large freezing rooms, and they will buy the mullet at dirt cheap prices. They will fillet it, pack it and store it for sale six months later when the mullet and tailor season is finished and only a few bream, whiting and flathead are coming in. If that is not done for the little mullet fisherman he will be squeezed out. If orange roughy is not taxed and forced off the market the retailer cannot be blamed for buying orange roughy. It makes a firm, "Rinso" white fillet; it is hard; it stands up to packing; it looks good and it tastes all right. The retailer wants a product that he can handle easily. He will take the fish caught by the Russians off New Zealand, and the mullet fishermen will go broke.

More time should be spent studying the Bill. I do not believe that the QCFO or anyone else can say that the fishermen have had a chance to look at it. For two years there have been arguments about the fate of the fishing industry and the fate of the

Fish Board. People should be given another week, a fortnight or three weeks so that they can take a leisurely look at the Bill, in particular at the licensing provisions and the provisions dealing with hawkers and retailers. People should be able to give a considered opinion, and there seems to be no reason why that cannot be done.

Mr SCASSOLA (Mt Gravatt) (4.28 p.m.): First, I take up the last point made by the honourable member for Lytton. It is a very important comment on the conduct of business in this Parliament. This is a very substantial and important Bill that deals with an industry. It is the type of Bill that ought to lie on the table to enable consultation with the people who are concerned with it, to enable discussion and to enable examination, as the honourable member for Lytton put it, in a leisurely way so that better legislation is the result.

Unfortunately, constant pressure is applied to get legislation through the House. That is not helpful. Far too often that type of pressure leads to legislation that requires subsequent amendment, often substantial amendment. Legislation, if it is to be good and if it is to stand the test of time, requires lengthy examination by honourable members and consultation between members and the people who are concerned with it.

This legislation was introduced on 4 March, some two weeks ago. It is an important piece of legislation that I would have thought required a considerable period for consultation and examination, given initially that members of this Assembly have a number of obligations, that this is not the only piece of legislation introduced in this House during this period, and that it is not the only matter that requires attention. For those reasons, it is unfortunate that legislation of this type is debated so soon after its introduction.

It may be that the Executive Government has had the legislation before it for a considerable time. But those of us in this Chamber who are not members of the Executive Government simply have not had it before us for a considerable time and there is a duty on the Government to allow legislation to be properly examined. After all, this is the place in which legislation is made; this is the place in which laws are passed that affect the rights and duties of people. In those circumstances, we have a duty to ensure that the law that is passed is good law, that it has been properly examined and that it has properly filtered through this place so that it will stand the test of time.

I recognise the importance of the fishing industry in Queensland. It is an important industry in which a great many people are involved and which affects the community generally. One member said, in effect, that if a particular group in the community wants or seeks legislation, that is a sufficient ground for this House to pass it. I question that argument. This Parliament is established to pass laws that are in the interests of the community as a whole, not in the interests of a particular group in the community. It may well be that the interests of a particular group in the community and the interests of the community as a whole are one and the same; but that is not necessarily the case, and that is why members should have the opportunity of examining legislation and bringing to bear upon it their several experiences, expertise and knowledge so that ultimately the legislation passed is in the interests of the community as a whole.

I do not claim to have had sufficient time to examine this legislation in great particularity—indeed, I have had the opportunity of examining it only very broadly, if I may use that expression; I would have liked, and would still like, the opportunity of looking at it much more closely—but I am seriously disturbed by it.

There may be a case for establishing an authority to control the resource of fish, and that argument requires close examination. After all, the fish resource is a finite resource and has to be harvested intelligently. There needs to be some community input into the harvesting process to ensure that the resource is ongoing, so that fish can breed to ensure that we will continue to have fish to harvest. If the legislation was such that that was its sole purpose I could understand the argument; but it seems to me that this legislation goes much further than that. It seeks to control every single facet of the industry. Anyone concerned with the harvesting, marketing, selling, processing or cleaning of fish—anyone in the industry, anyone who has anything to do with fish—has controls imposed on him by this legislation.

In my view, this Bill cuts across some very important principles. It affects some very important principles of private enterprise and competition. The basic essential of private

enterprise or free competition is that a person should be free to ply his trade or carry on his business unhindered by Government interference. The control of the resource is a public interest and, as I have said, it is a matter that requires consideration.

It is a classic case of the control of the means of production, distribution and exchange. One need only go to the definitions to see just how broad this legislation is. The definition of "fish" is very wide indeed. It includes freshwater and salt-water fish, prawns, crayfish, lobsters and canned fish. Why in the name of heaven should canned fish be included in such a definition?

Then I look at the definition of "processor" and "treat", because they are related to one another. According to the definition, to "treat" fish includes cleaning, filleting, salting, refrigerating, shelling, peeling, deveining, crumbing, smoking, sorting, processing and packing—every imaginable thing that one could do with fish. It seems to me that that definition will affect everyone, from the person who catches fish through to the person who sells fish over the counter at the corner store. That definition has to be read with the definition of "processor", which relates to a person who treats fish, and I shall return to that definition in a moment.

Everyone who harvests, treats or processes fish is required to be licensed under this legislation. The licence is not given on the basis of criteria; there are no criteria in the legislation. The authority has an almost unfettered discretion as to whether a licence will be granted. The authority does not have to advance to any applicant any reason for the rejection of an application for a licence. So there is an almost unfettered discretion in the granting of licences.

The definition of "processor" is uncertain because it can be varied at any time by Order in Council. If Parliament approves this Bill, it will be giving to the Executive Government the power to alter an important definition in the Bill that affects the operation of the Bill in terms of licensing, and otherwise. They are important matters. A definition should be set, and it should be contained in the Bill alone. The definition of "processor" to which I have referred enables selectivity to be introduced as to who might be affected by it.

The legislation flies in the face of the basic principle of free enterprise. Interference should only be contemplated to ensure continuation of the competitive market. Control should not be introduced for the sake of control or to stifle competition. I would like to hear from the Minister just what the purposes of the Bill are.

The controls in the Bill go a long, long way. Under it, the fishermen processors, fishermen's assistants and others have no right of registration. No criteria are prescribed and there is almost an unlimited discretion in the hands of the authority to refuse or grant a licence. It can refuse a licence if any prescribed condition precedent to the issue of the licence has not been complied with. That is an extremely wide discretion to place in the hands of the authority.

The Bill provides that a fisherman is required to hold three licences. He is obliged to have a master fisherman's licence and, in my view, because he falls within the definition of a person who treats fish, he requires a processor's licence. A fisherman who catches fish would be expected to clean or scale fish, to refrigerate it, and even crumb it, before selling it. In my view he treats fish and is therefore obliged to have a processor's licence. He will also be obliged to hold a special licence to transport fish. In those circumstances the Bill goes too far.

Under clause 27, functions of the authority, the powers of the authority are very broad indeed. They include the power to supervise and control the method, extent and the conditions of production, harvesting, treatment, supply, delivery, storage, grading, preservation, distribution, transportation and sale of fish for use in the State or elsewhere. So the authority has the power to control almost every conceivable step in the production and treatment of fish. As I said, it can control the sale of fish and I question whether that does not include the imposition of price control, as that would seem to come within the concept of the control of the sale of fish. It is a very broad power which permeates the whole fabric of the industry.

If one looks at the powers of inspectors, one sees that they are extraordinarily broad. They are set out in clause 37. Their powers include the power to search any premises in which an inspector reasonably suspects fish to be sold or kept for sale. Certainly

there is a provision that an inspector is required to have a warrant to enter a dwelling-house. However, the Bill excludes areas surrounding a dwelling-house. The yard or the curtilage of a dwelling-house is specifically excluded.

That brings me to another point. Matters of this sort have been raised in the House time and time again, ad nauseam, and time and time again pieces of legislation with the same provisions are brought forward by the Government in the hope that they will get through. I suggest that members of the House are beginning to examine provisions of this sort intensely. Bearing in mind the number of times that such provisions have been objected to, I suggest that it is improper that we continue to find them in legislation. They unnecessarily take up the time of the House, and they should be eliminated. It is well known that members take strong exception to such provisions, and notice ought to be taken of that.

Let me look further at the powers of inspectors granted under the Bill. There is a power to require a person to answer questions that an inspector might put to him. He is bound to answer the questions; he does not have an option. The normal right that applies to a citizen not to answer a question that is likely to incriminate him is cast out the window by this Bill. A person is obliged to give his name and address; not only that but he is also obliged to give evidence of the correctness of it. A similar provision was taken out of a Bill just a few days ago; yet today we see such a measure again before the House.

Under the terms of the Bill a person is required to produce books of account to an inspector. Turning to another provision under the powers of inspectors, I find that a purchaser of fish is obliged to tell an inspector the name and address of the person from whom he purchased it. However, worse still is a provision enabling an inspector to seize a vessel on mere suspicion. He does not have to establish evidence, he does not have to prove a case before a tribunal or court; he merely has to have a suspicion that an offence has been committed and he simply takes or detains—for an unlimited length of time, I might add—that vessel, thereby putting the fisherman out of business. If a fisherman does not have his boat for any length of time, he is out of business.

That is the type of power included in the legislation, which is supposed to be helping people. The Bill contains a number of other provisions to which I raise objection, and I shall refer to a couple of them very briefly, because I regard them to be all-important.

A provision enables an inspector, on suspicion, to seize fish. In accordance with clause 37, the inspector can sell the fish. The funds are retained for a period of 12 months. If the person entitled to them does not take the trouble to make an application for payment out of those funds to him, he loses them. They go into the funds of the authority and he loses them. As I read the provision, he has no further entitlement to them. He is a person who can be deprived of his property on mere suspicion, with no prosecution being brought against him. There is no obligation on an inspector, under the Bill, to bring a prosecution once he has seized property. He can dispose of the property. If the person from whom the property is taken does not take the trouble to make an application for the payment to him of the money, he loses it. That is hardly a provision that one ought to have in this legislation.

Clause 57 deals with appeals to the Appeals Tribunal. The grounds of the appeal are quite narrow. We must keep in mind that the discretion given to the authority for the granting of licences in many instances is very wide indeed; it is almost unfettered. Despite the grounds contained in the Bill, a person who seeks to challenge that discretion will be unlikely to get past first base. Time does not permit me to go into those grounds in more detail. However, that clause requires substantial revision, as does the provision that gives an almost unlimited discretion to the authority.

I refer finally to the provision that gives power to the Governor in Council to make regulations. This is another provision that requires very careful consideration. It is an extremely broad provision that runs into three or four pages. The matters that can be the subject of regulation are very broad. We do not find in the Bill any provision relating to eligibility for the granting of any licence, but we find a paragraph tucked away under the regulation-making powers. If it is good enough to have a provision

like that in regulations, it is good enough to have it in the prime legislation. That is where it ought to be, if indeed there ought to be a licensing provision. Time does not permit me to go into the matters any more deeply at the moment.

Mr PRENTICE (Toowong) (4.53 p.m.): I note that in the Minister's second-reading speech he said—

“As honourable members will be aware, the fishing industry in Queensland, indeed the industry throughout Australia, has been experiencing a difficult time.”

The legislation before the House is similar to other legislation that has been introduced in this and other Parliaments when industries have been facing hard times. There is an old adage in the law that hard cases make bad law. It refers to those exceptional circumstances when a judge or a court, swayed by the emotions of the moment or the desperate plight of particular people, may seek to do something about a matter by bending the law a little. The fishing industry is one of those hard cases.

I do not suggest that everything in the garden is rosy. I say that when a Government is legislating in an area like this, it must give consideration not just to a band-aid solution but to all the options. Above all, a Government should be prepared to look to its own principles. The temptation leads to an approach that the problem will be fixed no matter what the cost. The cost that I am concerned about is not just a cost of principle, not just a cost to Government and a cost to the people of Queensland in terms of the administration of the body that is proposed, but the cost to the industry itself.

I will not go into the legislation in detail. The member for Mt Gravatt has covered it very well. An examination of the legislation reveals that it has a wide ambit. It is all encompassing in its regulations and the interference that it will bring to the fishing industry. I suggest that the cost may well be much more than people think. It may well have an effect on the industry that none of us want.

I wonder how many fishermen in Queensland are aware of the proposals that are before us today. How many of them are aware of the number of licences involved—a processor's licence, a commercial buyer's licence, a restricted buyer's licence, a master fisherman's licence, a community fisherman's licence and an assistant fisherman's licence? What sort of approach is that by a supposedly free-enterprise Government? What will all of those licences mean to the person who has to go out in his boat and catch the fish and has to apply for a licence, fill in forms and so on? All of those things, in my view, will interfere with the industry. I have grave doubts about their benefits.

I am concerned because, when the industry is in a crisis, rather than overcoming the problem by fair means we are removing the competition, tying up the industry and making it hard for those who want to succeed. That closed-shop approach is not palatable. In many ways, the overall approach is unacceptable, and it should be unacceptable to all Government members. On occasions there is room for orderly marketing, but this legislation virtually covers from before a man steps onto his boat until well after he has left it. That is not in the best interests of Queensland or the industry.

As a member of Parliament I would like to know what the industry wants. Today I received a letter from the QCFO that, basically, urges support for the legislation. On the other hand, I heard the member for Isis cast doubts on how representative a body that organisation is. I am in no position to judge that, but what other members have said causes me concern. Their comments should be investigated. Does the average fisherman want to be hidebound by regulation and controlled by all the rules covering licences? As the honourable member for Mt Gravatt pointed out, many provisions have been tossed out of other Bills. I refer to matters such as the power of search and the requirement of proof of names and addresses. Matters such as those should not be in legislation brought before us.

We should reconsider what we are doing. Now that the Minister has given us an opportunity, each of us should go to the industry, seek information and look for a proposal that is acceptable to the industry in line with private enterprise in Queensland. I urge all members to adopt that course.

Debate, on motion of Mr Wharton, adjourned.

NOISE ABATEMENT ACT AMENDMENT BILL

Committee

Mr Akers (Pine Rivers) in the chair; Hon. W. D. Hewitt (Greenslopes—Minister for Environment, Valuation and Administrative Services) in charge of the Bill.

Clause 1—Short title and citation—

Mr HEWITT (5 p.m.): I move the following amendments—

“At page 2, line 5, omit the expression—

‘1981’

and substitute the expression—

‘1982’ ”;

“At page 2, line 9, omit the expression—

‘1981’

and substitute the expression—

‘1982.’ ”

These amendments are merely to bring the Bill completely up to date as it is being passed in the calendar year 1982 and obviously not 1981.

Amendments (Mr Hewitt) agreed to.

Clause 1, as amended, agreed to.

Clause 2, as read, agreed to.

Clause 3—Amendment of s. 3; Arrangement of Act—

Mr HEWITT (5.1 p.m.): I move the following amendment—

“At page 2, omit all the words comprising lines 15 to 26 and substitute as clause 3 the following clause—

‘3. Amendment of s. 3. Arrangement of Act. Section 3 of the Principal Act is amended by—

(a) inserting after the expression “Division 3—Noise Abatement Orders (ss. 16-18A);” the expression “Division 3A—Temporary Noise Abatement Orders (s. 18B);”;

(b) omitting the expression “26” and substituting the expression “26A”;

(c) inserting after the word “Residential” the words “or Commercial”;

(d) omitting the expression “40” and substituting the expression “40A”;

(e) omitting the expression “(s. 41);” and substituting the following expression:—

“(s. 41);

Part VA—Audible Alarm Systems (s. 41A);”.’ ”

Clause 3 deals with the arrangement of the Act and, obviously, if amendments disturb the arrangements, the arrangements themselves have to be amended. This is a machinery amendment which takes those matters into account.

Amendment (Mr Hewitt) agreed to.

Clause 3, as amended, agreed to.

Clause 4, as read, agreed to.

Clause 5—Amendment of s. 6; Interpretation—

Mr HEWITT (5.3 p.m.): I move the following amendments—

“At page 3, omit all the words comprising lines 20 to 22 and substitute the following words—

‘(d) in the definition “licence” omitting the words “whether it is an original or a renewed licence” and substituting the words “but does not include a temporary licence issued under section 26A” ’ ”;

“At page 3, after line 30, insert the following words—

‘(fa) inserting after the definition “noise” the following definition:—

“‘noise abatement order’ means a noise abatement order issued by the Authority pursuant to section 16

(fb) omitting the definition “order”.’ ”

These amendments are required to clearly differentiate between a licence and a temporary licence, and to clearly differentiate between a noise abatement order and a temporary noise abatement order.

Amendments (Mr Hewitt) agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 10, as read, agreed to.

Insertion of new clause—

Mr HEWITT (5.6 p.m.): I move the following amendment—

“At page 4, insert the following new clause to follow clause 10—

‘10A. New Div. 3A. The Principal Act is amended by inserting after section 18A the following Division:—

“Division 3A—Temporary Noise Abatement Order

18B. Temporary noise abatement order. (1) Where the Minister, acting on the advice of the Director, is of opinion that a noise investigated under section 10 is an excessive noise and there is no good reason that the noise should not be abated forthwith he may issue a temporary noise abatement order requiring the person to whom it is directed to abate the excessive noise referred to therein in the manner indicated therein.

(2) A temporary noise abatement order shall be in the prescribed form and shall be served on the occupier of the premises from which the noise is emitted.

(3) The Minister, acting on the advice of the Director, may at any time revoke a temporary noise abatement order.

(4) A temporary abatement order shall remain in force—

(a) until a noise abatement order is served on the occupier of the premises concerned;

(b) for a period of 7 days from the issuing of the temporary noise abatement order; or

(c) until it is revoked,

whichever is the first to occur.

(5) A person on whom a temporary noise abatement order is served shall take all steps necessary to comply with the order with a view to the abatement of excessive noise referred to in the order.

(6) For as long as a temporary noise abatement order continues in force, in respect of premises the occupier of those premises shall not cause or suffer noise to be emitted from those premises save in conformity with the order.” ”

This is the main thrust of the amendments that I have proposed and, in fact, is probably the only one that invites any debate or comment at all.

The amendment is to cover urgent situations where noise needs to be abated immediately. The Act presently enables an immediate order to be issued by the Noise Abatement Authority. However, experience has indicated that the effectiveness of an immediate order is diminished by the requirement that the order must be sanctioned by the authority because considerable delays may occur in obtaining a quorum. It is desirable that this problem be overcome by having the Minister, on the advice of the director, issue a temporary abatement order to be in force for a maximum period of seven days. This provision would provide protection to the public immediately while giving the authority time to convene and consider issuing an order under section 16 (1) (a) of the Act. The proposed amendment also makes the conditions under which orders may be issued compatible with the provisions of the temporary licences. This action may be instigated immediately by the Minister or the chairman respectively. Any such action is required to be ratified by the full authority within a defined period.

Mr MACKENROTH: First, I thank the Minister for the opportunity of reading the proposed amendments. Too often Ministers circulate amendments while the clauses are being discussed, and members are then expected to read them and make a decision. But the Minister showed me the proposed amendments on Tuesday and his departmental officers briefed me on them.

As the Minister said, this is the only amendment that is really of any consequence. I have had a close look at it, as have other Opposition members, and the Opposition agrees with the provision for a temporary noise abatement order. If it will help to abate noise and do so quickly, it will be a very good measure. We have no opposition to the amendment.

Mr LEE: I congratulate the Minister on moving this amendment, which I think is very necessary. If an industry is making a noise or there is a noisy house party going on till the early hours of the morning and disturbing the peace—

Mr Davis interjected.

Mr LEE: The honourable member disturbs the peace every time he opens his mouth. It is right that there should be power to stop noise immediately—

Mr Mackenroth: Out at Yeronga after Prince Ruling wins.

Mr LEE: He does not win often enough, that is the trouble. As I said, I congratulate the Minister for introducing the amendment, because I believe that it is well worth while. I am happy to support it.

Amendment (Mr Hewitt) agreed to.

New clause 10A, as read, agreed to.

Clause 11, as read, agreed to.

Insertion of new clause—

Mr HEWITT (5.11 p.m.): I move the following amendment—

“At page 5, insert the following new clause to follow clause 11:—

‘11A. Amendment of s. 21. Section 21 of the Principal Act is amended by—

(a) in the note appearing in and at the commencement of that section, omitting the words “and renewal”; and

(b) omitting subsections (1) and (2) and substituting the following subsections:—

“(1) A licence shall be in force for the period specified therein or where no period is so specified until it is revoked by the Authority.

(2) A licence in force immediately prior to the commencement of the Noise Abatement Act Amendment Act 1982 shall continue in force until it is revoked by the Authority.” ’ ”

The proposed amendment removes all reference to renewed licences and makes provision for all licences to be in force for a specified period or until revoked by the authority. This brings the duration of noise abatement licences into line with that of the noise abatement orders.

Amendment (Mr Hewitt) agreed to.

New clause 11A, as read, agreed to.

Clause 12—Repeal of and new s. 25; No fee payable—

Mr HEWITT (5.12 p.m.): I move the following amendment—

“At page 5, omit all the words comprising lines 7 to 13 and substitute as clause 12 the following clause—

‘12. Repeal of and new s. 25. The Principal Act is amended by repealing section 25 and substituting the following section:—

“25. No fee payable. A fee shall not be charged for—

(a) the issuing of a licence or temporary licence to any person; or

(b) the granting of an exemption to any person in respect of a licence.” ’ ”

That amendment removes the reference to renewal of a licence.

Amendment (Mr Hewitt) agreed to.

Clause 12, as amended, agreed to.

Clause 13—New s. 26A; Temporary licences—

Mr MACKENROTH (5.13 p.m.): In my speech during the second-reading debate I indicated that I wished to speak on two clauses at the Committee stage, and this is one of them.

This clause seeks to insert a new provision in the Act to provide for temporary licences. Under the 1978 Act, industry was given three years within which to comply with the Act. That period expired at the end of 1981. Now the Government is providing for temporary licences. This provision will enable an industry to continue to pollute the air with noise under a temporary licence. Instead of the Noise Abatement Authority placing on an industry that is polluting the air an order to abate the noise, it will give the industry a temporary licence to continue the noise pollution. I ask the Minister to inform me why he sees the need to have temporary licences.

Mr DAVIS: Many amendments have been made to the original Act. Because householders will be affected more than anybody else by this legislation, I ask the Minister to indicate to the Committee whether he is prepared to print a brochure on the legislation so that people will know their rights under it.

Mr HEWITT: That temporary licence is further guarded against because under the provisions of the Bill it ceases to have application at the expiration of 60 days. But there could be emergent situations, admittedly rarely, in which it is necessary to give a temporary licence to allow for the making of an unacceptable noise for a short period. Furthermore, there may be reasons why an industry has not been able in the short term to comply, and, on the clear understanding that it will comply within the period of 60 days, the temporary licence would be granted. I imagine that such situations will be very rare indeed, but it is a power that the authority should have.

Mr MACKENROTH: I understand the Minister's answer but I find it a bit strange. If an industry is creating undue noise why does it need a temporary licence? The only action that can be taken against it is action by the Noise Abatement Authority. It would be up to the authority to issue that industry with an order to abate the noise. The Minister is saying that it may be necessary to give that industry a temporary licence so that no action is taken against it. I find it strange and I cannot see a necessity for temporary licences other than to enable industry to continue to cause noise pollution.

The new amendment does not provide that the industry cannot be issued with a second temporary licence at the expiration of 60 days. I realise that that period is provided for, but the Bill does not provide for only one temporary licence. It would be possible for the chairman of the authority to continue to grant temporary licences for a long time.

Mr HEWITT: That is not the spirit of the Bill. If the conditions had not been complied with within 60 days, the temporary licence would be withdrawn. It certainly would not be extended.

Clause 13, as read, agreed to.

Insertion of new clause—

Mr HEWITT (5.17 p.m.): I move the following amendment—

“At page 6, insert the following new clause to follow clause 13:—

‘13A. Amendment of s. 27. Section 27 of the Principal Act is amended by in paragraph (c) of subsection (1) omitting the words “for renewal of a licence, or”.’”

The amendment also removes the reference to renewal of a licence.

Amendment (Mr Hewitt) agreed to.

New clause 13A, as read, agreed to.

Clauses 14 to 22, as read, agreed to.

Clause 23—New ss. 51A and 51B—

Mr MACKENROTH (5.18 p.m.): In the second-reading debate I pointed out the Opposition's fear of this clause, which gives the Governor in Council power to rescind decisions of the authority. In his reply the Minister stated that there was a necessity for the Government to have supreme rights over any authority that it sets up. As one who has always espoused the principles of the Westminster system of Parliament, I suggest to the Minister that, if he considers that there is a necessity to have some power over the Noise Abatement Authority, that power should rest with the Parliament.

Over many years before the Minister was elevated to Cabinet, he espoused the theory that the Parliament was the supreme body that rules over the people of Queensland. If that is the case, the Parliament, not the Governor in Council, should have the power to rescind decisions. If the Parliament considers that the Noise Abatement Authority is making a bad decision, or if a decision that has been made needs to be changed, that decision should be debated by the Parliament, which would then decide whether or not to rescind it.

We all remember—and I mentioned this during the debate on the second reading—the decision of the Queensland Cabinet in 1972 to allow the Greenvale nickel plant to continue to pollute the air. A similar decision could be made under this provision. As I said at the second-reading stage, I am fearful that supporters of the Queensland Government will be able to persuade Cabinet Ministers and the Cabinet as a whole to rescind decisions of the authority. If a supporter of the Government owns a factory in a residential area and, as a result of complaints from people in the area, the Noise Abatement Authority finds that there is a real noise problem and issues an order not to operate after 8 p.m.—the plant may have been operating 24 hours a day—under this provision the Queensland Cabinet could rescind the decision.

We all know how the Queensland Cabinet makes its decisions. Basically, its decisions are made by one person. That is what I am fearful of. We should not have in legislation provisions allowing Cabinet to rescind decisions of authorities set up by this Parliament. It is not the Government of Queensland that is setting up authorities; it is the Parliament. There is absolutely no provision in the Bill for any decision that is rescinded to be brought back before the Parliament for debate on whether it is a good decision or a bad one. There is no provision in the Bill for the Governor in Council or the Minister to report to the Parliament that Cabinet has rescinded a decision of the Noise Abatement Authority. It is that point that I am totally opposed to.

Mr HEWITT: The honourable member reminds me of the many utterances I have made in the Parliament about the status and workings of the Parliament. I resile from none of those. I will live long enough to see this place healthily reformed.

The argument about the clause really is a philosophical one. It is a matter of whether a Government does have the right to intrude upon a decision of an authority. That is a decision that political parties have to make, and they have to stand by them. In many of the statutes passed by them, Labor Governments reserved unto themselves, quite properly, the right to override authorities. On this occasion the Government takes unto itself that right, that is, the power of the Governor in Council to rescind decisions of the authority.

An Order in Council is not something passed surreptitiously, in the dead of night. It is something that is soon known to the world. If the Governor in Council chooses to intrude upon the decision-making processes of the authority, it does so in the knowledge that everyone, particularly the affected parties, will know about it, and the right will be reserved unto them to make such noises as they want to.

I pointed out in the second-reading debate, and I do so again, the simple fact that while it reserves unto the Governor in Council the right to rescind any order, it also reserves the right to rescind any licence. If we rescinded an order, certainly we would be acting to someone's benefit. However, if we rescinded a licence we would be saying that that person could not go on stream at all; that he is shut down. So there are great powers that one can exert to the advantage of a person in industry or commerce and conversely, to his great disadvantage. I suggest that that intrusion would be exercised reluctantly and only in the light of such evidence as suggested that it should be exercised. The provision allows

the authority to conduct itself with complete autonomy and complete integrity, knowing that it will make the decisions on the merits, without political intrusion at that level. If the Governor in Council chooses to intrude, he will do so with the world knowing it.

There is a leader of a minority party in Canberra who changes his mind the way the winds change direction.

Mr Lee: You mean Chipp, do you?

Mr HEWITT: Yes, I do.

Mr Casey: Do you think they will change their mind on Supply too?

Mr HEWITT: Possibly; who would know? I think they change their minds with greater frequency than they change their shirts.

Mr Casey: They have made plenty of errors in judgment, haven't they?

Mr HEWITT: If members want to protract the proceedings by telling everyone precisely what they think about the Australian Democrats, be my guest; let us stay here a long time. I said that they change their minds the way the wind changes direction. I then added that they change their minds as often as they change their shirts.

Mr Lee: More than that—they don't change their shirts too often.

Mr HEWITT: We must be factual about such matters. Their leader said that the party was in the business of "keeping the bastards honest" They are his words, not mine. Whilst I am reluctant to describe myself or my Cabinet colleagues as people who might have been born out of wedlock, the clause will "keep the bastards honest". If we are to intrude, we will intrude by way of Order in Council, not by surreptitiously bringing political pressure to bear on the chairman of the authority.

Mr MACKENROTH: I appreciate the Minister's comments. However, I still remain opposed to this particular clause. One needs only to look at the Government's record on conservation and pollution to decide whether it would rescind a decision of the Noise Abatement Authority on licences. The Opposition is complaining about the fact that nothing is being done about noise problems in Queensland. I could not see the Queensland Cabinet doing more than is being done by the Noise Abatement Authority. It would like to do a lot more about the noise problems in Queensland but it is being shackled by the antiquated politicians on the Government side.

Mr Lee: That is unfair.

Mr MACKENROTH: I thought very carefully before I said that. In that statement I included all Government members. Anyone who examines the Government's record on conservation and pollution would have to agree with me that any decision of the Noise Abatement Authority that was rescinded would be rescinded in favour of the people who pollute.

Mr Lee: Would you like a decision to close an industry and put hundreds of people out of work?

Mr MACKENROTH: The honourable member for Yeronga has raised a point. In 1978, when the Bill was introduced, people were given three years in which to comply with the Act. If they have not taken an opportunity to do something about their noise pollution during that period, why should they be protected now? They have enough representatives on the Noise Abatement Authority. Industry should be well aware of the provisions in the Act. People who have complaints about noise problems would have already made their complaints to the Noise Abatement Authority. It would have made those people aware of the obligations.

New problems will arise. If somebody builds a new factory, it will have to meet the requirements of the local authority. Councils are required to forward to the Noise Abatement Authority plans of proposed buildings. That is a very dangerous matter to put in the hands of the Cabinet.

Mr HEWITT: The argument is very basically a philosophical one. I would be very surprised if a Labor Government would resile from the proposition that the Governor in Council should have an overriding right to rescind decisions made by a statutory authority.

Question—That clause 23, as read, stand part of the Bill—put; and the Committee divided—

Ayes, 43

Ahern	Hewitt	Powell
Austin	Innes	Prentice
Bertoni	Jennings	Scassola
Booth	Kaus	Simpson
Borbidge	Kyburz	Stephan
Doumany	Lane	Sullivan
Edwards	Lee	Warner
FitzGerald	Lester	Wharton
Frawley	Lickiss	White
Gibbs, I. J.	Lockwood	
Glasson	McKechnie	
Goleby	Menzel	
Greenwood	Miller	<i>Tellers:</i>
Gunn	Moore	
Harper	Muntz	Gygar
Hartwig	Nelson	Neal

Noes, 14

Blake	Hooper	
Burns	Kruger	
Casey	Mackenroth	<i>Tellers:</i>
D'Arcy	McLean	
Davis	Milliner	Shaw
Gibbs, R. J.	Underwood	Vaughan

Resolved in the affirmative.

Mr POWELL: I rise on a question of privilege.

The TEMPORARY CHAIRMAN (Mr Akers): Order! A question of privilege must be raised in the House, not in Committee. The honourable member may take a point of order and explain the matter.

Mr POWELL: I rise to a point of order. An honourable member was holding open the door to a lift on Level 5, stopping that lift from proceeding to the upper floors of the tower block for the use of members when the division bells were ringing. I draw this matter to the attention of the Committee because it is a most important matter.

The TEMPORARY CHAIRMAN: Order! I suggest that the honourable member bring that matter to the attention of the House.

Mr R. J. GIBBS: I rise to a point of order.

The TEMPORARY CHAIRMAN: Order! The honourable member is not wearing a coat. He will withdraw from the Chamber.

Whereupon the honourable member for Wolston withdrew from the Chamber.

Clauses 24 and 25, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

The House adjourned at 5.40 p.m.