

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**WEDNESDAY, 24 MARCH 1982**

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

**PAPER**

The following paper was laid on the table:—  
Report of the Queensland Canegrowers for 1982.

**MINISTERIAL STATEMENTS****Electricity Tariffs**

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy) (11.2 a.m.): We have seen some extraordinary statements on electricity in the past few days. They have all come from the ALP in Queensland and obviously have been part of a calculated campaign of fear directed at the people of Brisbane.

Among many other wild and misleading statements, we heard the State secretary of the ALP, Mr Beattie, claiming last week that Queenslanders were heading towards the same sort of power crisis that has occurred in New South Wales. Generally, Mr Beattie's claims can be described as nothing short of total fabrication. If he is innocent enough to believe most of what he says publicly on electricity, then his ability to make important judgements is highly questionable.

Yesterday we heard more scaremongering by the Labor vice-mayor, Alderman Harvey, claiming that Brisbane's electricity tariffs were soon to rise by about 50 per cent. I can assure the House that he is wrong. I think it should be clear to anyone that there was more than just a hint of electioneering in his statement, when one considers that his forecast is roughly double that made by the ALP spokesman on energy, the honourable member for Nudgee, in this House only a matter of days ago.

Then again it is not surprising to have public disagreement within the ALP in Queensland, despite the grand public display of so-called unity in the pre-election climate of the past few weeks.

I repeat what I have already said publicly. There will be a rise in electricity tariffs towards the middle of the year, and it will have to reflect the inflation rate as well as other costs. However, I also repeat that a decision on how much the rise will be is still to be made, and any speculation about it is premature.

I suppose we could adopt the alternative way out and keep electricity tariffs at about their present level. Australia does have the cheapest electricity in the world. However, I hardly think Queenslanders would want their Government to follow the style of the Wran Government in New South Wales. The so-called "Premier State" is perhaps now better referred to as "a State of crisis" and it has all occurred at the hands of the ALP and an ALP Government headed by none other than the party's federal president.

The result of ALP Government's handling of the power industry in New South Wales is that ordinary men and women are now being denied such basic rights as a day's work to earn a day's pay. Queensland could adopt Wran's style and persist with little or no increases in electricity tariffs for a few years and a couple of elections, but our Government is responsible in management.

The chickens are coming home to roost in New South Wales now, where electricity charges have already risen by 25 per cent, and where, according to Press reports yesterday, another 25 per cent increase is just around the corner.

In his public statements yesterday, Brisbane's vice-mayor apparently claimed he was using "reliable information" to make his forecasts of nearly 50 per cent increases in electricity tariffs. If that is so, it reflects a rather sad lack of integrity and responsibility in a man whom the ALP is promoting as the next mayor of Brisbane.

Alderman Harvey is party to privileged information through his membership of the board of the Queensland Electricity Generating Board and also through SEQEB. He has made it clear that he is prepared to use such information and to break such confidences for the sake of cheap political gain. It is a pity for the ALP that he cannot do his sums a little better.

All I can say is that if Alderman Harvey's calculations are based, as he claims, on reliable figures, then the people of Brisbane can consider themselves fortunate that the present ALP city council is not still in control of their electricity.

#### Salmon Recall

Hon. B. D. AUSTIN (Wavell—Minister for Health) (11.7 a.m.): I draw attention to the recent recall from the market of all brands of salmon packed in canneries in the United States of America, including Alaska. This recall was made at the instigation of the Commonwealth Department of Health, upon the advice of the Food and Drug Administration of the United States of America following advice of possible botulism caused by eating salmon in faulty 220-gram cans. At no time has the recall covered salmon packed in Canada or any other country.

Advice has now been received from the Commonwealth Department of Health that the following brands of salmon canned in tested canneries in the United States, including Alaska, have now been cleared as safe for public release in Queensland:—

Captain	Ally Pink
Clover Leaf	Socra
Delmonte	Lunchtime
Lily	Red Sockeye Salmon
Paramount	Neptunes Choice
Sea Kist Red	Grenadier.

The United States Food and Drug Administration has further advised that 220-gram cans of salmon from Alaska produced at the Chugach Cannery, bearing the codes R003, P003, C003, M003, K003, R013, P013, C013, M013 or K013 stamped in the top line of the two-line code are suspect and must not be released for sale.

Also, 220-gram cans of salmon produced by Diamond E Fisheries in Alaska must not be released for sale if they bear the following four positions in the five-position top line of the code on the can—R (Diamond Symbol) OG, C (Diamond Symbol) OG, P (Diamond Symbol) OG, K (Diamond Symbol) OG, M (Diamond Symbol) OG. The fifth position of this code is a number. It is considered that no brand bearing the above codes is available in Queensland.

I would again stress that no brand of salmon which indicates on the can that it has been packed in Canada or any country other than the United States of America is involved.

In relation to this recall, I point out that I have to accuse my Federal Health colleagues of gross irresponsibility. The power to recall products in any State lies with the State's Director-General of Health. In this instance, a statement was published by the Federal Health Department ordering the recall of those products. My department was not kept fully informed.

The reason that I have had to make this statement today is that there are many brands of salmon on the market and, because information has not been forthcoming to the public from Federal Health authorities, people in the market-place are at a loss to know which brand of salmon to buy.

As I said before, the power of recall lies in this State with my Director-General. I would suggest that if in future the Commonwealth authorities wish to recall any product, they should immediately contact my Director-General, who will, in turn, make a public statement, or I will make a public statement. There should not be a repetition of the ruckus that occurred over this matter.

#### PETITIONS

The Clerk announced the receipt of the following petitions:—

##### Penalties for Cruelty to Animals

From Mr Burns (130 signatories) praying that the Parliament of Queensland will increase penalties for cruelty to animals.

##### State Service Superannuation Scheme

From Mr Glasson (13 signatories) praying that the Parliament of Queensland will remove all discrimination from the State Service Superannuation Scheme.

##### Funding for State Schools; Class Sizes

From Mr Glasson (11 signatories) praying that the Parliament of Queensland will restore education funding to the 1975-76 level of the Budget, employ sufficient teachers so that class sizes do not exceed the select committee recommendation, and provide sufficient funds for necessary school building and maintenance.

##### Information Office and Ombudsman for Disabled Persons

From Mrs Nelson (102 signatories) praying that the Parliament of Queensland will establish an office to co-ordinate information required by the disabled and provide an ombudsman to protect their interests and welfare.

Petitions received.

#### QUESTIONS UPON NOTICE

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

##### 1. Lease Conversions, Burdekin Irrigation Project

Mr Casey asked the Minister for Lands and Forestry—

With reference to the benefit from the Burdekin Irrigation Project—

(1) Were the following grazing farm leases converted to grazing homestead freehold leases on 1 January 1981, application having been made on 5 July 1979, with the application applying to the following properties at the stated valuations (a) GF 3155 comprising 1 817.578 ha in the name of C. A. and V. M. and L. H. Cox at \$70 ha (sub-total \$127,229), (b) GF 3158 comprising 610.57 ha in the name of V. H. Cox at \$50 ha (sub-total \$30,530), (c) GF 3159 comprising 206.289 ha in the name of V. H. Cox at \$70 ha (sub-total \$14,441), (d) GF 3160 comprising 2 327.221 ha in the name of V. H. Cox at \$65 ha (sub-total \$151,255) and (e) GF 3161 comprising 1 092.854 ha in the name of V. H. Cox at \$65 ha (sub-total \$71,045), giving a total cost of \$394,495?

(2) Is he aware that, as the current market price of this land which was to be resumed for the Burdekin scheme is approximately \$1,500 per hectare and with the sugar assignment such value would treble to \$4,500 per hectare, the 6 055 ha converted would be worth \$9,082,500 un-assigned or, with a sugar assignment, in the vicinity of \$30 million?

(3) Does he consider this either reasonable or in the interests of justice, given that the profits will be made because public funds will be used to construct the Burdekin Dam?

*Answer:—*

(1) The selections were converted at the valuations mentioned. The total of the valuations was \$394,504.07.

(2) The relevant date for valuation purposes was 9 March 1979 in respect of grazing farm no. 3155, and 5 July 1979 in respect of the balance of the selections. The law requires the valuation to be the value at the date of application. It does not permit the application of current market prices. The values applied in these cases were in line with the value of \$65 per hectare determined by the Land Court in 1980 for land of comparable quality and potential in the near locality. The current market price of this land unassigned or as assigned cane land therefore has no bearing on the price at which these selections could be converted to freehold.

Mr Casey: What a lot of rot, Bill!

Mr GLASSON: It has no bearing whatsoever. Obviously the Leader of the Opposition does not know the Land Act.

Mr Casey: Do you mean it has increased 25 times in 12 months?

Mr SPEAKER: Order!

Mr GLASSON: If the Leader of the Opposition will remain quiet, I will conclude the answer.

*Answer (contd):—*

(3) Anticipated increases in land values are not valid reasons to reject an application to convert. Increases in value consequent upon construction of the Burdekin Dam would have been enjoyed by the lessees of the subject selections regardless of whether the land was held as leasehold or freehold.

## 2. Diabetic Food Prices

Mrs Kyburz asked the Minister for Health—

(1) Is he aware of the total "rip-off" that occurs in the area of diabetic foods, particularly jams and sweets, some of which are 500 per cent greater in price than ordinary products which do contain sugar?

(2) Will he have the cost of diabetic products investigated by his department?

*Answer:—*

(1 & 2) The prices charged for these products do not come within the jurisdiction of my department and no power exists for my department to make any investigations into the prices of foods.

Analyses carried out by my department on some of the items with modified carbohydrates showed that sugar has been replaced by sorbitol, mannitol and glycerol, and they are labelled with specific statements in regard to carbohydrate contents of 100 grams of food and energy value in conformity with special dietary food standards as prescribed in the Food and Drug Regulations, 1977.

## 3. Housing Commission Houses Rented to Single-parent Families

Mrs Kyburz asked the Minister of Works and Housing—

What proportion of the total rental stock of the Queensland Housing Commission is rented to single-parent families as shown by the statistics held by his department on all those tenants in receipt of rebate rental?

*Answer:—*

This question touches on an important social issue. Computer data does not allow ready extraction of single-parent families paying full rent (i.e., not on rebate). These cases occur where the parent's income from wages and/or the income of working children prevent the granting of rebate. There would be some, although the numbers are probably not high.

Single-parent families on rebate with income derived predominantly from social security benefits of various types constitute 28.6 per cent of general purpose family housing tenancies. Rebates for this group are costing \$7.6m a year.

These figures tell only part of the story. The Brisbane family wait list at 28 February 1982, shows 54 per cent single-parent families. This figure varies at times to almost 60 per cent. With no distinction in allocations between single and two-parent families, new tenancies are being created in about the same proportions.

There is also family break-up in existing two-parent tenancies constituting a further source of single-parent tenants. These factors mean that the Commission is heading towards 60 per cent or more of its family housing being committed to single parents.

With the assistance of the university, the commission tried to cross-match its statistics with those of social security to build a profile of single parenthood and how long it lasts before another relationship is formed. At first glance, social security statistics seem to indicate that single parenthood lasts about four to five years. Despite a lot of work, the commission could not get any correlation and at this time questions any conclusions based on social security data.

#### 4. Upgrading of Railway Stations, Salisbury Electorate

Mrs Kyburz asked the Minister for Transport—

(1) Will he detail the works entailed in the upgrading of the railway stations in the Salisbury Electorate for the Commonwealth Games, with particular reference to Banoon and Altandi?

(2) What are the detailed costs of these works?

*Answer:—*

(1) All railway station buildings on the Kingston line, including those located in the electorate of Salisbury, are receiving general attention and are being repainted before the Commonwealth Games commence in September. Unfortunately, further repainting will be necessary at some stations because of recent vandalism. Station platforms at Kuraby, Altandi, Sunnybank and Banoon are being bitumen surfaced.

At Banoon an interchange facility is being constructed for the transfer of public transport users from rail to city council buses for direct transport to the QE II sports centre, Brisbane. The work at Banoon includes the construction of two temporary foot-bridges, widening and surfacing of platforms, the construction of temporary toilet facilities and the general beautification and landscaping of the surrounding areas.

For the information of the honourable member, who has visited these facilities on more than one occasion with me, I point out that similar upgrading works are being undertaken at Sunnybank as part of the bus/rail co-ordination and general transport arrangements for the forthcoming Commonwealth Games.

(2) The estimated cost of the works at Banoon and Sunnybank is \$200,000.

Works at other stations in the Salisbury electorate, including general repairs and repainting, are expected to exceed \$100,000.

## 5. Sawmilling Licensing Policy

Mr Kruger asked the Minister for Lands and Forestry—

With reference to his media release of 15 March relating to the relaxation of his sawmill licensing policy to permit individual land-owners to mill and sell timber from forest resources on their properties—

(1) How many mills does he envisage will come into operation under the new arrangement?

(2) How many cubic metres of timber are likely to be placed on the market as a result of the new arrangement?

(3) How many properties have sufficient timber to maintain a five-year licence and in what areas of the State are these properties generally located?

(4) In view of the practice of reducing quotas over recent years to viable mills, will the introduction of licences under the new arrangement adversely affect the viability of existing mills?

(5) Is this new arrangement in total conflict with previous decisions to reduce the number of mills and the quotas of the remaining mills?

*Answer:—*

(1 to 5) The recently announced changes in the sawmill licencing policy in regard to operation of privately-owned timber resources will be of very restricted application and are expected to be applicable to only a small number of cases which meet very stringent requirements.

The announced changes to which the honourable member refers were merely a statement of broad Government policy, and action is now in hand to develop the detailed administrative procedures under which these provisions will be applied. Until these are finalised, I am unable to provide specific answers to the detailed questions relating to the application of these procedures. However, I can certainly assure the honourable member that there has been no change in the broad sawmills licensing objective of promoting the stability and rationalisation of the timber industry, and this will continue to be the major consideration in dealing with applications for all new sawmill licences.

## 6. Sawmill Licence, Captains Creek

Mr Kruger asked the Minister for Lands and Forestry—

(1) Have any property owners applied for and been granted sawmilling licences to mill and sell timber?

(2) Has a licence been granted to mill a hoop pine stand on a property, Captains Creek, near Miriamvale?

(3) If so, what was the Forestry Department valuation of the timber at the time of conversion of the property to freehold?

(4) Who was the owner of the property at the time?

(5) Who is the present owner or owners of the property?

*Answer:—*

(1) Each application for a sawmill licence is dealt with on its merits, within the constraints of the established policy. Under those provisions some property owners have applied for and have been granted sawmill licences to mill and sell timber.

(2 & 3) The property, Captains Creek, to which the honourable member refers, is not known under this name to my departmental officers.

(4) I am unable to answer this question for the reasons indicated above.

(5) I am unable to answer this question for the reason indicated above.

I would be able to provide the information if the honourable member could supply the title number of the land, the lease number, etc.

## 7. New Hospital, Mungindi

Mr Neal asked the Minister for Health—

- (1) When will construction commence on the new hospital for Mungindi?
- (2) In view of unfavourable reports on the evaporative air-conditioning at the St George Hospital, was consideration given to the provision of refrigerated air-conditioning for the new Mungindi Hospital so that such problems would not be duplicated?
- (3) If so, what were the findings?

*Answer:—*

- (1) Tenders closed on 17 February 1982 for the new hospital and construction will commence as soon as possible after acceptance of a tender.
- (2) Documentation for this project was prepared in conjunction with the Balonne Hospitals Board, St George, and evaporative air-cooling was accepted by the board.
- (3) Evaporative air-cooling was considered appropriate.

## 8. Irrigation Dam, Maranoa River

Mr Turner asked the Minister for Water Resources and Aboriginal and Island Affairs—

Has the report into the feasibility of an irrigation dam on the Maranoa River been completed and, if so, when will the findings be released?

*Answer:—*

A draft of the report on investigations into a potential dam site on the Maranoa River is well advanced.

In an answer to a previous question by the honourable member on 12 November last, I indicated that there is a strong possibility that a dam constructed in this region would have a high seepage loss into the Great Artesian Basin. Such loss would have a critical effect on the cost of yield from storage, and hence on the economics of the proposal.

For this reason, the question of seepage losses is being re-examined to ensure that the loss assumptions are realistic. When this re-examination is completed, the interim report on the storage investigations will be finalised.

## 9. Hospital Facilities, Warrego Electorate

Mr Turner asked the Minister for Health—

With reference to hospital facilities in the Warrego Electorate—

- (1) What stage of construction has been reached on the new Cunnamulla Hospital and what is the estimated completion date?
- (2) When is construction expected to commence on the new Mitchell Hospital?
- (3) Has consideration been given to the construction of a new hospital at Tambo?
- (4) Will he undertake a visit to these centres in the near future to conduct a personal inspection of health facilities?

*Answer:—*

(1) The construction of the new Cunnamulla Hospital is approximately 60 per cent complete and the estimated completion date is December 1982.

(2) At the present time the board's consultants are preparing sketch plans and estimate of cost for the new Mitchell Hospital. The anticipated completion date of this project is not available. It will be dependent upon the completion of documentation and the availability of finance.

(3) My department is at present giving consideration to the provision of new hospital facilities at Tambo.

(4) As time and circumstances permit, I propose to visit all centres within the State where health related facilities are located. In view of the honourable member's personal approach, I will visit the area as soon as possible.

10. Motor Cycle Helmets

Mr Turner asked the Minister for Transport—

(1) Is he aware of an article in the "Telegraph" of 17 March indicating that certain types of enclosed motor cycle helmets could be the cause of many motor cycle accidents?

(2) Have any studies been undertaken by the Transport Department to ascertain if there is any validity in these allegations?

*Answer:—*

(1 & 2) Yes, I am aware of the article referred to which draws attention to the possibility of lack of ventilation occurring where riders wear full-face helmets with the visors down, causing a buildup of carbon dioxide.

Safety helmets are required under the Traffic Regulations to comply with the Australian Standards for Safety Helmets issued by the Standards Association of Australia, which sets out the minimum performance criteria and test requirements for safety helmets before they are approved as meeting its standards.

Nevertheless, in view of recent theories that have been advanced as to the buildup of carbon dioxide in full-face type motor cycle helmets, to which attention has been drawn, I will arrange for this aspect to be brought to the attention of the Standards Association of Australia for its examination.

11. Additional Staff, Blue Nursing Service

Mr Warburton asked the Minister for Health—

With reference to the distribution of approved subsidies for domiciliary nursing services in connection with which the Blue Nursing Service had a staff increase of 11 approved in 1979-80 and 12 in 1980-81—

(1) Why was only one additional staff member approved for 1981-82?

(2) Given that nine additional staff were approved to meet the St Vincent de Paul Nursing Service requirements in 1980-81, does he agree that it is improper to use that approval to disadvantage the Blue Nursing Service in 1981-82, thus widening the gap between present staff members and the total staff required, namely, 27 in 1980-81 and 59 in 1981-82?

(3) Does he realise that it is much more expensive for the Government to tend patients in hospital and other institutions than to subsidise community services such as Blue Nursing?

(4) Will he give further consideration to what must be described as a no-growth decision?

*Answer:—*

(1 & 2) Financial allocations available to my department for the maintenance of domiciliary nursing services allow for an average increase of 12 nurses each year. Although additional nurses were approved during 1980-81 for new services in the Brisbane and Redcliffe areas, this approval was on the basis that this number would be offset against anticipated additional staff approvals for 1981-82. The average increase of nurses has thus been maintained at approximately 12 per annum during the last three years. Financial allocations provided each year do not allow for the employment of the additional numbers of nurses sought by organisations providing the domiciliary nursing service.

(3 & 4) My department endeavours to maintain a balance between the various health services consistent with finance available.

## 12. Issue of Writs by Mayor and Aldermen of Ipswich City Council

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

(1) Have the mayor of Ipswich and some aldermen issued writs against Mr N. Russell of the Moreton Shire Council?

(2) Which legal practitioner is representing the mayor and alderman?

(3) Did the Ipswich City Council solicitor prepare the statement of claim and other preliminary information for Alderman Freeman and other aldermen?

(4) If so, have the mayor and aldermen refunded to the council the costs for the council solicitor's actions?

*Answer:—*

(1) I understand the mayor, certain aldermen and staff of the Ipswich City Council have issued writs against Cr N. W. Russell, chairman of the Moreton Shire Council, concerning a statement relating to the administration of the former council attributed to Cr Russell and published in a local newspaper.

(2) I am not aware of the legal practitioner or practitioners representing the persons who issued the writs.

(3) I understand the statement of claim was prepared by a private barrister who was instructed by the council's solicitor.

(4) Not at this point of time, but I understand the matter is under consideration.

## 13. Regulators, Border Rivers

Mr McKechnie asked the Minister for Water Resources and Aboriginal and Island Affairs—

(1) Has the Queensland Water Resources Commission acknowledged the need for regulators to be placed in the border rivers both upstream and downstream of Goondiwindi?

(2) What action is the Queensland Water Resources Commission taking to bring about these necessary improvements to water management in these important border rivers?

*Answer:—*

(1) The existing weirs along the border stream at Bonshaw, Cunningham, Glenarvon and Goondiwindi are generally too small in capacity or, more importantly, their outlet capacities are so limited that they do not permit effective management of water released from Glenlyon Dam. This situation has been recognised by the Water Resources Commissions in both States.

(2) Because of this situation, the Dumaresq-Barwon Border Rivers Commission, on which both State commissions are represented, is currently having a study made of the costs and benefits associated with the provision of additional regulating weirs along the section of the border rivers between Glenarvon and Mungindi. The Border Rivers Commission hopes to receive a report on such proposals within 12 months.

## 14. Private Arrangements for Conveyance of Children by School Bus Operators

Mr McKechnie asked the Minister for Education—

Does his department have any objection to parents making private arrangements with school bus operators so that children can be conveyed as non-eligible children past a State school to attend a non-State school several kilometres away from the State school to which the children are eligible to be conveyed on the bus in question?

*Answer:—*

Operators are not permitted to charge a fare for the conveyance of non-eligible students whilst a vehicle is being used for a school transport service. However, provided there is sufficient room on the bus, children who are not eligible by reason of distance requirements may, with the permission of the conveyance committee and contractor, travel on the bus only as far as the nearest State school.

15. New Hospital, Goondiwindi

Mr McKechnie asked the Minister for Health—

When will work begin on the new hospital at Goondiwindi?

*Answer:—*

The commencement date for the construction of the new Goondiwindi Hospital is dependent upon the completion of working documents and the availability of finance. No firm date can yet be determined.

16. Wynnum Community Health Centre

Mr Shaw asked the Minister for Health—

With reference to the cessation of the services of the speech therapist and the physiotherapist at the Wynnum Community Health Centre—

- (1) Why were these services discontinued?
- (2) Will they be reinstated and, if so, at what time?
- (3) How many people were being treated each day by these therapists?
- (4) What was the total number of people treated at the centre during the time these therapists attended?
- (5) What other services which were provided at the Wynnum Community Health Centre have been discontinued?
- (6) Will he consider extending the services of the physiotherapist at the Wynnum Convalescent Hospital and provide for outpatient physiotherapy treatment?

*Answer:—*

- (1) The Community Health Program has been limited by restrictions in Federal Government funding.
- (2) A review is being undertaken at the present time.
- (3) Each therapist treats approximately 10 patients a day.
- (4) The speech therapist had a client load of some 130 patients. The physiotherapist had a client load of some 110 patients.
- (5) No other services have been discontinued.
- (6) Future development of the Wynnum Hospital will be considered when the present demands on the hospital have been fully assessed.

17. Investigation into Class Sizes

Mr Shaw asked the Minister for Education—

With reference to the statement that investigations are proceeding into ways of improving class sizes within the present system and budget—

- (1) Which sections of the Education Department are being investigated?
- (2) Will the inspectors consult with parents and teachers in endeavouring to find possible improvements?
- (3) Will the recommendations be made public and will the opportunity be given for public comment?
- (4) When will the investigations be completed?

*Answer:—*

(1 & 2) The member for Wynnum appears to have confused two issues. The investigation referred to is not into class size but into the location origins of new pupils enrolled in schools. Its purpose is to provide a better data base to improve the accuracy of enrolment predictions in this growing State.

(3) Now that full enrolment details for all schools as at the end of February 1982 are available to my officers, they are at present analysing the overall class-size position in the State and developing a series of staffing options for my consideration. This is a massive task which has been given top priority. In due course, I shall present some proposals to the Government. The task has been made more complex by the Queensland Teachers Union now admitting that its policy is for class sizes which are in many respects smaller than those recommended by the select committee.

(4) I hope to have some documentation before me in early April.

18. Police Investigation of Thefts

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

(1) Has he seen reports that a business man was able to find property stolen from his business and advise police of the names and locations of the persons involved?

(2) Is he aware that at least some sections of the Police Force have been instructed not to investigate thefts involving less than \$1,000?

(3) Does he approve of this instruction and, if not, by whom was it authorised?

(4) Does it mean that any reported theft under \$1,000 is recorded but no other action taken?

*Answer:—*

(1 to 4) I have not seen any such report, nor have I any knowledge of one.

My Acting Commissioner advises me that in areas in which Criminal Investigation Branch personnel are located, they investigate all thefts, whether under or over \$1,000, when the identity of the offender/offenders or a possible suspect/suspects is known. When no such information exists, thefts under \$1,000 are directed to uniform police for investigation, with thefts over \$1,000 being investigated by detective personnel. As I have indicated, the honourable member's suggestion that thefts under \$1,000 are merely recorded is incorrect.

I approve of police departmental policy indicated. It is clearly defined under the general instructions as contained in the Queensland Policeman's Manual, which have statutory effect under the Police Act and rules.

19. Mirror Corner, Mackay-Eungella Road

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

With reference to the increasing traffic on the range section of the road to Eungella, near Mackay, and the real need for improving the safety of this section, what progress has been made on urgent improvements to Mirror Corner on this road?

*Answer:—*

The reconstruction and widening at Mirror Corner on the Mackay-Eungella Road is presently planned to commence in about 12 months' time.

20. Canteen, Dysart State High School

Mr Randell asked the Minister for Education—

(1) Is he aware of the pressing need for a school canteen at the high school at Dysart as pupils have to leave the school grounds during recess periods for their needs, making it almost impossible for teachers to maintain proper supervision as well as leading to a possible safety hazard for the students?

(2) Is there a school canteen planned for this school and, if so, when will construction of a building commence and when will it be completed?

(3) If no such building is planned, will he take urgent action to provide this badly needed facility?

*Answer:—*

(1) I am aware of the need for canteen facilities at Dysart State High School and have taken the necessary steps to include this project in the next development stage of the school.

(2 & 3) It is hoped that the canteen facility can be provided conjointly with storage space and showers for the students. This provision will complete the student amenities required at the school.

Documentation and building estimates are at an advanced stage, and although no specific dates for starting and completion of the project can be given at this time, the provision of these facilities has been allocated a high priority in the 1982-83 draft capital works program.

21.

#### High School Top, Middlemount

Mr Randell asked the Minister for Education—

(1) What plans have been made to cater for the future educational needs of high school children at the fast-growing mining town of Middlemount?

(2) Is he aware that these children are at present being transported by bus over bad roads to Dysart?

(3) Are there plans for a high school top to be built at Middlemount for the start of the 1983 school year?

(4) If not, when does he anticipate that such a facility will be available?

(5) If a high school top is built, what classes will it cater for?

(6) In any future planning, will he take into account that future mining at the nearby Lake Lindsay deposit could result in the town of Middlemount being duplicated?

*Answer:—*

(1) Planning and documentation of secondary facilities for Middlemount are at an advanced stage of development.

(2) I am aware that it has been necessary to transport secondary school-age children from Middlemount to Dysart until the provision of secondary facilities is possible.

(3 & 4) It is planned to open a secondary department in Middlemount to receive enrolments at the beginning of 1983.

(5) The facilities provided are to be located adjacent to the existing primary school and they will cater for students of Years 8, 9 and 10 from the beginning of the 1983 school year.

(6) Officers of my department have closely monitored the growth of the town of Middlemount and will continue to do so. Provision of any future educational facilities required will keep pace with the needs of the town.

22.

#### Quality of New Cars

Mr Lester asked the Minister for Transport—

(1) Is he aware of the poor quality of manufacture of many new cars, many in a high price bracket, which often require repair in the first 12 months?

(2) What action can be taken to have this situation improved and to have cars last longer?

*Answer:—*

(1 & 2) So far as safety-related defects are concerned, the Australian Transport Advisory Council, after discussions were had with the Federal Chamber of Automotive Industries, endorsed for this purpose, an Australian code which has now been operative since 1972.

As a result of this code, manufacturers have from time to time instituted recall campaigns where safety-related defects have come to notice. Generally, this system has operated satisfactorily.

Last year, Ministers of the Australian Transport Advisory Council established a special task force to investigate the present operation of the code and to consider whether there is a need for mandatory arrangements. This task force is to report to the Australian Transport Advisory Council as to the result of its investigations.

Defects other than those that are safety related would come under the normal warranties which apply to new vehicles and would generally be dealt with between the purchaser and the retailer of the new vehicle.

However, should the honourable member be in a position to provide me with substantiated evidence of safety-related defects which have not been rectified, I will have them brought to the attention of the task force for reference to the Federal Chamber of Automotive Industries for appropriate attention.

23.

#### Prevention of Mine Disasters

Mr Lester asked the Minister for Mines and Energy—

With reference to the magnificent work performed by mines rescue, medical staff, police and all other persons involved in the recent Blackwater mine disaster, what action has the Government considered to try to minimise or eliminate such disasters in the future?

*Answer:—*

My officers, particularly those immediately involved in the investigation of the accident which unfortunately claimed three lives at Laleham Colliery on 12 March 1982, have made me fully aware of the excellent work done by all those people who played a part in the recovery of the deceased.

I did not necessarily need this advice as I am well aware of the mateship which exists between those who work in mining communities, and past experience has shown that all persons rise to the occasion when the call goes out for help. Laleham proved to be no exception.

I should point out that, although the rescue brigade members were on stand-by in case they were required, they took no part in the recovery. All work was performed by men from Laleham Colliery.

As is usual in the case of accidents which result in the loss of life, I will receive technical reports from my inspectors and will draw further advice from the warden's inquiry, which is a statutory requirement of the Coal Mining Act. This inquiry, scheduled to commence on 8 July, will provide a report detailing the nature and cause of the accident and action which is recommended to prevent a recurrence of an accident of a similar type. Further action will be taken on the basis of the advice received.

Cabinet has approved the establishment within the Department of Mines of a testing and research facility, scheduled for construction during the 1984-1985 financial year. This facility, the scope and functions of which have been under investigation by the department in recent months, will be for the conduct of all statutory flameproof and intrinsic safety testing, for other testing required to service the Queensland mining industry, for the investigation of problems relating to safety and health and for the conduct of special investigations connected with accidents and inquiries.

24. Retreat Creek Bridge, Sapphire

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

- (1) When will the Retreat Creek Bridge at Sapphire be completed?
- (2) Will he honour the Peak Downs electorate by officially opening the bridge?

*Answer:—*

(1 & 2) The scheme for these road-works is about to be released. When the job is completed, I will be happy to accept the kind invitation of the honourable member to attend the opening.

25. Applications for Housing Commission Accommodation

Mr Mackenroth asked the Minister for Works and Housing—

(1) What is the present situation with regard to the number of applications held by the Queensland Housing Commission for (a) rental accommodation, (b) pensioner rental accommodation and (c) home purchase applications?

(2) Since 1 January, how many new applications have been received by the Queensland Housing Commission for (a) rental accommodation, (b) pensioner rental accommodation and (c) home purchase?

(3) Since 1 January, how many applicants have been housed by the Queensland Housing Commission through (a) rental accommodation, (b) pensioner rental accommodation and (c) home purchase?

(4) How many representations were made for assistance with rental accommodation by members of Parliament on behalf of their constituents during February to either himself or the Queensland Housing Commission?

*Answer:—*

(1)—

(a) With priority 2 050; Without priority 4 827 (b) Couple 251; Single 956 (c) Wait-listed 2 253.

(Note: These are not formal applications, and there is a high drop-out rate between wait-listing and letters of offer to assist).

(2)—

(a) 1 242

(b) 118

(c) 618 interested applicants were wait-listed and 370 letters of offer sent making net increase in wait list 248.

(3)—

(a) 425

(b) 43

(Note: In addition, 248 family and 29 pensioner applicants were withdrawn or otherwise removed from wait lists.)

(c) 232.

(4)—93.

26. Loans under Commonwealth Savings Bank of Australia Agreement Act

Mr Mackenroth asked the Deputy Premier and Treasurer—

With reference to the Commonwealth Savings Bank of Australia Agreement Act of 1966—

(1) What amounts have been lent to the Queensland Government under this Act in the last three financial years?

(2) As money is lent on a quarterly basis, what is the breakdown for each quarter over the past three financial years?

- (3) At what rates of interest have each of these loans been made?  
 (4) What is the current rate of interest on these loans?  
 (5) Have any loans been made under clause 4 of the schedule of this Act in the last three financial years?  
 (6) If so, to which semi-Government authorities have they been made, and what are the amounts?

*Answer:—*

As most honourable members would no doubt be aware, in terms of the Commonwealth Savings Bank of Australia Agreement Act of 1966, the Commonwealth Savings Bank makes available on loan to the State Government 70 per cent of the net increase in depositors' balances at a rate of interest as prescribed in the agreement.

In terms of clause 4 of the agreement, a proportion of this amount may be diverted to loans to semi-Government bodies.

Amounts so borrowed by the State constitute part of the annual loan allocation approved by Loan Council.

- (1) Loans to the Queensland Government over the past three financial years have been—

1978-79	\$32,154,000
1979-80	\$34,825,500
1980-81	\$50,216,000
	<hr/>
	\$117,195,500

- (2) Listed below are the loans made available since 1 July 1978—

Loan	Date Advanced
\$20,810,000	18/9/78
\$11,344,000	1/2/79
\$18,622,000	2/11/79
\$16,203,500	3/3/80
\$12,216,000	3/11/80
\$38,000,000	2/3/81
\$4,515,000	1/7/81
\$27,376,000	4/1/82
<hr/>	
\$149,086,500	

- (3) These loans have borne interest in each year at a rate which is 1.375 per cent above the average rate paid by the bank on depositors' balances during the financial year.

(4) That rate of interest applicable for the current financial year cannot be determined until the end of the financial year when the average rate paid by the bank on depositors' balances during the year is calculated.

- (5) Yes.

(6) A total of \$99.8m has been diverted to local government and semi-Government authorities in the three years to 30 June 1981, to assist them in the raising of their debenture borrowing program. A wide spread of authorities throughout the State benefit from this diversion.

27.

#### Richmond Unemployment Training Scheme

Mr Katter asked the Minister for Welfare Services—

(1) As approximately 58 young men have been employed in the mid-west areas of North Queensland, does he know that, in spite of this laudable achievement by the Richmond Unemployment Training Scheme, this scheme is in jeopardy because boys are being sent out to Richmond without being adequately assessed and trouble will inevitably result?

(2) Will he intervene to ensure that this problem is overcome and candidates for the scheme in future are properly screened?

*Answer:—*

(1 & 2) I fully appreciate the successful efforts of the Richmond Unemployment Training Scheme, which is sponsored by the Richmond Chamber of Commerce, in placing and training unemployed youth in rural employment. During 1980-81, the Department of Children's Services provided a grant of \$2,500 to the project under the Youth Employment Support Scheme and the project's application for funding during the current financial year is presently under consideration.

I am aware that the department's Northern District Officer recently met a representative of the project to discuss referral procedures for children in care. I am advised that during this meeting the representative expressed the view that certain youth who had been referred to the project had not proven suitable for the training involved and the district officer undertook to provide various branch offices of the department with more explicit guide-lines of the type of youth considered suitable for referral to the project.

I am sure the honourable member would appreciate the difficulty in selecting suitable children from urban areas and the fact that not all youth referred will always prove successful. My officers and I are fully cognisant of the need for youth from a variety of urban areas and provincial centres to participate in the project, and that the departmental referral procedures should be flexible enough to ensure that youth in various parts of the State are not disadvantaged.

In view of the apparent continued difficulty with this issue, I have made arrangements for a senior officer of the Department of Children's Services to consult with a suitable representative of the Richmond Unemployment Training Scheme to ensure that, when vacancies within the project occur in the future, departmental officers from relevant branch offices of my department are aware of the requirements for particular placements.

28. Community Health Nurse, Hughenden/Richmond/Julia Creek

Mr Katter asked the Minister for Health—

Will he create a position for a community health nurse to serve the 6 000 residents of Hughenden, Richmond and Julia Creek and thus assist in minimising the social disadvantages suffered by these people through isolation, which disadvantages are not shared by urban residents?

*Answer:—*

The Community Health Program has been limited in its development over the last three years by restrictions in Federal Government funding. It has not been possible to extend services to Hughenden, Richmond and Julia Creek in the present financial climate.

29. Sprint Racing

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

With reference to the previously understood situation whereby all race clubs outside the metropolitan area were to be allowed to program two sprint races less than 800 metres at any one meeting without requiring the approval of their principal club—

(1) Is he aware that the Gold Coast Turf Club had their application to introduce sprint racing refused by the Queensland Turf Club because they considered the Gold Coast Turf Club as being in the metropolitan area, even though the Gold Coast Turf Club (Southport) and the Ipswich Amateur Turf Club (Bundamba) have always been situated in provincial city areas?

(2) Are these clubs now considered metropolitan clubs?

(3) If not, are they required to apply to the Queensland Turf Club to hold two sprint events under 800 metres at any one meeting?

*Answer:—*

(1 to 3) I am aware that by letter dated 8 September 1981 the Gold Coast Turf Club applied to the Queensland Turf Club to stage races of less than 800 metres on its Surfers Paradise Racecourse.

On 24 September 1981 I advised the Queensland Turf Club that I supported that application.

I am also aware that the Queensland Turf Club, in its role as a principal club, by letter dated 18 January 1982 advised the Gold Coast Turf Club that its request in this regard had not been granted. The Queensland Turf Club gave as its reason for this refusal that it does not believe that the conduct of these races within the metropolitan and provincial areas is in the best interests of thoroughbred racing.

As I am firmly of the opinion that sprint racing is an integral part of today's racing scene and that it would be an excellent draw-card for the racing industry on the Gold Coast, I intend to have further talks with the Queensland Turf Club in an endeavour to bring this matter to a satisfactory conclusion.

### 30. Petrol Prices, Toowoomba

Mr Warner asked the Minister for Commerce and Industry—

(1) Is he aware that in one week the average current petrol discount price of super grade petrol has dropped from 39.9 cents a litre to 32.9 cents a litre in Toowoomba?

(2) Is he aware that Shell-operated service stations are held responsible by Toowoomba operators for first dropping petrol prices in Toowoomba and that Caltex and BP have now followed suit?

(3) Given that 32.9 cents per litre is below the current wholesale price of 35 to 36 cents per litre, is he aware that, while oil companies are involved in a price war, most of the lessees and independent operators could be forced out of business as they try to compete?

(4) Given that there have been two wholesale price rises since December 1981, and if this current situation is allowed to continue, will independent operators have no choice but to reduce staff or close down?

(5) Will he fully explain the present situation and indicate what control this Government can exercise over what can only be described as a calculated move by large monopolies to control the retail market?

*Answer:—*

(1) Yes.

(2) The company has publicly denied that this is so.

(3 & 4) I am aware that competitive pressures upon lessees and independent service station operators will increase—that is the nature of private enterprise. Whether any will be forced to reduce staff or close down is a matter of conjecture.

(5) The whole matter of retail petrol marketing by oil companies is expected to be considered shortly by Ministers representing the Commonwealth, all States and the Northern Territory.

### 31. Teacher/Class-size Ratio

Mr Warner asked the Minister for Education—

(1) As the average teacher/class-size ratio formula produced by the Queensland Teachers Union does not include teacher aides or specialist teachers, what is the average teacher/class-size ratio in schools throughout Queensland which includes not only registered teachers but also teacher aides and specialist teachers?

(2) How many teachers aides were employed in Queensland in 1977-78, 1978-79, 1979-80 and 1980-81?

(3) How many specialist teachers were employed in the same years?

*Answer:—*

(1) As I am sure the honourable member is aware the average class size statistics and the pupil/teacher ratio statistics are measures of different aspects of school operations.

Pupil/teacher ratios are calculated by dividing total enrolments by total teacher numbers, including specialists. The pupil/teacher ratio for Queensland primary schools at the 1981 school census was 22.65. The corresponding secondary figure at that time was 14.08.

When all members of staff, including teacher aides, are included in this type of calculation, the figure for Queensland is in the vicinity of 14 students per staff member.

(2) The number of support staff employed in the period referred to in the honourable member's question is not available, but information relating to full-time equivalent numbers is. This is tabulated below:—

						Full time equivalent number of teacher aides
1977	..	..	..	..	..	2 439
1978	..	..	..	..	..	2 421
1979	..	..	..	..	..	2 425
1980	..	..	..	..	..	2 985
1981	..	..	..	..	..	3 178

(3) For the number of the various categories of specialist teachers, which are too numerous to elaborate here, I would refer the honourable member to table 4.1 in my annual report to Parliament.

32.

### Electricity Charges

Mr Vaughan asked the Minister for Mines and Energy—

With reference to the 1980-81 State Electricity Commission Annual Report wherein it stated that the demand for power is estimated to increase at the rate of 10 per cent a year over the next 10 years, which increase will require huge expenditure, and as existing electricity tariff structures, particularly domestic tariff structures, do not encourage conservation of electricity, and, further, as additional heavy increases in electricity tariffs will impose an even greater burden on ordinary consumers, particularly small consumers and consumers on low and/or fixed incomes—

(1) Has consideration been given to implementing a tariff structure for domestic consumers similar to that which has been introduced in New South Wales which currently provides for a rate of 4.04 cents per unit for the first 1 000 units and 5.35 cents per unit for the remainder?

(2) If not, will he undertake to investigate the implementation of such a tariff structure prior to the next increase in electricity charges?

(3) If not, what is the reason?

(4) Will the Government review the price at which large blocks of power are committed to large industrial consumers under secret agreements so that such consumers are paying a price that is at least equal to the price paid by the South East Queensland Electricity Board?

(5) If not, what is the reason?

*Answer:—*

(1) Yes. Tariff structures are constantly under review.

(2 & 3) See answer to (1).

(4) No.

(5) Because it is not the policy of this Government to repudiate contractual commitments, and, furthermore, the costs of supplying electricity boards at the many bulk-supply points throughout the State far exceed the costs of supplying these large industrial consumers.

33. Power-station Employees

Mr Vaughan asked the Minister for Mines and Energy—

(1) What classifications of employees and how many of each classification are engaged in the operation of (a) Gladstone Power Station, (b) Callide Power Station, (c) Collinsville Power Station, (d) Swanbank Power Station A and B, (e) Tennyson Power Station, (f) Bulimba Power Station, (g) Kareeya Power Station and (h) Barron Gorge Power Station?

(2) What classifications of employees and how many of each classification will be engaged in the operation of (a) Tarong Power Station, (b) Callide "B" Power Station, (c) Wivenhoe Power Station and (d) Stanwell Power Station?

Answer:—

(1) The total staff establishment of each of the power-stations mentioned is as follows:—

(a) Gladstone Power Station .. .. .	615
(b) Callide Power Station .. .. .	144
(c) Collinsville Power Station .. .. .	222
(d) Swanbank "A" and "B" Power Stations .. .. .	584
(e) Tennyson Power Station .. .. .	234
(f) Bulimba Power Station .. .. .	195
(g) Kareeya Power Station .. .. .	72
(h) Barron Gorge Power Station .. .. .	30
Total .. .. .	<u>2 096</u>

The other details sought by the honourable member are not immediately available, but I shall send these to him.

(2) The planning estimates provide for the following staff:—

—	Professional	Operating	Maintenance	Other	Total
Tarong ..	35	80	265	70	450
Callide "B" ..	20	55	170	45	290
Stanwell ..	35	80	265	70	450

Wivenhoe Power Station will be remotely controlled and it is anticipated that a staff of only one or two will be required for its operation.

34. Accidents at Traffic Lights

Mr Vaughan asked the Minister for Transport—

With reference to a recent Press statement in which he said that, in one 12-month period in Queensland, 112 people were killed and 2 652 injured in 6 151 accidents at traffic lights—

(1) How many of these accidents involved nose to tail collisions where the vehicle behind collided with the vehicle in front when it stopped at the traffic lights?

(2) How many of these accidents were attributed to a vehicle driving through an amber or red light?

(3) How many of these accidents involved large trucks?

*Answer:—*

(1 to 3) The figures quoted relate to accidents at uncontrolled intersections, as published in Table 6 by the Queensland office of the Australian Bureau of Statistics, Catalogue No. 9404.3, 1979-1980.

As regards accidents at intersections controlled by traffic lights—the table shows that 19 persons were killed and 662 persons were injured in 1 387 reported accidents.

Information as to how many accidents involved nose-to-tail collisions when a vehicle in front stopped at traffic lights and the number that involved large trucks is not readily available and would involve a cost in the preparation of a computer program to extract this information from existing statistical information held by the Bureau of Statistics.

As to the number of accidents attributable to a vehicle driving through an amber or red light—this information is not available, as this particular circumstance could be a contributing factor rather than the direct cause of an accident and, as such, would rely heavily on subjective judgment.

Some indication as to the number of accidents involving large trucks at intersections controlled by traffic lights could be obtained from the research being undertaken by the Research Committee of the Queensland Road Safety Council.

The interest of the honourable member is appreciated, and I will endeavour to keep him informed. If any information can be obtained relating to the matters he has raised, I will make it available to him.

In the meantime, I table a photostat copy of the catalogue of the Australian Bureau of Statistics to which I have referred. The honourable member will be able to see at first hand from where this information was obtained for his party functionaries, who obviously wrote the question for him.

*Whereupon the honourable gentleman laid the document on the table.*

35.

#### Mineral Rights

Mr Harper asked the Minister for Mines and Energy—

(1) Do mineral rights attach to any lands, other than Crown land, in Queensland and, if so, (a) what is the area of such lands, (b) where are they situated and (c) what are the circumstances which gave this rare right to the owners of those lands?

(2) Is he aware of minerals having been extracted in recent years from lands, the owners of which enjoy or enjoyed mineral rights and, if so, did any of those owners enjoy any special net benefit, financial or otherwise, as a result of their entitlement?

*Answer:—*

(1) Gold on or below the surface of all land in Queensland, whether Crown Land or private land, is and always was the property of the Crown. Coal on or below the surface of land that was alienated in fee-simple by the Crown before 1 March 1910 is the property of the owner of that land for royalty purposes except coal on or below the surface of land acquired by the Crown and subject to the Agricultural Lands Special Purchase of 1901, irrespective of the date when that land or any part of it was subsequently to the acquisition alienated in fee-simple by the Crown. Other than gold and coal, the rights to certain other minerals attach to land alienated pursuant to the Crown Lands Alienation Act of 1860, the Crown Lands Alienation Act of 1868 and the Mineral Lands Act of 1872. Titles to such lands are generally referred to as mineral freeholds or mineral selections.

(a) This could only be assessed after a complete search of all titles registered in the Titles Offices at Brisbane, Rockhampton or Townsville to ascertain original and subsequent alienation details as referred to in (1).

(b) See (1) (a).

(c) See (1).

(2) Coal has been won in recent years from lands described in (1) situated in the Ipswich, Darling Downs, and Maryborough areas. The owners of such lands have benefited by way of the payment of royalty on the coal won.

A lease to mine coal, whether the property of the Crown or not, may only be granted by the Crown. In the case of other minerals which are not the property of the Crown, it is competent for the owner of the land to which the mineral rights attach to grant a lease or to enter into any agreement or arrangement for the purpose of mining those minerals.

36.

## Forfeiture of Land Tenure

Mr Harper asked the Minister for Lands and Forestry—

(1) Within the provisions of the Land Act, does he have the authority to forfeit the tenure on Crown land or land enjoying restricted freehold or freeholding title?

(2) If so, is there a requirement for his decision in such matters to be debated by this Parliament?

*Answer:—*

(1) Any land held under the provisions of the Land Act is capable of forfeiture for breach of conditions or non-payment of rent. Land on which freeholding action is completed is not capable of forfeiture under the Land Act.

(2) No. There is no requirement under the Land Act for the Minister's decisions in such matters to be debated by the Parliament.

37.

## Teacher/Pupil Ratio

Mr Harper asked the Minister for Education—

(1) Is criticism by the Queensland Teachers Union and the Australian Labor Party claiming that the pupil/teacher ratio in Queensland schools is the worst in Australia borne out by a report which I believe has recently been released by the Schools Commission?

(2) If not, what is the present situation in regard to the teacher/pupil ratio in Queensland schools?

*Answer:—*

(1) No. The report to which the honourable member refers is the Commonwealth Schools Commission's "Recommendations for 1983", which was released recently. Table 1.1 of the report contains details of enrolments, teacher numbers and student/teacher ratios for each of the Australian States and Territories for 1980 and 1981. New South Wales and Western Australia have higher primary student/teacher ratios than has Queensland.

(2) I wish to table a copy of the statistics from that publication, but should point out that simplistic interstate comparisons of statistics such as these are fraught with difficulties. What should also be taken into account, for example, are the improvements which are being made in Queensland at a time when enrolments are increasing. For more detailed comments, I would refer the honourable member to my recent Press release on the Schools Commission statistics.

Mr GUNN: I ask that the table of enrolments and student/teacher ratios—Government schools—be incorporated in "Hansard"

(Leave granted.)

Whereupon the honourable gentleman laid on the table the following document—

TABLE 1.1

Enrolments and Student Teacher Ratios—Government Schools 1980-1981 (p)

	Students	1980 Teachers FTE*	S/T Ratio	Students	1981 (p) Teachers FTE*	S/T Ratio	Increase in Ratio
New South Wales							
Primary .. .. .	515,618	23,359	22.07	506,887	22,930	22.11	+0.04
Secondary .. .. .	283,686	22,604	12.55	283,516	22,318	12.70	+0.15
Victoria							
Primary .. .. .	374,676	19,996	18.74	362,273	20,021	18.09	
Secondary .. .. .	231,471	20,596	11.24	232,769	20,439	11.39	+0.15
Queensland							
Primary .. .. .	247,351	11,934	20.73	251,819	12,185	20.67	
Secondary .. .. .	106,050	7,578	13.99	108,605	7,794	13.93	
South Australia							
Primary .. .. .	142,290	8,057	17.66	137,860	7,918	17.41	
Secondary .. .. .	76,392	6,571	11.63	75,173	6,554	11.47	
Western Australia							
Primary .. .. .	141,701	6,666	21.26	141,123	6,568	21.49	+0.23
Secondary .. .. .	64,933	5,002	12.98	66,003	5,119	12.89	
Tasmania							
Primary .. .. .	44,820	2,502	17.91	43,621	2,480	17.59	
Secondary .. .. .	27,512	2,406	11.43	27,736	2,468	11.24	
Northern Territory							
Primary .. .. .	16,782	911	18.42	17,472	937	18.65	+0.23
Secondary .. .. .	5,527	502	11.01	5,799	549	10.56	
Australian Capital Territory							
Primary .. .. .	24,801	1,273	19.48	24,480	1,247	19.63	+0.15
Secondary .. .. .	14,467	1,250	11.57	14,702	1,253	11.73	+0.16
Total							
Primary .. .. .	1,508,039	74,698	20.19	1,485,525	74,286	20.00	
Secondary .. .. .	810,038	66,508	12.18	814,303	66,494	12.25	+0.07

(p) Preliminary

\* The full-time equivalent (FTE) of part-time teachers is calculated on the basis of the amount of time worked by part-time teachers expressed as a fraction of the time worked by normal full-time teachers.

Source: Australian Bureau of Statistics, 'Schools' Bulletins

38.

### Tinting of Car Windows

Mr Stephan asked the Minister for Transport—

With reference to tinting of car windows—

(1) Are the requirements and specifications uniform among the different States in Australia?

(2) Is he aware that some cars are being fitted with windows not of standard colouring as fitted by the manufacturer?

(3) What are the standard requirements for tinting of glass on cars in Queensland?

Answer:—

(1) The Australian code relating to the use of surface applied films on wind-screens and windows is contained in regulation 1002 (4) of Draft Regulations Defining Vehicle Construction, Equipment and Performance Standards for Road Vehicles. This provides—

(a) No surface film shall be applied to the windscreen or windows forward of a transverse vertical plane through the driver's seating position such that it intrudes below a horizontal plane:

(i) tangential to the highest points of the areas swept by the windscreen wipers, or

(ii) located at a distance from the upper boundary of the windscreen equal to 10 per cent of the depth of the windscreen, whichever is the lower, or

(iii) as otherwise approved by the Administering Authority.

(b) No surface film which when applied to a vehicle window has a reflectance in the visible light range perceptibly greater than that of the untreated glass shall be applied to:

(i) in the case of passenger cars, passenger car derivatives and multi-purpose passenger cars any window including the windscreen and rear window, and

(ii) in the case of any other vehicle, the windscreen, rear window or any window forward of a transverse vertical plane through the driver's seating position and

(c) Where any film is affixed to any window glazing rearward of a transverse vertical plane through the driver's seating position, the vehicle shall be equipped with rear view mirrors on both left and right hand sides.

This draft regulation is presently under review and the draft amendments have been circulated to industry for comment.

The draft regulation endeavoured to meet a number of road-safety problems associated with the use of surface-applied films on windscreens and windows, which include factors such as—

(a) Materially reduced visibility to the driver of his surroundings in conditions of low ambient light;

(b) Selective reduction in light transmission of colours commonly used in traffic control signals, particularly with tinted films;

(c) Reduced capability of visual intercommunication between vehicle drivers;

(d) Reduced visibility of traffic situations through a vehicle by drivers of vehicles in surrounding traffic;

(e) Increased unwanted visual noise due to the high reflectivity of some films; and

(f) Probable degradation of film material over time due to scratching, marking and age.

I am advised that basically the draft regulation applies in all States with some variations, such as in Western Australia and Northern Territory where certain surface films may be approved by the administering authority for application forward of a transverse vertical plane through the driver's seating position.

(2) No, I am not aware whether this is being done; but, if so, it would be a modification of a vehicle and subject to the requirements of the Chief Inspector of Motor Vehicles.

(3) I am advised that the Division of Occupational Safety, Weights and Measures, follows draft regulation 1002 in relation to safety aspects with the additional requirements that—

(a) The tinting material must be approved by the Chief Inspector of Motor Vehicles.

(b) The tinting material must carry its code number for identification on each glass area tinted.

(c) The tinting material must be applied in accordance with the manufacturer's instructions.

I will arrange for the honourable member to be supplied with a list of materials that have been approved to date by the Chief Inspector of Motor Vehicles.

## 39. Economic Survey of Fisheries, Townsville-Port Douglas Coast

Mr Jones asked the Minister for Primary Industries—

Has the economic survey of fisheries on the North Queensland coast for the region from Townsville to Port Douglas, as announced jointly by the Commonwealth and State Ministers in February 1981, been completed and, if so, has the result of the study been published and made available and, if not, when is it expected the studies will be completed and printed?

*Answer:—*

Yes, the particular survey in North Queensland has been completed. The relevant data were collected during the early months of 1981.

Officers of my department collected some local information on this subject in conjunction with officers from the Commonwealth Department of Primary Industry and Griffith University. A draft report on one section of the study has been prepared by Griffith University. An economic analysis of the operations of fishing boats in the region is currently being prepared by officers of my department.

To date, the Commonwealth section of the report has not been published and I am unable to indicate when such report is likely to become available. However, I will obtain advice from the Honourable P. J. Nixon, MP, Minister for Primary Industry, on the progress of this study and advise the honourable member directly of his reply.

## 40. Auction Perpetual Lease Scheme

Mr Jones asked the Minister for Lands and Forestry—

(1) Is he aware of the degree of hardship being occasioned to pensioners under the auction perpetual lease scheme whereby aged leaseholders are forced into a situation of freeholding title towards the end of their lives?

(2) Will he investigate and/or review the provisions whereby the impositions on aged pensioners will be alleviated and will he grant assurance that this type of leaseholder will not be (a) compelled to find escalating rates of repayments, presently doubling from year to year, (b) losing benefits which they can ill afford and (c) disadvantaged being required to pay annual rents burdensome to leaseholders whose sole income is social security pensions?

*Answer:—*

(1) I am aware of cases in which hardship exists.

(2) I am having a good look into this whole matter. I am aware of the hardships under which some aged pensioners live and am sympathetic to them. I give an assurance that the matter will be thoroughly gone into and action I find necessary will be taken.

For the benefit of the honourable member for Cairns and other members in the Chamber, I would point out that the rate of repayment is a matter for administrative decision. It will not be necessary to introduce legislation to rectify the matter.

## 41. Upgrading and Redevelopment of Pease Street, West Cairns

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

(1) Have design plans been submitted and/or approved for the upgrading and redevelopment of Pease Street, West Cairns, as a four-lane highway as an alternative bypass route from south to north?

(2) If so, what is the extent of the proposed works and, if not, when is it anticipated that stage I plans will be approved and what are the dates of commencement and completion of all stages as proposed?

(3) Does the redevelopment works include traffic lights at the intersections of Pease, Hoare/Moody, Anderson Streets and Reservoir Road, bike lanes and drainage plans, etcetera?

*Answer:—*

(1) Preliminary layout plans have been prepared by the Main Roads Department for the development of part of Brinsmead-Kamerunga Road to four-lane standard. These plans have recently been submitted to Cairns City Council for consideration and comment.

The layout plans cover the section of Pease Street extending from near Atkinson Street to the intersection of Pease Street with Anderson Street.

(2) The target date for the completion of detailed design is late in 1982. The dates for the commencement and completion of construction are dependent on the availability of funds.

(3) Channelised intersections are proposed at the intersection of Pease, Alfred, Moody and Hoare Streets and at the Pease Street/Reservoir Road intersection. The need for traffic signals will be considered during the detailed design. Bike lanes have been considered in the preparation of the layout plans but the decision regarding the construction of bike lanes rests with Cairns City Council. Drainage matters will be considered during the course of detailed design.

42.

#### Orange Juice Imports

Mr Simpson asked the Minister for Primary Industries—

(1) What quantity of orange juice is imported into Australia and from what sources?

(2) What controls exist to ensure the quality of these imports?

(3) What effect are these imports having on the viability of the Queensland citrus industry?

*Answer:—*

(1) For the three years 1978-79 to 1980-81 and the seven-month period ended January 1982, imports of orange juice into Australia are as follows:—

1978-79	16.580 million litres
1979-80	60.800 million litres
1980-81	3.356 million litres
7 months ended Jan.	
1982	2.199 million litres

Brazil is the main source of imported supplies. Other supplies are drawn from the United States of America, Israel, Mexico and Belize.

(2) Imports of orange juice are subject to a variable unit tariff which ensures that the landed price of the imported product is at least \$2.40 per kg of total soluble solids.

However, the matter of health or quality standards applying to orange juice marketed in Queensland, both of domestic and overseas origin, should be referred to the Honourable the Minister for Health.

(3) The effects of imports of orange juice on the Queensland industry is mostly of an indirect nature. Orange production in Queensland is orientated towards supply to the fresh market. Compared with southern States, relatively small quantities of oranges are processed annually.

The Industries Assistance Commission late last year conducted public hearings to receive evidence in the inquiry into orange and tangerine juices. The draft report on the commission's findings is expected to be released in the near future. Further public hearings are to be held before the end of April to enable witnesses to comment on the draft report.

The Industries Assistance Commission is required to report to the Commonwealth Government by 30 June this year.

43. Department of Primary Industries, Nambour

Mr Simpson asked the Minister for Primary Industries—

(1) What is the estimated time of completion of the new Department of Primary Industries headquarters and research station at Nambour?

(2) What research, extension and services will be provided from this centre, to which industries and to what areas of Queensland?

*Answer:—*

(1) On information available to my department, the expected date of completion is December 1982.

(2) The building will provide for the relocation of all departmental staff currently housed in the Nambour town office with horticultural research personnel already based at the Maroochy Horticultural Research Station.

Staff to be relocated include seven horticultural extension officers, the regional leader for all departmental extension services in the near North Coast-South Burnett regions, a stock inspector, a dairy adviser, two officers undertaking tobacco research at the Beerwah Field Station, and two entomologists and a plant pathologist who are primarily concerned with insect and disease research in horticultural crops.

The result will be a tightly knit subtropical fruit research and extension group whose expertise in such crops as papaw, pineapple, avocado, guava, litchi, macadamia and low-chilling peaches underwrites departmental services in the entire South-east Queensland region.

44. Repairs to Bruce Highway North of Caboolture Turn-off

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

(1) As the recently opened four-lane-section of the Bruce Highway immediately north of the Caboolture turn-off has disintegrated, causing disruption to traffic and failure of the surface, and is there any recourse to claim on the road-building contractors?

(2) When are repairs expected to be completed and at what cost?

*Answer:—*

(1 & 2) Extensive investigation and testing of the new northbound lanes have indicated that the failures have been caused by a combination of factors, the main ones being high moisture levels and a pavement material that has apparently undergone a rapid deterioration in service. It has been decided to treat the pavement materials with cement. Quotations will be called for this work in April and it should be completed by June this year. The cost is expected to be about \$150,000. As the pavement materials complied with specification on delivery, there does not appear to be any possibility of a successful claim against the suppliers.

45. Pamphlet Distributed to Schools

Mr Powell asked the Minister for Education—

(1) Has his attention been drawn to the editorial in the Bundaberg "News-Mail" of 23 March?

(2) Is the information contained in that editorial correct with respect to the document prepared by him for distribution to schools?

(3) Why was it decided that such a pamphlet was required?

*Answer:—*

(1) Yes.

(2) Final costing on the pamphlet has not yet been received. It is not correct to say that my department's views are always given prominence in free news space.

Many times, particularly in the metropolitan dailies, my news releases are heavily edited and more space is given to the sensational statements favoured by Queensland Teachers Union officers.

(3) Parents and the public generally were subjected to a heavy barrage of union publicity over the class-size issue. Much of the information in material produced and distributed by union representatives in schools was biased and incorrect. It was necessary, therefore, to present parents with the true position in respect of resource allocation to schools and to do this as quickly and expeditiously as possible. I must say that in most places the pamphlet has been well received.

46. [Deferred]

47. Foot and Mouth Disease Vaccine

Mr Blake asked the Minister for Primary Industries—

(1) Is he aware of Press reports in June 1981, stating that the meat and livestock committee chairman of the New South Wales Livestock and Grain Producers Association, Mr K. Leckie, commenting on advice from the USA Agriculture Department, indicated a breakthrough in a foot and mouth disease vaccine that could spare the world's livestock industry from one of its most serious diseases?

(2) Has subsequent research supported claims that the breakthrough, believed to be the first effective vaccine produced through gene splicing, was confirmed by US Agriculture Secretary, Mr J. Block, after an eight-week test period?

(3) If so, what is the present opinion of Primary Industries authorities in Queensland regarding the existence or otherwise of an effective foot and mouth disease vaccine?

Answer:—

(1) Yes.

(2) No, I am not aware of any research confirming the efficacy of the foot and mouth vaccine based on recombinant DNA techniques.

(3) The technique shows promise, but the availability of such a commercial vaccine, fully tested for efficacy and safety, is probably at least five years away, if not longer.

#### QUESTION WITHOUT NOTICE

##### Nomination Qualifications of Herbert William Layt for Chairmanship of Johnstone Shire Council

Mr CASEY: In directing a question to the Minister for Justice and Attorney-General, I refer to the controversy surrounding the nomination qualifications of Herbert William Layt for the chairmanship of the Johnstone Shire Council at Saturday's local government elections. I ask: Is Herbert William Layt currently enrolled with the State Electoral Office for the State electoral district of either Mourilyan or Mulgrave and, if not, was his deletion from the roll caused by another "clerical error" in the Minister's department or by an official mistake or error in accordance with section 27 (3A) of the Elections Act?

Mr DOUMANY: The matter has been under consideration by the State Electoral Office, which has received advice from the Crown Law Office and the Solicitor-General. So that the matters raised by the Leader of the Opposition can be clarified, I ask him to place the question on notice.

Mr CASEY: I do so accordingly.

Mr CASEY having asked a question without notice—

Mr SPEAKER: Order! The time allotted for questions has now expired. I suggest that the Leader of the Opposition place his question on notice.

Mr CASEY: I do so accordingly.

## MATTERS OF PUBLIC INTEREST

Ram Chandra

Mr LESTER (Peak Downs) (12 noon): Today I wish to make a few comments in this Chamber about a man named Edmund Royce Ramsay, who is better known as Ram Chandra. On 30 June 1982, that good man is to retire from active work in Queensland.

Opposition Members interjected.

Mr SPEAKER: Order! The House will come to order.

Mr LESTER: Ram Chandra has devoted some 40 years to giving outstanding service to the people of Queensland. He has demonstrated at thousands of shows before seven to eight million people.

Mr Blake: Did he get permission?

Mr LESTER: It is shocking that Labor Party members should make fun of such a great Queenslander who has done so much to help our young people.

Opposition Members interjected.

Mr SPEAKER: Order!

Mr LESTER: When I am speaking about one of Queensland's eminent citizens, it is terrible that members of the Labor Party should carry on like stupid little schoolboys. I am talking about a Queenslander who has few equals. He has demonstrated throughout Australia for 40 years.

An Opposition Member interjected.

Mr LESTER: I should have thought that the honourable member for Mackay, who lives near Ram Chandra, would have more brains than to make such an interjection.

With the purpose of saving lives, he travelled about 800 000 miles in 40 years. He has demonstrated how snakes may be identified, how they react and how people may avoid snake bite. He has appeared before schoolchildren, army and air force personnel, hospital staff and so on. Never at any time has he charged a set entry fee. He simply provides a collection box into which people may put donations if they feel so inclined. Over the years he has given about \$50,000 to charity.

Anyone who thinks that Ram Chandra has made a lot of money is very mistaken. He is interested only in helping people—in saving their lives. Any money he received in excess of what he found necessary to keep his family or improve his business has been given to charity. Very few Queenslanders have done as much as he has with so little. He has donated to the ambulance, medical services and other worthy organisations.

Today, in this Parliament, we should recognise the efforts of such a great Queenslander. Often Queenslanders who do much good work behind the scenes for little return retire without having their achievements fully recognised.

In his early days, Ram Chandra explored much of Australia looking for different snake species. In all, he collected about 80 different varieties. In conjunction with the CSIRO and other bodies, he was prominently involved in working to produce an antivenene for taipan snake venom.

In 1956, while he was demonstrating to a group of ambulance officers in Mackay, he was bitten by a taipan snake. That was one of the first occasions on which the antivenene was used. He was bitten twice on the leg and went to hospital. He was the first person to recover from the bite of a taipan.

Since then, 38 people have been saved in Queensland by the use of that antivenene. Had it not been for the efforts of Ram Chandra, not all of those 38 people would have survived. There is no doubt that his efforts in this field have resulted in the lives of many people being saved. Would it not be nice if all of us could say we had saved the lives of 38 fellow Australians?

Mr Katter: The Australian health authorities would not believe that the taipan was another species of snake. They claimed that the taipan was a brown snake and, therefore, would not develop a special antivenene.

Mr LESTER: That is quite correct. It is obvious that the honourable member for Flinders knows this good man as well as I do. He was treated similarly to Sister Maureen Kenny, who did so much for polio sufferers. Her efforts were not recognised for a long time. Mr Ram Chandra had to convince the authorities that the taipan was a separate species and was one of the deadliest snakes in the world.

Mr D'Arcy interjected.

Mr LESTER: Now the Deputy Leader of the Opposition is trying to interject whilst I am making such an important speech.

As I was saying, Ram Chandra had to convince the authorities that his antivenene was effective and that they should market it. It is rather ironic that the antivenene developed from the snake that bit Ram Chandra was used to save his life.

So far I have referred only to his work with taipans. How many other people's lives has he saved by demonstrating brown snakes, black snakes, mulga snakes and so on? He has made people much more aware of the danger of snakes. People in grass country now wear shoes and protective clothing in the bush. Possibly this good man has saved something like 200 or 300 people. The whole basis of his work has been educating the people on how to avoid snakes and how to recognise the different species so that the correct antivenene could be used. If a person is bitten by a snake, it is very important that he be able to identify the species so that the correct antivenene can be used. How many people have died from snake bite because they could not identify the snake?

Snake bite affects different people differently. All sorts of problems could arise if a person bitten by a snake was suffering from a blood disease. Identification is vital to assist hospital authorities in deciding the correct antivenene to use.

Every honourable member would have seen Ram Chandra working at shopping centres, schools, and so on, demonstrating his work. His efforts will never be forgotten in Queensland, and I do not know how he will ever be replaced.

Some of his efforts have been recognised. This year the Pioneer Shire Council recognised him as one of the shire's outstanding citizens, and he has already been awarded the British Empire Medal in recognition of his work. I sincerely hope that he will be honoured with even higher awards, which he so richly deserves.

(Time expired.)

#### Burdekin River Irrigation Project

Mr SMITH (Townsville, West) (12.10 p.m.): I want to bring to the attention of the House this morning the fact that Australia's most exciting land and water resource development scheme, the Burdekin River irrigation project, stands threatened by a handful of landholders and the hierarchy of the National Party.

In a classic example of how the organisation of the National Party, through Sir Robert Sparkes, rules its parliamentary party, a meeting was held at 2 p.m. on 11 February 1982, in the Premier's office, between the Premier, Sir Robert Sparkes, Charles Holm, Val Bird, Ken Tomkins, representatives of the rice growers and the cane growers, and the Burdekin Sugar Millers Association, together with Geoff Cox, representing the landholders. Geoff Cox, of course, represents the family who own by far the greatest parcel of land in the Burdekin area. I challenge Sir Robert Sparkes or the Premier to refute the accuracy of the remarks that I intend to make about the discussions of the 11th.

It is first necessary that I outline some of the history of the project. The scheme, to cost \$240m on 1980 prices and involving some 60 000 ha, of which 45 000 will be irrigated, stands threatened because the Queensland Water Resources Commission's proposal that all the benefited land be resumed and cut up into farms has been rejected by the National Party.

A handful of land-owners, of whom the most prominent are the Cox family, led by Geoff Cox, brother of Mrs Vicky Kippen, are insisting that they are entitled to effectively retain up to 50 per cent of their present land-holdings. This would mean that of the 660 proposed farms they would retain sufficient land for 360. Sixteen of the 50 land-owners who have entitlements under the scheme would in fact obtain 200 of those 360 farms.

The project cannot go ahead until such time as the matter of the land resumption has been resolved. There is, additionally, no possibility whatsoever that Federal money will be committed to the scheme until such time as the State Government has met its commitments on infrastructure. On 5 March the Federal Treasurer, John Howard, said that the Queensland Government had to pull its weight on the Burdekin Dam Scheme. He said that most people believed that the construction hold-ups were due to the Queensland Government. His actual words were, "We will need an efficient partnership with the State Government to get the dam project built" At the present time, the State Government is procrastinating and a stalemate situation exists, with no early signs of a settlement acceptable to interests other than grazier land barons. Quite apart from the very pressing reasons why the Burdekin Dam should be developed for agricultural purposes, Townsville is urgently in need of an increased water supply, especially in view of the uncertainty of the future use of stage II of the Ross River Dam.

The Water Resources Commission proposed that there ought to be a complete resumption of the lands to be irrigated and a redivision by the commission, with existing landholders generously entitled to purchase up to three farms in addition to the normal retention farm. The landholders were to get a remarkably good deal under this proposal. The value placed on the retention farm was to be based on the resumption value. The value placed on the additional farms to which the landholder was to be entitled was to be based on the resumption value, plus the cost of reticulation.

That was not good enough for the greedy landholder interests and they have said that there must be additional arrangements for existing landholders to purchase even more farms. They demanded preservation of land equity to the extent of permitting existing landholders to be able to purchase irrigation farms to the full escalated compensation value paid for resumption of their properties. To cap this unreasonable demand, the landholders proposed that freehold tenure should be treated differently from leasehold to the extent that the resumption of freehold should not be permitted where adequate leasehold land was available. Mr Cox spoke about natural justice. I ask honourable members to read the answer given this morning to a question asked by the Leader of the Opposition on this subject. The collective proposals would, of course, make the whole scheme completely impractical.

The Burdekin River Project Advisory Committee was set up by the Government to advise and assist the Water Resources Commission on the implementation of the scheme and also the layout and design of farm infrastructure. To date, that committee has not met, and as yet has had no opportunity to recommend a solution to the current impasse.

It seems quite deliberate that the committee has been moth-balled. It was due to meet on 8 February, but it was then put off until 8 March, and it has now been put off to a date to be fixed pending Government acceptance of a proposal acceptable to the landholders. In fact, Cabinet consideration has been deferred to give the graziers the opportunity to press their case.

The public is now aware, from an article in "The Courier-Mail" of 22 February 1982, that the Premier had taken sides with the graziers in the dispute, and he is quoted as saying that he ordered Cabinet's consideration of the Water Resources Commission's proposal to be put back until a further examination of the graziers' case could be made. The Premier's opening remarks at the meeting were in fact to tell the representatives of the rice growers, the cane growers and the sugar millers that as far as he was concerned the matter was settled in favour of the graziers.

Sir Robert Sparkes, that great producer of the policy "Nationals for the north", said he believed that the Burdekin would take money away from other water resource schemes that had already been commenced and, as far as he was concerned, the Burdekin Dam should not have been started. He further said that he saw the decision to build the dam as a political decision for political ends. However, he made no bones about his position with respect to the landholders who he backed to the hilt. Those proposals would make instant millionaires of a few people, but, more particularly, it would make the Cox family multimillionaires. Sir Robert Sparkes, who I understand dominated the meeting, made it very clear that as far as the National Party was concerned the matter of resumption of freehold land, other than on terms acceptable to the landholder, would not be negotiated. He said that he had been involved over a considerable period of time with the Lands Commission in trying to get to a position where freehold land could not be resumed for anything but the most necessary public use.

He also claimed that he had encountered considerable opposition from public servants, who, he claimed, were installed by previous Labor Governments and who had little sympathy with National Party policy. He said the objective had now been achieved and would be implemented by the National Party.

Geoff Cox, that great upholder of rights in the Burdekin area, admitted that the buy-back land option proposed by the landholder would leave him holding something like 2 000 ha. We must remember that it is worth \$4,500 per ha. He admitted that it would be sufficient to grow 600 acres of rice, 600 to 800 acres of other grains, and leave him with the balance for grazing. New farmers will get about 50 to 150 ha.

The Premier and Sir Robert Sparkes thought that this seemed to be fair and reasonable. They were unimpressed when it was explained to them that, under the proposals put forward, some landholders would probably be able to buy back 50 per cent of the land they already owned, and this represented an enormous windfall gain for the landholders through the expenditure of public money.

The Premier said that he condoned landholders deriving the benefits of development, and it was just good fortune for any landholder who happened to be near a developmental project.

It was put to the National Party hierarchy and the Premier that landholders would reap the benefits of the speculative increases of land prices, which had risen dramatically since the dam was announced in April 1980. It was then put to the meeting that it was unreasonable that landholders should be able to make use of the speculative element to acquire even more landholdings in the scheme. From the answer to the Leader of the Opposition's question to the Minister for Lands this morning, there is clear evidence that, in spite of the impending dam construction, the practice of converting leasehold land to freehold was not curtailed.

Interests other than the landholders believe that it would be reasonable and fair to calculate the buy-back entitlements at values at the time immediately prior to April 1980, when the dam was announced and before the escalation of land values. This morning, the Minister said that it works one way. I wonder whether it works both ways.

It was put to the meeting that it would probably be unacceptable to the Federal Government if as much as 50 per cent of the land in the benefited area went back to the existing landholders, and therefore the scheme would not proceed.

Sir Robert Sparkes then commented that, as far as the Commonwealth was concerned, he did not think they would be upset if the State Government said that it did not wish the money spent on the dam at all. He said that, if the Government indicated that it wished to spend the money on another scheme or schemes, the Commonwealth would probably agree. Sir Robert Sparkes thereby indicated that he had no serious interest in the Burdekin Dam project or in the people of North Queensland.

When the point was made that the landholders had never detailed their proposals in writing to allow the various parties to study them, Mr Cox arrogantly replied that it was not the business of the other parties, anyway, and that the matter was really one entirely between the landholders and the Government.

The wash-up of the meeting was that Sir Robert Sparkes decreed that the Water Resources Commission should go cap-in-hand to Geoff Cox and work out a solution acceptable to Cox and his cronies. He bluntly pointed out that if an agreement could not be reached, it would be left for the Cabinet to decide. We all know the outcome of that.

He made very sure that everyone understood that any agreement reached would have to meet the requirements of the National Party with respect to their attitude on freehold land, otherwise it would not be acceptable to the Government. In other words, he usurped the role of the Premier and the Cabinet.

(Time expired.)

#### Brisbane City Council Aldermanic Superannuation Scheme

Mr AKERS (Pine Rivers) (12.20 p.m.): Over the last few weeks there has been much controversy about the superannuation scheme for Brisbane City Council aldermen. Much hypocrisy has been displayed. The Democrats are totally opposed to any scheme, but their esteemed Federal leader (Senator Chipp) has said nothing on the subject. If the Democrats' vehement opposition to the scheme was genuine, surely Senator Chipp should

give the lead because he is involved in such a scheme. But there has not been a word from him or Queensland's Democrat senator. So much for that opposition to the scheme!

Certain ALP aldermen have made some fatuous comments that have contributed very little. The National Party has proposed its version of the scheme, which allows certain benefits but not others. The Liberal Party has promised an independent review of the scheme.

At the week-end, the dirty-tricks department of the ALP, in an attempt to embarrass Alderman Olsen, leaked a formal letter from Alderman Olsen that was written at the request of Alderman Harvey. The attempt failed. At the week-end, "The Sunday Mail" and "Sunday Sun" had full-page stories on that subject. I hope that today "The Courier-Mail" will take notice of what I say and give equal prominence to the cover-up by the ALP that I am about to expose.

As honourable members know, the ALP has belatedly promised some form of inquiry into the superannuation scheme. I wondered why it was not jumping onto the political bandwagon. That was until I heard ABC radio this morning, when Alderman Olsen, the leader of the opposition in the city council—that so-called wide open administration—said that he was not able to obtain details of the entitlements of other aldermen. One of the entitlements he had requested was that of Alderman Harvey so that he could give the details to the Press Club yesterday.

Since then I have done some checking to find out the actual position. The fact is that the Town Clerk has been banned from telling anyone about Alderman Harvey's entitlements. However, I found that Alderman Harvey has a reason to cover up. He has shown tremendous hypocrisy in his dealings with the scheme. The small amount of information that I have indicates that full details must be exposed to the public before Saturday's council election so the people know the truth.

I demand that tomorrow the House be given full details of Alderman Harvey's entitlements under the scheme. I ask: Did Alderman Harvey benefit from the scheme when he left the council in 1972 to enter this House? He was in the scheme at that time. My advice is that he entered the scheme when it commenced in 1969 and left it in 1972 with the contributions that he made and the interest on them. The public should know precisely what happened. The next question I ask is: Did Alderman Harvey re-enter the scheme when he was re-elected to the council in 1976? If he did, on what terms did he do so?

The public has grave doubts about the true position. When he was re-elected, did he re-enter the scheme under special conditions? Did he take into account his previous service on the council? My information is that he made use of the provision that allowed him to count his previous service on the council—the very thing about which he has leaked criticism of Alderman Olsen. The hypocrisy of this so-called vice-mayor of Brisbane shows through very clearly.

According to the advice that I have received, on re-entry he paid back a few thousand dollars to the scheme and immediately became entitled to the full benefits of the scheme dating back to 1969. His length of service will be taken into account. The public should know his full entitlements. If the opportunity presents itself, tomorrow I will ask questions in an attempt to expose those entitlements.

Mr Davis interjected.

Mr AKERS: My superannuation is clearly known to everybody. It has been exposed in the Press. Not once have I tried to hide any fact about it. I have not tried to cover up anything. I have not instructed anyone in my employment to cover up the facts and not to disclose to the public the full details of it. I am not debating the rights or wrongs of any superannuation scheme; I am referring to the cover-up in government by Alderman Harvey in the form of an instruction to an officer of the Brisbane City Council not to tell anybody in Queensland what every ratepayer should know, that is, the entitlements that Alderman Harvey will receive and the fact that he has manipulated the scheme to obtain the maximum benefit for himself.

My present advice is that he will receive approximately \$200,000 after manipulation of the scheme. Those full details must be disclosed to the public of Queensland before next Saturday's election. The public is entitled to know the full facts, not just some half-truths that are leaked to the Press.

Honourable Members interjected.

Mr AKERS: Complete honesty has been shown by the candidate for the Bramble Bay ward—

Mr DEPUTY SPEAKER (Mr Miller): Order! I remind members that I will not tolerate cross-fire in the Chamber while a member is on his feet addressing the Chair.

Mr Davis interjected.

Mr AKERS: It is a pity that the ALP cannot stick to the facts. It is trying to scream down the exposure of a cover-up. I am disgusted at the behaviour of the member for Brisbane Central in trying to hide the facts. Members of the Opposition preach open government. In Brisbane, only half a mile from this building, there is a distinct cover-up by Alderman Harvey, who is hiding facts about benefits that he will receive from a scheme that he is now decrying. In addition, he is rubbishing another participant in that scheme.

I was referring to one person who deserves enormous credit in the whole scheme, and that is David Preston, the totally honest young man who is a candidate in the ward of Bramble Bay. Long before there was any public controversy concerning the superannuation scheme, he clearly stated his position to the voters in his ward. On 4 May he signed a statutory declaration that stated that as far as legally possible—that is the only way in which he could formulate it—he would not be taking part in the scheme. All round the ward he has explained publicly that any money, other than his contributions to the scheme, will be returned to the public. A charity fund will be established that will be administered openly. In the past, Opposition members have made promises to make donations of salaries and so forth to charity. I have never seen any evidence of that. David Preston will explain to the public quite clearly where the accretions to his superannuation payments will go. They will be distributed totally by a group of clergymen to charities in his area.

Tomorrow I intend to ask the Treasurer a question without notice requesting details of the Brisbane City Council superannuation scheme. The public is entitled to know where the ALP stands on the matter, where it stands on open government and to what extent it is prepared to cover up such information.

Application by Dr A. B. McKay to Brisbane City Council for Permission to  
Use Part of House as General Practice Surgery

Mr FRAWLEY (Caboolture) (12.30 p.m.): I enter this debate because I have a matter of great public importance to raise. Every member of Parliament has a responsibility to the electors, not only those whom he represents but also those throughout the State, and if he has any knowledge of any underhand dealing or crookedness he should expose it. I intend to do just that today.

I quote from a statutory declaration signed under the Oaths Act 1867 to 1960 by Alasdair Breck McKay of 2 Corfe Court, Carindale Chase, Carindale, Brisbane, in the State of Queensland, who solemnly and sincerely declares that—

““I am a Doctor and now practice as a General Practitioner in the suburbs of Carina East and Carindale.”

Mr Mackenroth: He's also a liar.

Mr FRAWLEY: That's a strange interjection. He is a doctor, isn't he?

The declaration goes on to say—

“I use an area, set aside in my house to treat patients for emergency and after hours needs.

In June 1979, I applied to the Brisbane City Council for permission to utilise part of my house . . . for the purpose of a General Practice . . . This application was refused by the Brisbane City Council.

I subsequently prepared another application to use part of my home as an after-hours and Emergency Surgery. This application was similarly refused, but following an appeal to the Land Court in May 1980, I won the right to so use part of my house.

Following the initial applications refusal, I approached Mr. Bryan Walsh, the Alderman for the Carina Ward of the Brisbane City Council; for advice on how to submit my second application.

During the discussion, Mr. Bryan Walsh advised me that if I was prepared to pay, he could advise me who to pay, and how much to pay. I indicated then, that I was not prepared to pay anything and Mr. Walsh indicated that he doubted if my application would be successful.

The significance of this discussion did not become apparent to me until some months later.

While in his office, Mr. Walsh telephoned someone in the Council to ascertain the reasons for the rejection of my original application.

On or about the 4th of December 1979, at approximately 7.15 pm, I received a telephone call, at my home.

The caller declined to identify himself, but made it clear that he was contacting me, with regards to my application for a home occupancy surgery, to the Brisbane City Council.

He validated his call by stating correctly the dates of both my original application and the second request as well as giving details of the reasons for the Council's rejection of the application.

He then stated that he was prepared to ensure that the application would be successful, if re-submitted, if the sum of \$2,000 were paid. He indicated that this was the amount necessary to obtain Traffic Section approval. He said that it was necessary to pay this money to Mr. Len Ardill the Council member associated with the traffic aspect of the application."

Len Ardill is, of course, an alderman in the Brisbane City Council.

The declaration continues—

"When I said that I would consider the matter and asked him to leave his name and telephone number, he declined, and stated that the call was being recorded, and an answer was required then. On receipt of that answer, I would then be advised of the method of payment and where to pay it.

I indicated that I had received such a call to my local Council Member (Mr. Bryan Walsh), who told me that such approaches were not uncommon, and for the right amount of money, many things could be arranged through the Council."

I do not doubt that. I am sure that people remember the investigation conducted by Mr Arnold Bennett, QC, into the dealings of the Brisbane City Council with subdividers. Mr Bennett's report referred to some very shady dealings. In intend to table this statutory declaration, which goes on to say—

"Mr. Walsh had been very helpful in trying to get the Home Occupancy Surgery approved for me but he declined to be a witness."

The doctor then wrote to the Australian Medical Association with respect to the applications.

Mr Fouras: Is this still the statutory declaration that you are reading?

Mr FRAWLEY: Yes. I will be tabling it. It goes on to say—

"The Association, on my behalf, then saw the Lord Mayor, (Mr. F. Sleeman) on the 1st February 1980, and the matters raised were fully discussed.

During that discussion Mr. Sleeman reviewed the reasons for the Brisbane City Councils refusal of the application and stated twice that the local Ward Alderman—"

Bryan Walsh—

"had spoken against the application at the Committee stages, whereas I had understood from the same Alderman that he supported the application."

The doctor did not pay the \$2,000, so why would the alderman support it?

It continues—

“Mr Sleeman referred the matters surrounding the application to the Inspector in Charge of the Fraud Squad, who subsequently interviewed me, both about the telephone call and Mr. Bryan Walsh’s statement, (to me), with respect to payments to ensure applications were approved.

The Fraud Squad then interviewed Mr. Walsh, who next day rang me in an agitated state, about the investigation by the Fraud Squad.

Following my successful appeal in the Land Court, I wrote to Mr. Bryan Walsh on 28 May 1980, to seek clarification about his support or otherwise for my application. Mr. Walsh did not reply.

On 3rd July 1980 I again wrote to Mr. Walsh, by certified mail. Mr. Walsh found it necessary to seek legal advice and he instructed his solicitors (Quinlan, Miller and Treston) to advise me that my application had his ‘whole-hearted support’ ”

The Lord Mayor said that Alderman Walsh spoke against it twice.

The statutory declaration continues—

“I again wrote to Mr. Walsh on 2nd October 1980, and specifically asked him to confirm in writing that he did or did not support my application at the Brisbane City Council Committee hearings of my application. This letter was hand delivered to Mr. Walsh by myself. Mr. Walsh did not reply.

I again wrote to Mr. Walsh on 15th June 1981 requesting he reply, in writing, to my question. Mr. Walsh again replied through his Solicitors, but the question asked of Mr. Walsh was not answered and Mr. Walsh’s ‘whole-hearted support’ was reduced to ‘... verbal representations . . .’ on my behalf.

Mr. Walsh and his solicitors have now refused to allow me to pursue the matter further, to an answer.

I am of the opinion that Mr. Bryan Walsh indicated to me that by payment of monies my application would receive favourable attention, and that Mr. Bryan Walsh did not support my application at the Brisbane City Council Committee stages and for that reason Mr. Bryan Walsh will not acknowledge with a direct answer, my question repeatedly put, in the correspondence.

And I make this solemn Declaration conscientiously believing the same to be true and by virtue of the provisions of the ‘Oaths Act of 1867-1960’

Taken and declared before me——”

and it was witnessed by a justice of the peace.

Opposition Members: What date is on it?

Mr FRAWLEY: I will table it so that all honourable members can read it.

Mr MACKENROTH: I rise to a point of order. I draw to your attention, Mr Deputy Speaker, the fact that the statement read by the honourable member relates to events purported to have happened two years ago. It has taken the person concerned two years to sign that statement, and it is riddled with lies.

Mr DEPUTY SPEAKER (Mr Miller): Order! That is not a point of order.

Mr Fouras: On what date was that affidavit signed?

Mr FRAWLEY: I will table it. I will not waste my time answering that question.

I served on the Redcliffe City Council for six years. I know that all councils allow any councillor, whether on a committee or not, to attend a committee meeting to make submissions on behalf of any of his constituents. That is a good idea.

Bryan Walsh is an aspirant for the position of Lord Mayor. I have it on good authority that, if elected, he has the numbers to oust Alderman Harvey. He is trying already to get rid of Harvey.

Mr Mackenroth: What the hell are you doing in this Chamber?

Mr FRAWLEY: I will table the document just to show what Labor aldermen get up to. Bryan Walsh was not the only one who was involved in this matter.

Mr Fouras: Three days before an election you are maligning an alderman. You ought to be ashamed of yourself!

Mr FRAWLEY: That is the best time to do it. The honourable member would not expect me to do it three years before, would he?

Mr Prest: Why don't you go outside and repeat it?

Mr FRAWLEY: This man is prepared to go on television and repeat it.

An Opposition Member: Why hasn't he?

Mr FRAWLEY: He is going to do it. The document will be tabled. I intend to ask the Minister for Local Government to investigate this matter.

Mr Prest: Who witnessed it?

Mr FRAWLEY: It looks like "Lyons" or some name like that. As I have said, I intend to table the document.

Shortly after I entered Parliament, I read, among other reports, the one presented by Arnold Bennett QC. I was horrified to learn of some of the dealings that took place in the Brisbane City Council. I believed that they had ceased, but I now have further evidence of them. To think that a doctor, a well-respected professional man, had the screws put on him to pay \$2,000 to obtain permission to build a room under his house. He was providing a service for the public.

Mrs Nelson: It happens all the time.

Mr FRAWLEY: I know it happens. It happens everywhere.

Mr Mackenroth: That is the bucket. They are lies, and you know that they are lies!

Mr FRAWLEY: It is signed under oath.

Mr Mackenroth: You know that the National Party has made you do this today, and it is all lies.

Mr FRAWLEY: The National Party has not made me do anything. I do not do anything that I do not want to do. I thought that, because it was a matter of public importance, it should be brought to the notice of the public.

Opposition Members interjected.

Mr DEPUTY SPEAKER: Order! Persistent interjections will not be tolerated.

Mr FRAWLEY: If I were a National or Liberal Party alderman, I would still do it. Such matters should be brought before the public.

Mr Casey: What is the going price for a contract with the National Party for the Bjelke-Petersen Foundation?

Mr FRAWLEY: I do not know. When the Leader of the Opposition allegedly went bankrupt but had a stack of money in Mackay, I know that he offered the Government of the day a fair bit of money to get him out of trouble. I do not know what the price was then, but he did not want to pay it.

I table the statutory declaration and leave it to members of the House to judge for themselves.

*Whereupon the honourable member laid the statutory declaration on the table.*

#### Local Authority Elections

Mr PREST (Port Curtis) (12.39 p.m.): I do not think it is worth while my attempting to reply to the honourable member for Caboolture. I would like him to repeat his allegations against Bryan Walsh outside, but I know he has not the intestinal fortitude to do that.

During the course of my speech today I will show how despicable members of the National Party are and how low they can stoop. Next Saturday the citizens of Queensland will decide who will represent them on their local authorities for the next three years.

The decision by the people will have a very important bearing on their financial position—the rates and charges that they will pay if home owners, and, if not home owners, the rental they will pay—and what progress will be made in their areas in the provision of the services that are the responsibility of the local authorities.

The position of local authorities in this State is being made virtually intolerable by this Government and its attitude to the local authorities. By introducing new and amending legislation, the Government has loaded the local authorities with additional responsibilities and has placed a greater work-load on them. On most occasions the changes have been made without reference to or consultation with the Queensland Local Government Association.

The Government has reduced the strength of the Local Government Department from 202 employees in 1980-81 to 92 employees in 1981-82. The Local Government Department has been virtually destroyed. The responsibility for some local government activities has been given to other Ministers to administer.

The Government has reduced subsidies on permanent and other works in some instances by 100 per cent. Special grants have been withdrawn. Interest rates on loans raised by local authorities have been increased to 16.6 per cent. The subsidy cuts, the withdrawal of special grants and the very high interest rates will cripple local authorities. They will be forced to cut their works programs. This will result in staff reduction and will impede progress in the provision of the facilities and amenities that are so necessary today. I refer to water reticulation, sewerage, cleansing services, health and hygiene, welfare services, town planning, recreation—sporting, library and cultural facilities—and many other community services that make up the infrastructure that is demanded by today's society but was not enjoyed by our predecessors.

To provide those services, councils are required to raise finance by way of rates, charges and loans from banks, insurance companies and approved lending institutions. Interest rates are set by the Government at 16.6 per cent. The local authorities are not borrowing money; they are buying money. Following the cuts in subsidies, the local authorities will be forced to increase rates.

Dr SCOTT-YOUNG: I rise to a point of order. The document that was tabled by the honourable member for Caboolture has been removed from the Chamber.

An Honourable Member: It is not a public document.

Dr SCOTT-YOUNG: It is not a public document.

Mr DEPUTY SPEAKER (Mr Miller): Order! I am not aware that it has been removed.

Dr SCOTT-YOUNG: The honourable member for Chatsworth removed it.

Mr DEPUTY SPEAKER: I ask the Sergeant-at-Arms to contact the honourable member for Chatsworth and ask him to return the document that he removed from the Chamber.

Mr PREST: Following the subsidy cuts, the rates and charges for the services which have to be maintained and improved will be increased or the services will have to be curtailed.

The local authorities most harshly affected today by the subsidy cuts are the authority areas in which great development is taking place and new headworks or services have to be supplied or supplemented.

Now changes are being made to the voting procedures in some areas, without reference to the local authorities concerned. There must be fair representation on local authorities. I say "fair" because, today, representation on local authorities is not fair. Queensland has 134 local authorities—17 cities, 4 towns and 113 shires.

The shire councils, in particular, are controlled by National Party supporters and the set-up of the divisions allows the composition to be so lopsided in favour of country representation that, although country councillors represent only a fraction of the electors of the council, they have the numbers to gain control of the shire council, because it takes, say, one-tenth of the number of votes to elect a person in a country division that it does to elect a person representing a town division. That is unfair.

One of the most obvious imbalances is in the Mt Morgan Shire which has two divisions. Division 1, returning five councillors, contains just over 2 100 electors, whereas division 2, returning three councillors, contains 60 electors. From a different perspective, Division 1 has 420 electors per member and Division 2 has 20 electors per member, an imbalance of 2 100 per cent.

Although to an extent it could still be argued that the size of shires dictates the boundaries of electoral divisions, the same could not be said for the rapidly expanding urban-fringe authorities. Ipswich city appears to have a just and equitable distribution of electors in each of its 10 divisions, with each division containing approximately 4 000 electors. What reason could therefore be given for the imbalance in the newly-created Logan city which is also divided into 10 one-member divisions, but with a variation from 8 250 electors in Division 1 to 1 220 electors in Division 7? There are many other instances, such as the Redland and Bowen Shires.

Members can see that this Government intends to gain control of city councils. It is introducing a ward system in Townsville, Rockhampton, Maryborough and Toowoomba. I would go along with that system, provided the wards were not gerrymandered as they are at present. For instance, Rockhampton has 10 wards. Division 2 has 1 800 electors whereas Division 5 has 4 500, a variation of 150 per cent. Maryborough has eight divisions. Division 8 has 1 300 electors whereas Division 5 has 2 500, a variation of 92.3 per cent. Toowoomba has 8 divisions. Divisions 1, 2, 4, 5, 7 and 8 each have 5 000 electors whereas Divisions 3 and 6 have 7 000 electors, a variation of 40 per cent. Townsville has 10 divisions. Division 1 has 3 000 electors whereas Division 9 has 5 000 electors, a variation of 66.6 per cent. Those figures show that the Minister for Local Government, Main Roads and Police was not joking in his latest television comic show yesterday and last night when he admits that he had said to Joh, "Let me draw up boundaries and they will never beat us." The Minister did say that and did institute a blatant gerrymander of boundaries in those cities. He should be ashamed of his actions. That just goes to show how low and despicable is this Minister. Any accusations made against the administration of his portfolio should be considered to be the truth.

I do not believe that any political party has a divine right to win every seat on a council, but on a percentage vote it is entitled to percentage representation, and if that occurred we would have better councils. The same principle should apply to State and Federal Governments.

The National Party is desperate to gain control of local authorities. One can only believe we have in this State a Government which is out of step with the workings and the requirements of local government, or that we have a Government that wants to take complete control of the authority of local governments and have instead a Local Government Department playing the role of a tax collector or fund-raising department with no authority to administer but completely controlled by the Minister or by Executive Council.

The Government's recent actions will have repercussions at the polling booths on Saturday. The people will not cop what this Government has done to local government, particularly the gerrymanders it has created in the four cities I mentioned.

I now want to talk about Herbert William Layt who was a candidate for the Johnstone Shire Council, but I believe that he has now found that he is not enrolled in the Johnstone division or anywhere in the Innisfail area. His father, whose name is Herbert Augustus Layt, lives at a different address. The fact is that at the last State election when, according to the roll, Mr Herbert William Layt was living at Mourilyan Road, Innisfail, he failed to vote. The Electoral Office wrote to him asking for an explanation of why he failed to vote. He failed to answer that correspondence. The Electoral Office then wrote asking why his name should not be erased from the roll; he also failed to answer that letter.

(Time expired.)

#### PERSONAL EXPLANATION

Mr MACKENROTH (Chatsworth) (12.50 p.m.): Mr Deputy Speaker, I seek leave of the House to make a personal explanation. I would like to point out before you have me arrested that I handed the statement that I got from the table to the Hansard attendant to have photocopied for the Hansard reporters for their transcript. I have not got a copy, and I did not take it from the Chamber for my own use.

Mr DEPUTY SPEAKER (Mr Miller): Order! Unfortunately, people who read "Hansard" will not be able to see the smile that was on the honourable member's face when he said that he was arrested. I know that he was having a small joke, but people who read "Hansard" will not appreciate that he was having a joke.

First of all, the honourable member was not arrested. He was asked to return the papers that he had removed from this Chamber, after it had been drawn to my attention that he had removed them. The honourable member has explained the situation by saying that he gave the papers to a member of the Hansard staff. I would point out that any paper tabled is the property of this Parliament, not the members of the Parliament. If documents tabled in this Parliament are taken outside the Chamber and used outside of it, that could involve legal action. It is not safe for members to take outside the Chamber copies of documents tabled in this Parliament.

## MATTERS OF PUBLIC INTEREST

### Australian Education System

Mrs KYBURZ (Salisbury) (12.51 p.m.): Amidst all the deliberately organised political stirring about so-called class sizes, nothing has been said about the concern of many parents about the many aspects of the education system in Australia of which they are fearful at present. Those parents fear that a quiet revolution is taking place. The nonsense Marxist theories that are being shovelled out in some high schools and universities have a single purpose, which is to undermine the Australian society which we know, which we enjoy and in which we prosper.

I am worried about the mass exodus of children from the State school system; they are leaving in droves. In fact, parents are so afraid that they are even prepared to try the completely American system of indoctrination called Accelerated Christian Education. This system is sold to schools through a very clever marketing technique. This system feeds on the natural fears of many parents who are concerned about their children. Why do these parents think that the State education system is failing? They make it clear to members of Parliament who listen; they tell me repeatedly. Their fears are many. There is no discipline in some schools. There are no values, such as simple good manners, taught in schools. There is no help with a morals philosophy based on individual responsibility. There is no accountability in the State education system. There is no accountability for the massive amounts of funds going into university education. There is no mechanism for complaint by either parents or students about the manner in which some teachers conduct themselves and ram their own political ideology down the throats of their students in the class-rooms.

School accountability, university accountability and teacher accountability must be demanded. Parents are worried about the arrogant assumption of some educators that they are not responsible for the product that they turn out. What is the main thrust then of this Marxist philosophy coming through in some schools and universities? These people share only one belief: that this society must be destroyed so that their dream society can rise in its place. Their main target is the capitalist system which, they say, is the root of Australia's lingering inequalities and tensions. They aim at a peaceful revolution, brought about and fought for by lecturers and teachers in the class-rooms. I object to that. Our class-rooms are becoming the battleground for these nonsense theories. Many of these lecturers and teachers see their role as providing an intellectual base for the launching of a non-violent assault on capitalism, and that is why people must start speaking out.

Parents have told me some of the utter theoretical nonsense that is being pushed. Some of these issues are of grave concern to adults but of no concern whatever to adolescents today. These theoreticians say that a much higher level of economic prosperity will be possible after the social revolution.

Workers, that euphemism for nearly everybody in the Australian society—I hate the term—will be so productive that they will have to work only 20 hours a week. If that happens, many very unhappy people will be roaming the streets. The theory continues: it will then be possible for a new ruling class to emerge that will encourage people to delay gratification so that at last we can start sharing the goodies around. I ask those people: What is this welfare State that we now have in Australia? It is already here.

What do they say about capitalism? For them, capitalism is the root of all evil. They say that all the glaring inequalities of political democracy are attributable to the private ownership of the means of production. To them "profit" is a dirty word. They forget that profits provide jobs for these mythical poor workers who have jobs only because the places where they are employed make a profit. Heaven help us when the State runs every enterprise. Everybody knows what happens then.

Many radicals fear that a cut-back in university budgets will reduce their chance to push their revolution. Let us face it, their buzz word—it is a big buzz word that we hear so often—

Mr R. J. Gibbs: This is a shocking contribution from you.

Mrs KYBURZ: The honourable member says that because of his political philosophy. He is a fraud.

Students are told that society owes them a job. They are also told that they are entitled to social security, even when they have contributed nothing whatsoever to the economy. Some social workers are even telling 13 and 14-year-old girls that it is OK for them to get pregnant so that they can bludge on society and receive a pension.

The time has come to warn the House that parents are turning in droves to alternatives to the State education system. I call on all those parents to expose this nonsense labelled Marxist philosophy to members of Parliament, school principals and the media. They should expose this threat to the good teachers within the system, those good teachers who believe in the State education system and its independence. As the system is now being weakened by the loss of pupils, so too will those teachers fear for their jobs.

I warn the social revolutionaries that their theories have failed, and failed again. They have failed all around the world—Poland, the USSR and China. The failures are so obvious that one would think that these people would open their eyes and wake up to themselves. I can do no better than to repeat a quotation that is on a coffee mug, which I happen to enjoy using occasionally—

"You cannot strengthen the weak by weakening the strong;

You cannot help the poor by destroying the rich;

You cannot prosper by discouraging thrift;

You cannot keep out of trouble by spending more than you earn."

I wish the Marxists in the universities would take note of an even better quote—

"You cannot help men permanently by doing for them what they can do for themselves;

You cannot build character and courage by taking away man's initiatives and independence."

I warn the parents of Queensland to start speaking up, start going to p. and c. meetings, start being involved in schools and start being concerned about the State education system because it is falling apart.

#### Inspection of Demolition Sites

Mrs NELSON (Aspley) (12.59 p.m.): In the brief time remaining in this debate I wish to draw to the attention of the House the continuing incidence of death and injury on construction sites in Queensland. I am quite aware that the Minister has stated in the House that he is, within his department, investigating the problem of staff shortages, inadequately trained inspectors and the rapid increase in construction sites in the city and the State where demolition work is carried out.

There is no denying the fact that in the last 12 months the rate of injury and death on demolition sites, as opposed to construction sites, has accelerated rapidly. Only yesterday another worker died on a demolition site. That is the third major accident on demolition sites within approximately four months in this city. I draw to the attention of the House the need for a complete and urgent review of the inspection of demolition sites in Queensland.

Mr DEPUTY SPEAKER (Mr Miller): Order! Under the provisions of the Sessional Order agreed to by the House on 10 March 1981, the time allotted for the debate on matters of public interest has now expired.

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

## FISHING INDUSTRY ORGANIZATION AND MARKETING BILL

### Committee

The Chairman of Committees (Mr Miller, Ithaca) in the chair; Hon. M. J. Ahern (Landsborough—Minister for Primary Industries) in charge of the Bill.

Clauses 1 to 5, as read, agreed to.

Clause 6—Interpretation—

Mr AHERN (2.16 p.m.): I move the following amendment—

“At page 4, line 39, omit the words—

‘sale, trade, processing or manufacture, pearl culture or other purpose of any kind directed to’

and substitute the words—

‘sale or trade of fish for’.”

The amendment has been brought forward after discussion with industry and with members of Parliament. The change will make clearer the meaning of the term, and the words being deleted are considered unnecessary.

The CHAIRMAN: Order! I point out to the Minister that the amendments have just arrived at the table. A great deal of inconvenience is caused to the Clerk and the Clerk-Assistant when proposed amendments are not given to them in time. We are proceeding now to prepare them.

Mr AHERN: I was not aware of that. I apologise.

Amendment (Mr Ahern) agreed to.

Mr GYGAR: Clause 6 presents an opportunity for those members who have previously expressed the view that there is much wrong with the Bill to draw attention to some of the facets that bring the Bill very close to being a farce.

I have no great and detailed knowledge of the fishing industry and I do not purport to know the ins and outs of it. I am prepared to accept the Minister's expressed viewpoint that the general scheme of arrangement and management that he proposes for the fishing industry is one that is warranted, and I support a Bill which will do that. However, this Bill falls into quite a different category.

Clause 6 contains some elements that bring the Bill very close to being a farce. I draw the attention of the Committee to certain aspects of clause 6, which is the interpretation clause. It is in the interpretation of the Bill that many difficulties will be found. The definition of “fish” includes canned fish. The definition of “processor” means the occupier of premises at which fish are treated. Further, the definition of “treat” includes refrigeration. Therefore, all those definitions together quite clearly indicate that a person who puts a can of fish in a refrigerator is a fish processor within the meaning of the Bill. That is ludicrous, yet that is what is provided for in the definitions.

The definition of “fish” means all freshwater and salt-water fish, which includes goldfish. All these interesting little arrangements about the sale of fish and the processing of fish apply to people who should never have been included in the provisions of the Bill and who, I am sure, were never included in the Minister's contemplation of the Bill. But the fact is that they are included.

The plain, clear meaning of the words in the Bill as it is written have very little to do with what should be the intention of the Bill and what, I am sure, is the Minister's intention. But we cannot get around the words used in the Bill. Courts interpret Bills as they are written, on the plain meaning of the words. On the plain meaning of the words in this Bill, a pet shop that puts a goldfish in a plastic bag and sells it is a fish processor. Similarly, a corner-store proprietor who puts a couple of cans of sockeye in

a fridge is a fish processor. That means that he has to run the whole gamut of everything else involved in being a fish processor. He has to be licensed and his vehicles have to be licensed.

The Bill goes to absolutely ludicrous extremes, which, I am sure, some of my colleagues are anxious to explore. I do not know enough about the fishing industry and I am prepared to accept expert advice, so as I have said, I have no argument against the major thrust of the Bill. The thrust is necessary; the Bill is a joke. It is the worst example of confused drafting and hurriedly-put-together drivel that I have ever seen in my seven years in this Parliament.

Because of the complexities and stupidities in the Bill's definitions, it will impose enormous imposts on people who, in my view, the Minister did not intend to catch. The Bill does not achieve what it is intended to achieve. That is what is wrong with the Bill, and that is why this Parliament should throw it out. It should be sent back to the Parliamentary Counsel and to the people who came up with it, with the comment, "We do not disagree with what you are about, but for God's sake write it down in a reasonable way."

Surely no-one in this Chamber wants to have registered every pet shop that sells goldfish in plastic bags. Surely no-one in the Chamber wants to have introduced legislation that describes someone who puts a can of tuna in a refrigerator as a fish processor. Yet the Bill does just that. Surely no-one in the Chamber wants to require the proprietor of a corner store who goes to a Woolworths or Tickles depot and loads a few cases of salmon or sardines onto his truck to register that truck. Yet the Bill provides for just that.

The Bill is a shambles. That is shown initially in the definitions clause, clause 6. I oppose clause 6, not because of what it wants to do but because of what it in fact does. It is crazy and silly. The Minister should withdraw it and have it redrafted.

Mr HOOPER: I shall not use the same harsh words as were used by one of the Minister's colleagues, who made a scathing attack on him. Possibly that attack was not deserved, but it is further evidence of the rift between the Liberals and the Nationals in this Chamber.

It is very difficult, if not impossible, to gauge the effects of the provisions in the Bill in the absence of knowledge of the scope of the regulations. Such words as "prescribed form", "prescribed manner" and "prescribed fee" are meaningless in the absence of information as to what the Minister's intention is. It is extremely difficult to examine and to offer a critical analysis of the clauses, as a clear picture of what is envisaged will emerge only when the regulations are promulgated. I hope that the Minister will explain that in his reply.

The following comments are made on what can be gleaned from a reading of the Bill, without the benefit of an opportunity to study the regulations. With that background, I put forward the following criticisms for the Minister's consideration.

My overriding concern relates to the protection of the genuine, hard-working and conscientious fisherman who probably has his life savings invested in the industry. At the same time, he is battling to survive because of poor catches, low market prices and ever-increasing fuel costs. That man is worried about his future and that of his family. Men in his position need help and protection, not further harassment and additional financial burdens cast on them.

I am concerned particularly about the definition of the treatment of fish, because it will prevent fishermen from cleaning even one fish, salting prawns, refrigerating them and, more importantly, sorting their catch unless they are licensed processors. That is a complete farce.

A Government Member: You are quite right.

Mr HOOPER: The honourable member said that it is a whitewash. Somebody should pour a can of it over the honourable member for Mt Gravatt. It might improve his dreary speaking style.

In other words, no fisherman can operate unless he is also a processor. This is just a snide way of increasing the already prohibitive licence fees and taking another fee from the fisherman's pocket.

Mr INNES: I rise to criticise clause 6. My problem in addressing the whole Bill is that if the definitions are wrong because they are too wide in intent, a web is woven throughout the legislation that becomes difficult to alter or reverse without a total rethink. Because of those problems, I cannot sensibly propose amendments in this debate that go to the nub or thrust of the argument that I, and I am sure others, will raise.

It is obvious that the legislation hangs around the definitions. The problems that start with the definitions become more complicated by other refinements in the legislation.

I do not oppose in any way the regulation of the production of fish. I support the regulation controlling the taking from Queensland waters of commercial fish of the usual target species. I support a system of licensing to achieve that, and I support reasonable controls that must be exercised relating to net and boat sizes, etc. I support the retention of the Fish Board and the maintenance of a market-place to achieve a proper price for fishermen.

By supporting proposals to license fishermen and to control the actual taking of fish, I am supporting the security of their business. If the resource is always there for them, they will always have a business to be involved in and some reasonable assurance about price.

This measure runs into trouble because of the controls that apply from the ocean and the waterfront—from the initial receipt of the catch. It is a question of demarcation. How far should the provisions go? It is perfectly clear—and the Minister has articulated this—that, in the tradition of commodity boards, he proposes to give power to the new authority to control every way in which fish can be dealt with in this State. That obviously goes too far.

Another complication arises in that the Act replaces two Acts, namely, the Fisheries Act and the Fish Supply Act.

Mr Ahern: It amends the Fisheries Act.

Mr INNES: It is to be substantially amended. This legislation takes over the two provinces. One Act will control a situation formerly covered by two Acts, one of which was directed primarily towards the control and maintenance of the resource, the other being concerned primarily with the marketing of the resource.

I would have thought that the word "fish", in terms of this Bill and in terms of a philosophy of orderly marketing, means the sort of fish that are normally used for human consumption. It is the edible fish species that are being dealt with, but the definition is given the widest possible effect. It includes all freshwater and salt-water fish. It includes guppies and goldfish. The authority has power to make laws and regulations and to give directions in relation to guppies and goldfish as well as other edible fish. It in fact deals with and includes canned fish.

The argument addressed to me is that canned fish must be included because the board must be able to deal with canned fish and can fish. No argument; I understand that. It is quite simple, by modifying the powers in the "board" section, to include the capacity of the board to deal with canned fish, can fish or imported fish. However, the definition covers shell grit—

Mr Gygar: And cuttle-bone.

Mr INNES: And cuttle-bone—they are innocuous things—as well as ornamental fish such as guppies and goldfish.

The argument is that it is, of course, unlikely that the powers in this direction would be used. If that is so or if is not intended, it should not be written into the legislation, because what follows from the definitions is the creation of a category of human behaviour which it prescribes and for which serious penalties are prescribed, or which can be engaged in only after acquisition of a licence. The Parliament is not about the business of making innocent, usually non-culpable aspects of the behaviour of Queenslanders liable to licensing or criminal offences. The Parliament should not do it, even on the face of the legislation.

History has taught us that it is not sufficient to give the Executive or the Executive plus department or statutory authority more power and say that those bodies will not use it in a particular way.

As I said in my previous speech, the likely action in these cases will be for the inspectors—and inspectors could go off the rails, and do go off the rails—because of animosity towards a particular individual or because of an excess of power to drag before the courts innocent Queenslanders who are doing nothing that should be considered wrong by any standards.

The definition of “fish” is too wide. It should have been confined to those fish that are usually taken for human consumption.

Mr Ahern: How about trochus?

Mr INNES: I would accept trochus as a fish that would normally be taken for commercial purposes. It involves the usual operation of a traditional activity of the fishing industry; in the same way that the word “processor” would mean the sort of person who runs a filleting establishment to which fish are customarily taken and at which the predominant business is dealing with the cleaning of fish, the dealing with fish, the packing of fish and the refrigeration of fish. But not everybody who deals in that type of behaviour is made liable to the provisions of this legislation.

Other honourable members have rightly lighted upon the word “treat”. It defines disjunctive operations which can, if they happen in relation to fish, involve a person in definitions which lead ultimately to criminal liability under this legislation. Cleaning, filleting and salting are all to do with fish. Refrigerating is quite a neutral action.

The definition continues—

“ . . . shelling, peeling, deveining, crumbing, smoking, sorting, processing and packing.”

Sorting, packing and refrigerating are the most neutral of human actions; yet by doing any one of those things in relation to a fish, one is, in terms of the Bill, treating a fish and therefore falls foul of provisions such as clause 36, which makes it an offence to treat fish for a commercial purpose unless the person is the holder of a processor's licence.

What concerns me is that, on the face of it, the owner of a fish shop becomes involved. Apart from the corner stores and the examples rightly given of the refrigeration of tins of salmon, slabs of smoked salmon or fillets of fish, take the owner of an ordinary fish shop who goes to the market and buys his fish. He has to have a buyer's licence, as I understand it, under the present Act. He takes the fish back to his shop and cleans and fillets it and prepares it for sale. Why should he have to seek a processor's licence? He is a retailer, not a processor. We know what the word “processor” means. Why should we, through artificial definition—I am arguing as a lawyer, and I am arguing to keep the law out of this area of human activity—make people who do things other than what we call processing, processors, and put them at risk under the legislation? It is not good enough to say that we can exempt these people later when the authority works itself out.

I understand the plea made by the Minister for urgent action. I understand the problems of the board and the need to control the resource, and I support the Minister wholeheartedly in retaining those two functions. But, unfortunately, he has not done just that. He is creating an authority that he says he wants to work out the common fate of the industry, and if amendments are necessary, “we will fix it up later.” That is just not good enough. There is no house of review in Queensland; we in this Assembly are it. Our job is legislation; job satisfaction lies in creating good legislation. We do not penalise people or make their activities criminal if we do not intend to do that, and our job is to get the words right and get our legislation right.

In my view, the legislation goes too far. It is a catch-all that is unacceptable. I therefore oppose the clause on the basis that the definition of “fish” is too wide, the definition of “processor” is too wide because it involves the word “treat”, and the definition of “treat” is clearly too wide.

Mr Casey: Do you support the amendment?

Mr INNES: Yes, the amendment did help because it limits another section, but it is not enough. The word “processor” is defined; but later we will find that the people who are on the authority that will preside over the fate of everybody in this State who deals with fish include people called wholesalers. However, they are not defined anywhere in the Bill, nor do they have to be licensed. Yet one would have thought that they are more centrally involved in the trade and the business than are people such as the owners of fish

and chip shops, whose activities would fall within the ambit of the proposed Act. As a matter of interpretation, it would be difficult for a wholesaler to escape being also a processor because the definition of "processor" is so wide. For instance, anybody who refrigerates fish with the intention of selling it is a processor. Every wholesaler I know refrigerates fish, and every one of them sorts and packs fish; so every one of them is a processor. Yet again those words are used disjunctively as if there is some difference.

The legislation is not well thought out, and urgency is not a sufficient explanation for not thinking it out if later we require everybody to have a licence before he can be involved in the industry and make it a criminal offence for him not to have a licence to take part in those activities. These points must be very clearly made. This is not a wholesale rejection of Government control in the industry. It is not an assault on the fishermen, and it is not an assault on the importance of their activities. I support that, and I support measures taken to make sure that they remain in a viable industry. I support the retention of the board because of its principal function of retaining a market at which fishermen can get an honest price. But where the legislation goes wrong is that in this case the net is cast too wide. The mesh is too small and the net will catch too many undersized fish. These undersized fish will be caught by Queenslanders who are going about their everyday business. I object to that, in the same way as the Minister objects to the taking of undersized fish of any sort. It is for those reasons that I oppose the clause.

Mr CASEY: I think that the Committee is becoming a little confused about the amendment that was moved to this clause. Unfortunately, the amendment was rushed in and members were not given an opportunity to properly study its ramifications. If there is one point on which I would agree with the member for Sherwood, it is that one.

The member for Sherwood mentioned also that the Committee is now reviewing this legislation. If the definitions are not correct, amendments will have to be brought into the Parliament at some later stage to correct the situation.

The amendment that was moved by the Minister takes away the intent of the Bill, and particularly of this clause. It deliberately excludes from the Bill the provision relating to "a commercial purpose". That provision is mentioned in many other clauses of the Bill that define the processes that can be undertaken by processors.

The definition of "treat" includes "cleaning, filleting, salting, refrigerating, shelling, peeling, deveining, crumbing, smoking, sorting, processing and packing". In some parts of the industry, a great deal of that work is carried out by the fishermen themselves. It is not necessarily carried out by the wholesaler, the processor or any other person. Because the industry is very complex, one must look very carefully at those definitions. The definition of "fish" is not clear cut. When reference is made to sugar, that is easy to define.

Direct trading in fish may be carried on by the fisherman himself. It can also be carried on by a processor or wholesaler or retailer. There are four different groups. I appreciate that the member for Sherwood and several other Government members are keen to maintain the free trade in fish. Up to a point, I think that everyone agrees with that. But the two main points that we should keep in mind are, first and foremost, that fishermen and the other people engaged in the industry should get a good return and, secondly, that a quality product is put on the consumer's table at the most reasonable price.

If marketing can be carried on for commercial purposes directly through the fishermen, that will be all right so long as the other provisions of the Bill are adhered to. The definitions of "fish" and "treat" cover fresh fish, processed fish and so on; but I am doubtful whether the amendment that the Minister has moved will achieve what he seeks to achieve in the other definitions in the Bill.

I believe that the definition of "a commercial purpose" in the Bill is quite satisfactory. However, because of the complexities of the fishing industry, I would like to hear the Minister further explain to the Committee why he has omitted the reference to processing and manufacturing.

Mr SCASSOLA: I concur substantially with the comments made by my colleagues the honourable members for Sherwood and Stafford. In my opinion there is a strong argument in favour of controlling the fish resource. There is also an argument in favour of retaining the Queensland Fish Board to ensure that fishermen have a market. In that respect I concur

with the views expressed by the honourable member for Sherwood. But the difficulty with the Bill is that it simply goes far too far and seeks to control every conceivable facet of the industry.

Much has already been said about the definitions. As has been pointed out, the definition of "fish" encompasses not just edible fish for commercial purposes but all fish, whether they be freshwater or salt-water. The definition encompasses marine products and later on the Bill provides a regulation-making power to control the taking of shell grit. The Bill goes to extraordinary lengths and covers fish that has been filleted, frozen, preserved or canned. So the definition is far too wide.

When that definition is read in conjunction with that of "processor" and "treat", one can see just how far it goes. In my view one of the honourable members who spoke earlier quite rightly pointed out that a fisherman who takes a fish out of the water and fillets it—in fact, he does not have to go that far; he merely has to scale it—within the definition of the Bill becomes a processor.

I wish to add to what has already been said about the definition of "processor" which—  
"means the occupier of premises at which fish are treated. . ."

But it goes on to include persons who are declared by Order in Council to be processors.

Mr Innes: Not to be processors.

Mr SCASSOLA: Yes, but it also goes the other way. The Order in Council can exclude people who would normally fall within the definition as being processors and it can include people who normally would not fall within the definition. In other words, it could include persons who are not necessarily the occupiers of premises but who are treating fish.

My point is that this is an instance in which the Executive can alter a basic definition in a statute passed in the Parliament. For 300 years that sort of thing has been frowned upon, yet we find in 1982 in Queensland we have this sort of intrusion into legislation. Frankly, it is unacceptable that the Executive can substantially alter legislation by taking to itself the power to alter basic definitions. That sort of thing can lead to a selective inclusion or exclusion by Order in Council.

There is no basis on which the Governor in Council must act. That is conduct that has been frowned upon for 300 years. In the second-reading debate on this Bill I said that we tend to come into this Chamber time and time again fighting the same battles about things that are quite unnecessary. The point has been made many times by members in this Chamber that these sorts of things ought not to be done. Here we are in 1982 witnessing this again in a Bill.

Later on, when we deal with other provisions, we will see that powers are included in the Bill that were excluded from a Bill only two weeks ago by amendment. Today the same problem is experienced and the same battle has to be fought again. That is quite unacceptable. The definitions in the Bill are so broad that they make the Bill quite farcical. It leads me to say that they have not been formulated very well. On the other hand, it may well be that the intention has been to ensure that the Bill gives delegates as much power as possible to the authorities and imposes as much control as possible on anyone dealing in fish.

If a fisherman is going to carry out his profession or his job properly, he ought to be given reasonable opportunity to do that without undue interference.

Mr PRENTICE: Reference has been made to many of the problems associated with clause 6. As a definitions clause, it provides the basis for many of the dangers that a number of members see in this legislation. The definitions that have been referred to are those of "fish", "treat" and "processor". When one looks at carrying those definitions with the full implementation or possible implementation of this legislation to its logical conclusion, one finds just how absurd the Bill can be.

The response to that attack on the Bill is to say, "The problems in the industry are such that we must ensure that we cover every possible offence. Then, if we think that somebody may be unfairly prejudiced, we will have the power to exclude them from the operation of the Bill." One of the problems with that approach is that the law in this State—indeed, in most democratic States—should be such, and often is, that people can approach it with some certainty. The definitions in clause 6 are so all-embracing

that, when one combines them with the power of the Minister or the authority to remove people from the operation of the Bill, nobody can be certain whether he might or might not be affected by the legislation.

No doubt the Minister will tell the Committee that he does not intend that the Bill should apply to corner stores that refrigerate canned fish, and that he does not mean that it should apply to somebody who packages a goldfish by putting it in a plastic bag. However, if one carries it to its logical and potentially legalistic interpretation—and there are persons who will object to that—dangers exist. The Bill can be best described as a Bill to ban everybody from doing anything that the Minister does not like or approve. The approach that stems to a large degree from these broad definitions is a dangerous approach to legislation.

The honourable member for Mt Gravatt referred to the definition of “processor”. I reinforce his comments. What certainty can any citizen have as to the state of the law when the Bill provides that the definition of “processor” includes a person declared by Order in Council to be a processor but does not include a person declared by Order in Council not to be a processor? That is a patently absurd approach to legislation.

Within the definitions clause of all places there should be provisions that allow people to look at the law with some certainty as to where they stand.

When the Government looks at the problems confronting an industry such as this it should not say, “We will generate a law so broad that it covers every single possible offence, and then we will exclude people.” Rather, should the Government say, “We will look at the problems, we will examine them carefully and, having done so, we will formulate definitions and a Bill that will intrude to the least possible extent on the rights of citizens in this State.” That approach should have been adopted, yet obviously it was not adopted in relation to the definitions. They are so broad that they are dangerous.

Mr PREST: It has been most interesting to listen to Government members give the Committee free legal advice—for what it is worth. As I said during the second-reading debate, the Bill has a large question-mark over it. On the one hand, the Queensland Commercial Fishermens Organisation said that it could see at least 30 problems in the Bill; on the other, at the last moment it says that it will agree to the introduction of the Bill and will wait to see what the regulations provide with a view to seeking amendments at that stage.

Mr Davis: It's like cutting a man's head off and then saying you are sorry.

Mr PREST: That is quite right.

No responsible Minister, no responsible Government department and no responsible Government should bring forward legislation that they know at the outset will not work. This Bill cannot work. As soon as the regulations are promulgated the Government will be looking for ways and means of making them work. If it is unsuccessful, the regulations will have to be altered.

I would have thought that those people who have been working on the formulation of the Bill and who are aware of the problems confronting the fishing industry would come up with a workable Bill. Surely the problems that confront the fishing industry could be rectified. The Bill is not good housekeeping. However, no doubt the fishing industry is in such a serious plight that it is clutching at straws. It knows that at least an attempt is being made to bring forward legislation with a view to seeing what it can do. But the Bill is a puzzle; no-one knows how the provisions will fit in with one another. It is a shame that the Bill is being brought forward in this manner, in the knowledge that it will not work and will have to be amended.

Dr SCOTT-YOUNG: When one picks up two dictionaries one expects to find some uniformity in them on the meaning of words. The same principle should apply to similar legislation. However, the definition of “fish” in the Bill is totally different from that appearing in the Fisheries Act, which this legislation replaces. That aspect should have been looked at by the persons who drafted the Bill.

The Fisheries Act defines "fish" in this way—

"Every description of fish, turtles, crabs, prawns, shrimps, or other crustacea, mammals, molluscs (shellfish) and sponges, and (save those excepted from this definition) other marine products, found in Queensland waters, including their spat, spawn, fry, and young: The term does not include whales, oysters, pearl shell, trochus, bêche-de-mer, green snail, coral, and shell-grit."

A short time ago the Minister suggested to a previous speaker that the term "fish" included trochus. Under the Fisheries Act trochus was not considered to be fish.

The gentlemen who drafted the Bill, especially the interpretation provisions, should have looked at earlier legislation, because the interpretation provisions do not conform. Those who can interpret the meaning of words will experience considerable confusion because of the change in definitions.

Mr AHERN: I have listened to what could be described as a repeat performance of the debate at the second-reading stage on this clause. I believe that the Liberal members differ with me and the industry on a matter of principle about the way the Bill will function. I can only re-emphasise the philosophy behind the legislation which has been worked out in consultation with the industry. Indeed, the industry sought these powers. In view of the overall strategy of the future management of the industry—whether it be out on the sea, under the sea, or right through the market-place—wide powers are necessary. The powers have been set out by men with considerable experience in the operation of similar commodity schemes.

If the dairy legislation were to be brought to this Chamber I imagine that some honourable members might have apoplexy about it and say, "Heavens above! No-one will be able to make a pound of butter on a dairy farm. Under the milk legislation a person may be required to be a licensed processor if he does that." Under the definition of processing in the milk legislation that would be true. But that has not happened simply because of the overall philosophy guiding the way that the legislation has worked.

I can only reiterate that the industry's constituent organisations, at grass roots level, will be appointing people to represent them on an authority to manage the affairs of the industry. They will report back to their constituent organisations. There will be accountability to the grass roots of the industry on actions taken. It is a device for industry self-regulation. Substantial benefits are to be gained by those involved in the industry under this umbrella-type legislation. They will have a degree of say in the future of their industry. That will give them protection. In return, certain sacrifices must be made, or the whole concept will not work. The whole of the community eats butter. It could be said, therefore, that the whole community is affected simply because no-one is able to buy half a dozen bottles of milk from QUF and make butter in his own home. It could be said that anyone who did that could be required by the Milk Board to be licensed. That is a fair analogy.

Anyone who examines the legislation carefully could say, "This will happen. It is there in black and white." What nonsense! It has not happened because that is not the way it works; it is not the way in which the industry operates.

The industry operates consultatively and co-operatively and accounts to its members. Most of the problems confronting the industry are solved consultatively and co-operatively. Resort to those wide powers is a very rare event, but it is necessary that they exist. That is the principal objection that will, no doubt, be voiced again and again during the afternoon. Wide powers are necessary. They will be administered by the industry, which will account to its members, with the Minister maintaining an overview.

When members look at the general powers in the Bill, they should look at the powers that are in the Fisheries Act and the Fish Supply Management Act. Those powers are quite extensive. The Fish Supply Management Act says simply that, in declared districts in Queensland, if a person catches a fish for sale he must deliver it to a premises of the board. That is very extensive legislation. It sets out very wide powers.

This legislation will integrate private enterprise into the organisation in a controlled way, with industry having a say in its own management and accounting back to its members. It is a process that will depend very much on co-operation. However, the wide range of powers necessary in other primary producer organisations is provided. If that range of

powers is not provided, the legislation will not work and a start would have to be made again to plug up the loopholes. The honourable member for Warwick has a life-time of experience in these organisations. He said that these powers are necessary or the thing might well not begin.

There is no intention to widen the definition of the word "treat" to cover every corner store; but if a corner store begins to take on the operation of a processor, power will exist to deal with the matter. A processor will require to be licensed. Will he be licensed? Can any honourable member say that he will be licensed? The situation is very similar to the situation in other commodity organisations in Queensland. They are operating very well and consultatively.

I will ensure that the industry considers the points that are being made. If some of the recommendations that the powers are too wide are acceptable and if the powers can be narrowed in some way that will not interfere with the operation of the legislation, that will be done.

That is what the first amendment is all about. It is an endeavour to respond in some way to the spirit of what is being said by honourable members on my right when looking at the change in the definition of "commercial purpose" from reading "in relation to fish means the purpose of sale, trade, processing or manufacture, pearl culture or other purpose of any kind directed to gain or reward" to reading "in relation to fish means the purpose of sale or trade of fish for reward." That simplifies the definition and perhaps restricts it without taking away the generality of powers needed to ensure the operation of the Act.

All of the consequences relative to treating on boats, and so on, have been mentioned. The commercial fishermen's representative on the authority and, after an amendment, the representative of co-operatives and the inspectors will operate under the authority. If they nabbed men for shucking a few scallops on their boats outside Yeppoon, the whole industry would be in revolt, and the two members on the authority would be making appropriate noises. Obviously it will not happen.

Mr Blake: I take it that in defining the breadth of the interpretation of meaning you are looking to the simple, effective operation of an appeals tribunal to ensure against any miscarriage of interpretation?

Mr AHERN: The honourable member for Bundaberg understands the situation very well.

The honourable member for Mt Gravatt then says, "Why do it?" Because the situation may emerge in the future when some smartie decides, if we accept it under the Bill, to establish a processing facility on a prawn trawler operating out of the port of Yeppoon in order to get through the loophole we have created.

This is a philosophical argument which will go on through the afternoon. I do not accept it. I believe that wide powers are necessary for this legislation to function properly and for the industry to look at consultatively resolving its problems. I am prepared to consider sensible suggestions, but to define them down to such a narrow course that makes the legislation unworkable is just not on. The industry itself has been to me since the second-reading debate when some members were asking me to restrict and restrict. They said, "We will be charged with some of the responsibility for the administration of this Act, and it will tie us hand and foot before we start. There will be so many people who start off flouting the Act that we might as well not begin."

Mr GYGAR: I am unable to determine whether the Minister has been befuddled by the paucity of advice he has obviously received in this matter or whether he just cannot work out what is going on. Let us put it in words of one or two syllables. Clause 36—I must refer forward because it relates to this matter—states unequivocally, clearly and without any hope of misinterpretation—

"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.

Penalty: \$5 000."

All the talk about boards, appeals and all the rest of it is totally irrelevant. If a person treats fish for a commercial purpose without a licence he is guilty of an offence.

Mr Davis: So says Captain Gygarr.

Mr GYGAR: I did not say it. The honourable member for Brisbane Central is just displaying his abysmal ignorance of the law. The Bill says it—I just quoted from it. The honourable member is just a bit of a buffoon hiding his ignorance under a cloud of stupid words.

A person has committed an offence if he treats fish for a commercial purpose and, like it or not (and the Minister obviously does not like it and will not face up to it) treating fish for a commercial purpose under the definitions of the Bill means a person in a pet shop putting a goldfish in a plastic bag.

For God's sake! It also means that the employees of the Vita Budgie factory, wherever it is, who place a piece of cuttle-bone in a plastic bag and take it to Woollies are treating fish for a commercial purpose. They are not my words; they are the Minister's words, unfortunately foisted upon him by some ill-informed adviser. He cannot beat around the bush and say, "Oh, we won't do those sorts of things." He has done them. He has said, "If you do it you are up for \$5,000."

The Minister can talk till he is blue in the face about fish processors being representatives on boards. It is an offence, and if a person commits that act, he has committed an offence. What is the Minister going to tell us, that he does not care, that fishermen can go round and commit a million offences and that all he is going to do is selectively prosecute those people who, for some reason or other, he does not like? That is not the way to frame a law, and I hope that everybody in the Chamber would reject the idea that this Assembly would pass a law that means everybody and his dog can be charged so that the Minister can pick up the ones he really doesn't like and charge only them. I hope that our parliamentary democracy has not yet deteriorated to the stage where we start passing omnibus laws to prosecute the lot so that if there is someone the Minister does not like he can sure as heck fit him with something. That is not what law is all about. The Minister has to face up to it. Glib comments such as, "The industry will organise itself." will not stand up in the face of the plain written words of the Bill. The plain words of that Bill are that a person who treats fish for a commercial purpose without a licence has committed an offence. The goldfish shop proprietor, the cuttle-bone processor and the owner of a corner delicatessen with a few pieces of haddock in his refrigerator are all treating fish for a commercial purpose, and unless every one of those persons gets a licence he will have committed an offence. Certainly the parrot-food people will not be thinking about getting a licence to put shell grit in a bag. The offence is a ridiculous and stupid one. It has nothing to do with the proper management of the fishing industry, and it should not be in the Bill. I ask the Minister to answer that.

Mr INNES: Mr Miller—

The CHAIRMAN: Order! The honourable member for Sherwood, in speaking initially for 14 minutes, has exhausted the time allowed him under the Standing Orders.

Clause 6, as amended, agreed to.

Clause 7—Fish supply districts—

Mr BLAKE (3.16 p.m.): The Minister has talked about the necessary breadth of interpretation in the clauses of the Bill. To some extent, I understand his point. Referring to the debate that has just taken place on clause 6, I am wondering whether it might be applicable to face up to a further debate on that subject on a subsequent clause.

I would like an interpretation of "fish supply districts" Clause 7 states—

- "(1) The Governor in Council may
- (a) abolish a district;
  - (b) alter the boundaries of a district;
  - (c) join two or more districts to form one district;
  - (d) exclude any part of a district from that district and include it within another district or distribute it amongst other districts."

My query is not about the clause. In the principal Act and in the Bill, I have not found a clear definition of a fish supply district. I would like to know whether the authority can utilise a fish supply district for the better management of marketing and the fishing industry? Can a fish supply district be used to enforce zoning of fishing operations? That is a matter of great concern to many fishermen who opposed the principle of zoning. Often, zoning is introduced because it is said that an authority should have the power to better

manage and regulate the fishery. Is it envisaged that, under the clause dealing with fish supply districts, the authority will be able to carry out the function of zoning fishermen, that is, to allow them to operate only in certain areas? If it does seek to enforce zoning, for instance, on the east coast, will it require an amendment to the Act at a later date? Can it be done by regulation? Can zoning be introduced within the Act simply by utilising the power that will exist for fish supply districts, as outlined in the Bill? Those are the questions that I would like answered.

Mr AHERN: The mechanism under the new Act relating to fish supply districts will refer in particular to the operations of the Queensland Fish Board. There is a capacity to declare districts under the present legislation covering the board. When districts are declared, the capacity for local authorities to open up and operate fish markets is thereby overtaken by the decision to declare fish supply districts. It is thought that the power to declare districts for the purposes of operation of premises of the Queensland Fish Board should remain in the new legislation.

Mr Blake: Only the Queensland Fish Board?

Mr AHERN: Yes. It will give the authority the same power that the Queensland Fish Board had in the past to declare districts and to exclude the local authority from operating in that area. It is thought that that power should remain in the legislation as it existed under the old Fish Supply Management Act.

Mr INNES: If, for instance, a fish supply district was declared from the New South Wales border to as far north as Gympie, or, for that matter, in any other part of the State—I simply use that as an example—and if it was decreed that only the Queensland Fish Board could either conduct a market or become a processor, what would the consequences be? In other words, what would follow from the declaration of a fish supply district, and how extensive could the powers be?

Mr AHERN: The extent to which these powers would operate would be a question for the industry to determine consultatively. But the power in the legislation to declare districts and, for instance, to declare in a particular area that there will be one, and only one, premises of the Queensland Fish Board operating, will now rest with the authority. The power to license processors and the power to determine not to register processors in a particular district will now rest with the authority. In effect, the authority will operate as a commodity board. Therefore, it is thought that the power ought to rest with the authority to give it the capability of managing the ordinary processing of the products of the Queensland fishing industry. The capacity will certainly be there for the authority to say that in a particular area private enterprise will be excluded, but that is not the intention of the authority or the industry. The intention of the authority and the industry is to legitimately involve private enterprise through licensing in the processing sector—a capability that is not presently there—but to do it in an orderly way.

The fisheries resources of the State are fairly well established. They have a certain exploitative capacity, which is now being determined by the number of boats operating from a particular facility. For example, in Moreton Bay there is a limitation on the number of boats that are operating; there is a limitation on the exploitative capability of the fleet. That capacity is there, and it is not unreasonable to say that, if it is to be managed, it ought to be managed in an orderly fashion at the point of processing. That is what private enterprise is saying to us, and this is one of the powers that will be used to achieve that.

Mr INNES: I am grateful to the Minister for his reply and for the information contained in it. Indeed, that is one of the aspects that has concerned me as well as others.

The right of people with identical interests to come together is one level of right that people have—the right for all producers of a certain commodity to come together to seek the maintenance of a livelihood and the continuity of their investment. It is on that basis that we support the control of the resource.

In the words of the Minister, there is a tendency to assume that the only people who are interested, or the only people who have a right or a say, are those presently in what is globally called the industry. In this instance it is not only the fishermen who

are interested. If only the fishermen were involved, we would have no argument; I have said that many times. In seeking to look after the industry, we are dealing with fishermen, processors and wholesalers.

A great deal of the debate was directed towards the definitions. Some people who are deemed to be processors under the Act are nothing more than retailers or transporters. The consequences of the Act and the legitimate interests of people who have a community of interest impinges upon other people. The Parliament is the filter through which those aspirations have to pass to reach legislative force. The public, the corner storekeeper, the pet shop owner, retailers and transporters have interests in the matter. I believe that presently they are of the opinion that they do not need to pay attention to, and would not dream of looking at the Fishing Industry Organization and Marketing Bill because they do not think that it affects them. However, I have demonstrated that it may affect them.

Mr Scassola: It does affect them.

Mr INNES: It affects them directly. After Royal Assent is given to the Bill, those persons will be committing offences under certain provisions unless some later Executive act over which this Parliament has no immediate control takes place to remove those provisions. That is the essence of the matter.

Everybody believes in private enterprise until he gets his business off the ground. Then he wants controlled marketing. He wants the circumstances removed that allowed him to get off his tail and establish his business. That must always be borne in mind. What are the legitimate rights of an industry to give away some of its freedoms for greater benefits, and when do its interests start to impinge upon others? Do the demands for its own protection start to affect others? That has been the essence of the argument in this case.

I am sure that the member for Warwick (Mr Booth), with his wealth of superior knowledge on this matter, knows that people on certain commodity boards claim that the powers can be used to frustrate their legitimate aspirations. At some time somebody might see the necessity to rationalise, and that is when it hurts, especially if one happens to be in the area that is being rationalised.

Mr Burns: That is what they are doing here.

Mr INNES: That is right.

It must be borne in mind that whenever we seek to extend orderly marketing or to introduce orderly marketing into new areas, a new financial and pecuniary interest is created. Every time a licensing situation with a restriction is established, someone is immediately given an asset.

The dairy farmers can rightly say, "You cannot take the quotas from us unless we are compensated. We bought into the industry on the basis of something that the Government established. We paid good money for this. Therefore, it cannot be removed from us unless we are compensated for it." The moment that the Government sets up a closed shop or a limited licensing situation, be it the film industry, the Licensing Commission—

Mr Booth: That is a good one to pick. That has been around for years and I have heard you attack it.

Mr INNES: I have attacked it in this Chamber.

The consequences of the Licensing Act and the formation of the Films Commission allowed monopolies with great access to capital to gobble up the outlets. Far Northern Theatres was taken over by Birch, Carroll & Coyle, which was taken over by Greater Union Theatres. All the small operators succumbed because, together with the restriction of outlets and licences, there was a restriction of the target area.

A similar situation arose in the liquor industry. Castlemaine and Carlton set out to dominate the market, and they were given an advantage by a restriction on the number of outlets. Situations such as that are the cause of my concern and that of my colleagues. Our concern is not based on arguments willy-nilly.

We on the Government side say that we stand for free enterprise and that we stand for smaller government. We have to test any proposal to extend government, to make government bigger, to increase the bureaucracy, to set up a licensing system and a self-

financing system. The additional cost has to be met by the consumer or somebody else on the way through. We in this Chamber must look at proposals such as that very carefully and constantly; we must remain vigilant.

The capacity of the authority or the Governor in Council to set up districts or to exclude processors who presently exist or others who might want to exist must be highlighted in this debate. It is part of the totality of authority and of influence, from fishermen to consumer, which I say has gone too far.

Mr BLAKE: I rise to espouse the opposite philosophy to that put forward by the honourable member for Sherwood, who seems to be espousing the benefits and the superiority of the private-enterprise philosophy. He said that licensing creates a closed preserve, but he overlooked the fact that, while regulating the industry, the authority can open it up by the issue of licences. That is indicated by the provisions for beam-trawling licences in rivers.

The honourable member can argue as long as he likes that the private-enterprise ethic is to be preferred; but, quite often, in instances in which the powerful rule the market, the Government introduces legislation designed to curb the free-enterprise philosophy by the issue of licences.

There is nothing wrong at all with the principle of orderly marketing. If the Parliament uses its powers of regulation to ensure orderly marketing—for example, by licensing—there will be a more effective husbanding of the resources for the benefit of both the producer and the consumer. Again I state my support for the principles contained in the Bill.

Mrs KYBURZ: I rise to express concern on two aspects of the fishing industry. The first is the activities of the Taiwanese fishing vessels in the waters near the Great Barrier Reef. I should like to know whether the authority will have the power to curb the plundering of our fish reserves in those waters. All honourable members are aware of what is going on in North Queensland. What powers will the authority have to stop it?

My other concern centres on the catching of black marlin as a so-called sport, particularly in the waters of the North. Will the authority have the power to say that a particular area has been overfished and that no further fishing will be allowed in it? The black marlin are not caught for the purpose of providing food for humans. If they were, perhaps I might not feel so strongly about the matter. I do not regard their catching as a sport. Many people believe that those fish are treated very badly. I am very sad that this sport fishing has been misnamed as an industry in North Queensland. It is an appalling blight on our State.

Obviously under this clause, which provides that a district can be abolished or its boundaries altered, the authority has wide powers. In that event, I hope that it will be able to do something about these two dreadful problems.

Mr HARTWIG: The fishing industry involves much harvesting and very little replenishing. Because the Australian fishing industry faces competition from Taiwanese and other foreign fishermen who usually go undetected, it is likely that we will have a fish-supply problem. Japan has established fish farms, and last year about 11 000 000 young fish were released into the ocean. Thailand has a massive scheme of releasing young fish into rivers above the main weirs and dams.

We are not paying enough attention to replenishing our fish supplies. We think only of harvesting fish—taking them from the ocean. What has the department in mind to ensure the future supplies of fresh fish in our waters?

The Minister must admit that fresh fish are not as easily caught as they used to be. The days are gone when a person could catch a feed of fish simply by standing up to his waist in water. It is time for the Government to think of replenishment as well as harvesting.

Mr AHERN: The honourable member for Salisbury spoke firstly about Taiwanese vessels operating in Australian waters, particularly Queensland waters. The Commonwealth and State Governments now have an agreed arrangement between an Australian company and the Taiwanese Fishing Guild. On Monday last I was visited by members of the Taiwanese Fishing Guild and its Australian partner Kailis, in which certain areas in the Australian Fishing Zone were discussed. That area is outside the Australian three-mile limit. In return for the right to operate in that area they agreed to self-regulation of Taiwanese

fishing boats that operate illegally in Australian waters. Since that agreement has been in operation, the number of boats caught fishing illegally in Australian waters has declined dramatically. Although it may be alleged that the area is not patrolled, extensive surveillance is taking place in the remote areas north of Australia.

On Monday, I told the representatives, "That is a great idea. We are ceding you an area west of Prince of Wales Island across to the general area of Darwin, which is a very remote stretch of water. Because we are giving you the right to go into that area we hope that when a man fishes illegally in Australian waters he will be dealt with under our law and Taiwanese law as well." That is the undertaking they have given. They said that if that happens the man will immediately lose his boat, his licence and everything else. That will happen irrespective of what penalty is imposed under the Australian law. I said to them "Recently, two men were up for a second offence." They gave me a firm undertaking that that could not happen again.

It is all very well for the honourable member for Lytton to guffaw. The truth is that breaches since the joint venture has been operating have been almost nil in comparison with what they were a few years ago.

The honourable member asked whether anything could be done under the legislation about marlin-fishing. Nothing can be done under this clause because most of the marlin are caught beyond the three-mile limit, in the Australian Fishing Zone which extends from three miles to 200 miles from the coast. There is capability to approach the Commonwealth for a management authority to operate in a resource in that area. A joint authority can be implemented to manage the marlin-fishing in that area. There is that legislative capability backed up by Federal and State law.

The honourable member for Sherwood gave us a run-down of his philosophy regarding this clause. The disputes between us in relation to this legislation come down to principle. He believes in principles rather than any type of legislation that might be described as commodity board legislation. But the pragmatic fact is that 120 trawlers operate out of Mooloolaba Harbour. Three receival depots/processers are operating and there is no room for any more. Everybody in the industry says that. Members can philosophise and theorise and say that it is contrary to their philosophy, but that is the cold hard fact. The authority will be able to ensure that that happens.

Mr Burns: Will it be able to close one of those depots?

Mr AHERN: I guess it would be able to.

Mr Burns: It can say that there will be only two depots in Mooloolaba?

Mr AHERN: It can do that but obviously it will not do it. It has that power. If that power was implemented it would be implemented consultatively and with the agreement of industry. The same is happening in the milk and meat-processing industries.

Mr Burns: You did not talk to the fishermen at the Fish Board depots. There was no consultation then.

Mr AHERN: The honourable member does not know what he is talking about. I have lived with the fishermen. They live with me and they ring me at week-ends.

Mr Burns: Before Haling closed the depots you consulted with the fishermen?

Mr AHERN: Yes. A tremendous amount of consultation went on, and nobody could say honestly that there has not been consultation with the industry. I have been to the honourable member's area.

Mr Burns: Before Haling decided to close the depot?

Mr AHERN: Yes.

Mr Burns: And you consulted with the fishermen?

Mr AHERN: A tremendous amount of consultation took place with all levels of industry on this matter. It is common sense to have this power, but there is a difference in philosophy.

Mr BURNS: The Minister mentioned the joint venture between Kailis and the Taiwanese. Can the authority enter joint ventures of that sort itself under the provisions of clause 27 (j)? Can the authority enter joint ventures to exploit some of the areas?

Mr Ahern: No.

Mr BURNS: The clause says that it has the power to do so.

Mr Ahern: You are looking at another clause.

Mr BURNS: I will deal with that clause later, but the Minister was talking about joint ventures and I thought I would raise that point.

Mr Ahern: You can't go back to the powers when discussing this clause.

Mr BURNS: That is your job, Mr Miller, and not the job of the Minister. The Minister should try to fix up the fishing industry. He is not doing very well.

Mr Ahern: It will not happen.

Mr BURNS: It will not happen?

Mr Ahern: No.

Mrs KYBURZ: I refer also to Taiwanese fishing in that area. I refer the Minister to their raping of the clams on the reef and substituting them for Tasmanian scallops on the Australian market. That is occurring within the three-mile limit. The Minister mentioned the joint venture that has organised an agreement outside the three-mile limit. My concern is about what happens within the three-mile limit. I want to know whether the Minister has had discussions with this joint-venture body about that sort of clam-pilfering which is going on within the three-mile limit.

Mr AHERN: The answer is, "Yes". I have had the Taiwanese in my office on two occasions, the latest being last Monday. They say that they want to cut down on the poaching of clams, and the concession given to them is a not unreasonable way of going about it. A straight-out policing operation would be extremely difficult. On each occasion that it was effected, the consequences of having to wheel these people into court, as would inevitably happen, would be traumatic. The Taiwanese have accepted a degree of self-discipline. They will deal with their people who break the law. Those people will not be licensed to operate in our waters again. The Taiwanese have promised me that. They have said to me, "Look, we cannot promise you that it will never happen, but when it does happen we will deal with it very seriously." They have powers under their fisheries laws which obviously put ours to shame. I have been told that offenders will never work in the industry again and that they will lose their boats permanently, without compensation, as soon as they get home.

Mr HARTWIG: The Minister obviously ignored the important point I made about future supply of fish in our waters. I again ask: What planning has the department done for the replenishment of the fish resource?

Mr AHERN: I overlooked the honourable member's point because it really has nothing to do with the clause. It just escaped me for the moment. My department has a freshwater research unit at Walkamin on the Atherton Tableland, where a tremendous amount of research is conducted. Research is also being undertaken at Deception Bay and up in the Callide electorate with a view to ensuring conservation and the continuation of the fishing industry. Where replenishment schemes are feasible, with the research information we now have, we are developing a capability to carry them out.

Clause 7, as read, agreed to.

Clauses 8 and 9, as read, agreed to.

Clause 10—Members of Authority—

Mr BLAKE (3.48 p.m.): I move the following amendment—

“At page 8, line 1, omit the expression—

‘6’

and substitute the expression—

‘8’.”

With your indulgence, Mr Miller, I would like to explain that amendment by referring to other parts of the clause.

The purpose of the amendment is to expand the membership of the authority. The industry believes, as does the Opposition, that commercial fishermen are not sufficiently represented on the authority. With the numbers engaged in the fishing industry, the capital investment and the nature of the occupation (which involves not only a great deal of physical risk in working out in the elements but also a great deal of financial risk with the capital investment in boats, etc.) the QCFO believes, as does the Opposition, that commercial fishermen have insufficient representation on the authority. My purpose in moving for an increase in their representation relates to subclause (f), which we believe should read—

“Three shall be persons representative of fishermen elected by postal ballot of licensed master fishermen.”

Earlier in the debate the opinion was expressed that in many cases professional fishermen are committed to operating within the confines of the weather. In many cases—not in all cases—the very efficient people who would be well able to represent their industry on boards do not do so, because they realise that if they are to take advantage of the weather and make a success of their business they would be handicapped by becoming members of boards.

Mr Hansen: They can't afford the time.

Mr BLAKE: That is true.

We propose that on the authority there should be three persons, elected by postal ballot of licensed master fishermen, to represent fishermen. The only way in which we see that representation being obtained is by expanding the membership of the authority to eight. Otherwise, a representative from another sector of the industry would have to be omitted from the authority. In all fairness, we do not think that those sectors that are to be represented on the authority are not entitled to that representation. We believe either that they are overrepresented when compared with the representation of commercial fishermen, or that commercial fishermen are underrepresented when compared with the representation of the other sectors of the industry.

Mr Hartwig: Could not a processor be a wholesaler?

Mr BLAKE: That is a moot point. We have looked closely at that matter. Usually, a processor is a wholesaler.

Mr Hartwig: He gets two votes.

Mr BLAKE: Yes, definitely. I suppose it would be possible for a person to be purely a wholesaler and to have nothing to do with processing. He could be an agent/wholesaler. I think the point that the honourable member for Callide is making is that in the actual operation of the industry the processor/wholesaler will get two votes on this authority.

Clause 10 refers to prescribed organisations, which perhaps gives some indication that a member of the fishing fraternity might be represented on this authority; but I am not certain about that. The Minister has circulated a further amendment, and I may be out of order in referring to it at present.

The position has been put quite simply: either there is not sufficient representation of fishermen on the authority, or there is overrepresentation by sectors of the industry that are not entitled to that representation.

Mrs KYBURZ: I wish to express another point of view about the composition of the authority. I realise that the Minister will have the power to appoint two members to the authority. I hope that he would consider appointing to the authority someone who has expertise in the retailing of fish and fish products in this State. I realise that that person could also be a wholesaler. I believe that the marketing side of the industry is underrepresented on this authority. I have taken this matter up with him previously. The marketing side of this authority will be extremely important. In the past, the industry has fallen down on the job, not only by not selling its product but also by not making its product adequately available throughout the State.

I simply ask the Minister to assure me that someone with expertise in marketing, especially in this area, will be his nominee on the authority. I would like to see someone with expertise in marketing, but not necessarily with a background in accounting, appointed to this authority.

Mr HOOPER: I agree with the remarks of my colleague the honourable member for Bundaberg in regard to the representation on the authority. At present, the Government in reality has three members on the authority, and the processor and the retailer have one each. Those activities are combined in a single operation so, in effect, the middle man has two representatives on the authority and the poor old fisherman only one. This is another slight to those who form the backbone of the industry. The industry should have at least three representatives on the authority. I ask the Minister for clarification on that.

Mr AHERN: I wish to foreshadow amendments that I propose to move to this clause, that is at page 8, line 1 to omit the expression "6" and substitute the expression "7", and on page 8, line 18, to insert after the words "prescribed bodies" the following words—

“;

(g) one shall be a person representative of primary producers' co-operative associations formed by master fishermen under the Primary Producers' Co-operative Associations Act 1923-1981.”

To save time I thought it might be convenient if I indicated my preparedness to accept another representative of fishermen specifically from the co-operative movement. Frankly, when the constitution of any of these boards is discussed, if one tries to get true representation one ends up with at least 23 people. It seems to me that such boards should be kept manageably small but still conserve a reasonable degree of representation. Fishermen have said that they feel they are underrepresented. I feel that a representative from the co-operative will reasonably meet that need.

In answer to the honourable member for Salisbury I point out that the Government representative on all of these organisations that operate in my department is a member of the Marketing Services Branch of the department. That person has marketing expertise. Ideally I would like to see somebody with marketing expertise, someone with retailing expertise, a person from North Queensland and somebody from the Gulf country, etc., but we would very quickly end up with a football team. The authority will have a great deal of work to do and therefore must be manageably small. I think the compromise I have offered is not unreasonable.

Mr HANSEN: I am pleased that in some respects the Minister, by making provision for an additional member on the authority, has offered some sort of compromise. The additional representative is to come from the co-operative fishermen. However, the middle men still have as many representatives as fishermen.

I do not believe that this is the correct way to select people. On some occasions the Government seems to believe that a panel of names should be submitted from which the Minister can choose someone. With the Peanut Marketing Board, there is a ballot of the registered growers. Because the Minister knows all of these boards, I do not have to go through them and explain it to him. He knows them very well. A panel of names is not submitted; each person nominates and he is judged by his peers on his ability. Even though the Minister has come part of the way by adding another member to the authority, I believe that commercial fishermen are entitled to an additional representative on the authority.

Mr BURNS: I understood that the joint parties had decided that in future a panel of names had to be submitted.

Mr Hansen: Even for Senate vacancies.

Mr BURNS: Yes, I think there was one when Flo went to the Senate. I thought that was the method of selection adopted by the joint parties.

I am concerned that the Minister's amendment does not provide for a panel of co-operative fishermen. The ordinary fishermen have to submit a panel. All of a sudden the Minister has changed his tune. In (d), (e) and (f) a panel of names is required, so why is that not the case for co-operative fishermen? All of a sudden a standard procedure has been changed. The panel is not submitted by the co-operative. The pattern of the amendment is completely different.

The authority will have a most marked effect on the future of fishermen. No matter how one talks about the fishing industry, the most important person is the fisherman who goes to sea with his boat and net. If there is going to be a fishing industry, he will be the person who will make it viable. He seems to be the one who will have the least say on the authority that will license him and say whether there are too many fishermen in a particular area.

It is clear that areas will be managed. It is clear that the authority will say that there are too many people fishing in, for in example, the spanner-crab industry. The authority will say, "We are going to make that a managed area. We will charge you a management fee. We are going to restrict the number of boats that fish that area. We are not going to issue any new licences. The licences will be bought and sold like taxi licences." That authority will have a marked effect on many fishing families that have made their livelihood, as their forefathers have done, from the fishing industry. The fishermen should have a say, even if it is only at the initial stage.

When the fishing industry found itself in trouble, the Minister was told by his advisers to get rid of the fishermen. There were fishermen on the board. If the Minister wants to raise his eyebrows a little further, I will read his Press releases. He said, "We are dumping the fishermen off the board and we will have marketing men, managers, and assistant managers run the board because of the financial troubles experienced by the industry today." The people who were advising the Minister were convinced that management expertise was needed and not fishing expertise. I believe that the fishermen are entitled to be represented.

I accept the idea of managed areas; they must eventuate. I am concerned about the next 12 months to three years. Fishermen who had battled in and out of the industry were not able to survive because of the then long, dry spell, the high costs in the industry and the high price of fuel. The livelihood of those fishermen will be placed in the hands of a group of people who have no knowledge of the hardships experienced by fishermen and the way they live. The Minister will dominate the board.

It was proposed that the chairman would be nominated by the Minister, the Director-General would appoint the Deputy Chairman and another person would be nominated by the Minister. The chairman is given a casting vote which will give the authority a vote of 4:3 on the board. In other words, those persons nominated directly by the Minister and who are directly responsible to him would have a 4:3 vote. With a 7-man board with the chairman casting the final vote, it will be at least 4-all.

Mr Powell: How can you have 4-all?

Mr BURNS: I will tell the member for Isis how it is done. There are seven votes on a board. It is 4:3, and the chairman has the casting vote.

Mr Powell: No, he doesn't.

Mr BURNS: Yes, he does. It is written into the Bill.

Mr Powell: He only gets a casting vote.

Mr BURNS: He gets a second vote.

Mr Powell: If they are equal.

Mr BURNS: Under the Bill there were six members. If the vote was 3-all, the chairman, with his casting vote, could make it 4:3.

Mr Powell: That is past history.

Mr BURNS: The amendment has not been put to a vote. I know that the numbers are in favour of the Government, but we ought to have a vote on it before it becomes past history.

I cannot understand why a panel does not have to be submitted by the co-operative fishermen, although the QCFO and the processers have to submit a panel. I do not agree with the Government's idea that the committee must be kept small. People argue that the best possible committee is one with the Minister on his own. We cannot have it that way. Consumers are not being represented. Even the amateur fishermen and the retailers are not

being represented on the authority. It seems to me that selected groups are getting a say. The worst say has been given to the fishermen. That is not fair or reasonable in an industry that is based very much on their hard work and endeavours.

Dr SCOTT-YOUNG: Probably the most important part of the whole operation will be the authority. Would the Minister state the basis on which the chairman will be selected? He should, of course, be someone who has a wide knowledge of the fishing industry and is well versed in all of its aspects, including the scientific aspects. As well, he should be capable of assessing financial and marketing movements. Will the Minister tell the Committee his thoughts on the appointment of the chairman and the background of the person whom he has in mind?

Mr HARTWIG: I draw the Minister's attention to a report in this morning's "Courier-Mail". As I read it, the Minister has agreed to the appointment of three fishermen on the board. Today I have received two phone calls from persons asking me to congratulate the Minister on his appointment of three fishermen to the board. The fishermen were delighted by that report. Is it authentic?

The Minister said he believes that the small committee has been effective and that he would not want a large committee. It has taken 82 members of Parliament 3½ years to get this far on a Bill for fishermen, so I cannot see why a couple more fishermen should not be appointed to the board. The producers should be represented, and the representatives of the producers should be in the majority. Having been a primary producer all my life, I have no doubt that the producers are the ones who do the dirty work. Yet, in spite of that, in the vast majority of instances their representatives are in the minority.

Last night I drew the Minister's attention to the co-operative aspect. I am pleased to have his agreement on that matter. The co-operative will be pleased to know that it will have a representative on the board. However, I cannot see why three fishermen's representatives should not be appointed to it as well.

Mr AHERN: "The Courier-Mail" got the story mixed up a bit. In answer to a question that was raised during the second-reading debate last night, I did say that I would be recommending the appointment of three fishermen to the board. "The Courier-Mail" reported it as being the authority. In my second-reading speech last night I foreshadowed the intention of appointing to the authority another fishermen's representative, via the co-operative movement, making two. I think that what I have offered is reasonable.

The honourable member for Townsville asked about the special qualifications of the person who will be appointed as chairman of the board. I am looking for someone with wide expertise. I have someone in mind. Some discussion has been held with the fishing industry about him and I understand that the industry is happy with the suggestion that has been put forward. The background referred to by the honourable member for Townsville is the very type of background possessed by the person under consideration for appointment to the position of chairman.

Amendment (Mr Blake) negatived.

Mr AHERN: I move the following amendment—

"At page 8, line 1, omit the expression—  
'6'

and substitute the expression—  
'7.'"

Amendment agreed to.

Mr BLAKE: I move the following amendment—

"At page 8, omit all words comprising lines 16, 17 and 18 and substitute the following words—

'(f) Three shall be persons representative of fishermen elected by postal ballot of licensed master fishermen.'"

I seek your direction on this, Mr Miller, seeing that the authority now consists of 7. Is that so?

Mr Ahern: That is right.

Mr BLAKE: Am I right in thinking that our amendment is out of order?

The CHAIRMAN: Yes.

Mr BLAKE: That being the case I have no option but to withdraw it.

Amendment (Mr Blake), by leave, withdrawn.

Mr AHERN: Before moving the next amendment, Mr Miller, I should draw your attention to the typing error in the circulated amendment relative to page 8, line 18, where the word "fisherman" should read "fishermen".

The CHAIRMAN: Thank you.

Mr AHERN: I move the following further amendment—

“At page 8, line 18, after the words ‘prescribed bodies’ add the following words—

‘;

(g) one shall be a person representative of primary producers’ co-operative associations formed by master fishermen under the Primary Producers’ Co-operative Associations Act 1923-1981’.”

Amendment agreed to.

Clause 10, as amended, agreed to.

Clause 11, as read, agreed to.

Clause 12—Tenure of office—

Mr SCASSOLA (4.13 p.m.): Subclause (1) provides that a member of the authority shall be appointed for a period of three years. One would expect that a person so appointed would have security of tenure for that period unless he came within the disqualification provisions of clause 13, but that is not so. Under subclause (5), the Governor in Council may remove any member of the authority at will. The point is that the person appointed does not have tenure for three years. He may be removed by the Governor in Council at will by publication in the Gazette. To say the least, subclause (5) is inconsistent with subclause (1).

Mr AHERN: My understanding of the honourable member’s concern is that he is looking for guide-lines that the Governor in Council must use when removing a person from office. Frankly, the industry does not believe that that is necessary. If a person is not performing, the Governor in Council has power to remove him. Obviously that action will not be taken lightly. But the power ought to rest in legislation of this type, as it exists in other industries.

Mr SCASSOLA: Disqualification provisions are contained in clause 13, subsection (2) of which provides that, if a member of the authority absents himself so that he does not take an appropriate interest, or if he otherwise ceases to qualify, he can be removed.

Under clause 12 (5), notwithstanding the provision in clause 13 (2), he can be arbitrarily removed. That is the point. To be removed, he does not have to come within the disqualification provisions.

Mr AHERN: It is a power that I believe ought to be in the legislation.

Clause 12, as read, agreed to.

Clauses 13 to 15, as read, agreed to.

Clause 16—Meetings—

Mr HOOPER (4.16 p.m.): In my opinion, seven days’ notice is not sufficient. This clause and similar clauses containing provisions for notice provide for seven days’ notice, which is far too short for an active fisherman who may be at sea and not expected to return to port for three weeks or even longer.

Mr Moore: There might be bad weather.

Mr HOOPER: The honourable member for Windsor makes sense, as usual. Bad weather could delay the fisherman from returning for the purposes of a meeting. He could be delayed for three weeks or even longer. I suggest that the Minister consider

providing that not less than 14 days' notice be given, because financial loss could be sustained by a master fisherman who has to return to port to attend a meeting of the authority. I believe that that is a valid request.

Mr AHERN: That is a matter that the authority may determine in the light of experience. My feeling is that 14 days is too long and would provide too much inflexibility in the setting of the authority by dates for urgent meetings which might be required from time to time. It is best to see how it operates. If a problem arises, I will act on the advice of members of the authority.

Mr Hooper: I take it that you will give it consideration?

Mr AHERN: Yes.

Clause 16, as read, agreed to.

Clauses 17 to 26, as read, agreed to.

Clause 27—Functions and Powers—

Mr SCASSOLA (4.19 p.m.): This clause places very wide powers in the hands of the authority. The authority has the power, among other things, to ensure that an adequate supply of fish is available.

Clause 27 (f) gives power to control every conceivable step in the fishing process, from the point of taking fish from the water to the point where fish is handed over the counter at the retail outlet, and refers to the method, extent and conditions of production, harvesting and treatment. I revert to the definition of the word "treat", which took so much time earlier this afternoon. The very wide drafting of that provision was adverted to by a number of people. So the whole ambit of "treat" as contained in that definition is encompassed in this clause. There is the power to control supply, delivery, storage, and so on, right through to the point of retail sale. The authority has power to control the sale of fish for use in the State, and, indeed, it purports to go outside the State. If one looks at the definition of "sale", it is quite clear that it includes not only wholesale sale but also retail sale. So the authority has extraordinarily wide powers.

Mr HOOPER: I agree with the honourable member for Mt Gravatt; I think he is spot on. I wish to be a little more specific and refer to clause 27 (f), which states—

"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."

My disagreement with this provision relates to the word "elsewhere". In my opinion, it confers an awesome power on the board to control fishermen's activities in regard to interstate trade; but I take it that that power would be limited by the constraints of the Constitution, free trade, etc., which this Government always espouses. I see the Minister nodding his head in agreement.

Mr HARTWIG: Clause 27 (a) states that the functions and powers of the authority are—

"to take all such steps as are necessary to ensure that an adequate supply of fish of an acceptable standard is available in sufficient quantities to meet all reasonable demands throughout the State or within prescribed localities."

Today this country is, for some reason, importing more primary products than ever before. That is occurring in the beef, dairy and pineapple industries, and I will wager London to a brick on that the authority will have the power to import from countries with lower labour costs than Queensland fish that could well compete with the local products.

The beef industry is going bad today because the ordinary housewife does not know whether she is buying rump steak, rib fillet, topside, round, or what have you, and many consumers of fish do not know when they buy a fillet of fish whether it is barramundi, mackerel or whatever. All they know is that there is a difference in the price. Only recently I bought three pieces of fish from a fish shop. When I opened the packet I found that they were as thin as tissue paper. I went back to the shop and complained and the lady said, "Oh, this is imported fish, but we get it much cheaper than the local product." She then showed me the packet in which the fish came. They were little fillets of whiting. Can the Minister give us an assurance that imports will not creep into the industry?

Mr AHERN: In answer to the honourable member for Callide—under Queensland law there is no capacity to prohibit the importation of primary or secondary produce from overseas. We do not have the constitutional power so to do, so that is not something on which I can accommodate him. On a number of occasions I have advanced that argument to the relevant Federal Ministers in relation to importation of fish and other products.

Of necessity, the functions and powers of the authority are wide. I do not intend to repeat the arguments that were advanced last night and again this afternoon during the debate on clause 6. The functions and powers have to be wide, and that is where there is a philosophical difference between the honourable member for Mt Gravatt and me. For the reasons that I outlined earlier, the functions and powers have to be broad. I repeat that those powers will be exercised with common sense. They are necessary for the good operation of the legislation.

Mrs KYBURZ: I seek from the Minister an elucidation of clause 27 (i) (iii), which provides that the functions and powers of the authority are "to support financially or in any other way any organisation promoting or seeking to promote the interests of the fishing industry". Although I realise that that has to be done with the consent of the Minister, I am concerned that it could lead to joint ventures with overseas companies.

I strongly believe that Queensland's fishing resources should be explored by Queensland and that the products should be processed and marketed within Australia. There have been far too many joint ventures with Taiwan and also with Japan. I would hate to see this authority enter into joint ventures, particularly on a financial basis, with the fishing industries of any other country. The Government should not support financially any such operation.

Mr AHERN: As I understand it, the authority is being given general power, to be exercised after consultation with the industry, in order to develop certain types of new fisheries. I shall give an example. At present, a very large South Australian organisation is interested in developing the skipjack tuna industry off the north coast of Queensland. Obviously, the Government would want to assist in that development because it would provide a second resource for the prawners in the area who are not earning enough money.

The Government is always trying to do things in North Queensland. The Queensland Fish Board has a very big facility in Townsville. It has the capability to enter into a joint-venture arrangement that would pioneer the industry. In time, it might be a very significant industry in North Queensland. It is a development that I am personally trying to promote. I am interested in developing that industry in the interests of North Queensland.

The development will take a long time because at the outset nobody knows the extent of the resource, the machinery that will be required, and so on. There are many unknowns at present. When the development takes place, I want to ensure that Queensland and Queensland fishermen receive the maximum benefit from it. That power should be included in the legislation so that the authority has that option. It might be decided that a joint venture with, say, the South Australian company is desirable. The option should be there for us to consider. There is no question of our entering into joint ventures with people off shore. The type of option to which I have referred could be exercised under the power that is enshrined in this clause.

Mr PRENTICE: In part, subclause (h) provides—

"To call for and obtain such information or returns from persons licensed under this Act . . ."

That approach concerns me. I would like the Minister to tell me what sorts of returns he believes will be necessary under that clause. From the comments that I receive from my constituents about the continuing flow of forms, questionnaires and what have you going out to business people, I believe this could be another example of Government impingement on the operation of, in this case, the fishermen and their businesses, and it could cost them a great deal of money.

If one looks at subclauses (a), (b) and (c), subclause (a) states in part "to take all such steps as are necessary", which is an objective test, whereas in subclauses (b) and (c) the provision is "to exercise such supervision and take such action as it thinks necessary", in other words, a subjective test. Any legislation of this type should

ensure that the action of a body should be such that it can be challenged on the basis of an objective test. I am very concerned that this sort of thing happens not only in this legislation but also in other areas. I am concerned at the continuing attempt to use subjectivity in legislation.

Mr HANSEN: Further to the explanation given by the Minister about a joint venture, is it correct that there are proposals to bring Torres Strait Islanders into the fishing industry and that the vessels operating in those waters should be crewed by at least a percentage of Torres Strait Islanders, which would be something akin to the New Guinea proposal which provides that only indigenous people are allowed to take fish? If the local fishermen will not engage the Torres Strait Islanders as crew, does he envisage that someone from outside the State or from overseas could be asked to become a partner to a joint venture to employ the Torres Strait Islanders and establish a fishing industry up there, with or without the co-operation of the local commercial fishermen?

Mr AHERN: That is a rather contorted question, if I may make the observation with no intention of being unkind. I think the honourable member for Maryborough has misunderstood the situation in the Torres Strait. The Torres Strait Treaty involves an endless consultative process simply to get it to the Parliament. It must come before the Parliament fairly soon. I have thought it would be here by now, but that is not the case and I regret it. What is proposed under that treaty is a one-to-three relationship north of the jurisdictional line and a three-to-one relationship south of the jurisdictional line. Although it is not described under the treaty, I take that to mean that it will be one fishing boat for three fishing boats licensed under that formula. The New Guineans have simply nominated the Japanese joint ventures to represent their interests in that arrangement. I am not aware of any New Guinea commercial fishing boat in that area; they all belong to Japanese joint ventures.

The Queensland Government is not proposing any of those types of joint ventures. Last night I tried to describe the arrangements for the protected zone under the treaty, in which the rights of Torres Strait Islanders are enshrined. Although there is some dispute, the Government believes that a three-mile zone should exist around the inhabited islands, which form the central group. If fishermen want to operate within that three-mile zone they can do that under State law. However, if there is a dispute, they must come to an arrangement with the local community. That seems to be consistent with the general terminology of the Torres Strait Treaty.

At present a \$7m industry is operating there. The people in the eastern islands group are co-operating and are very happy with the arrangements. The Government is trying to promote co-operation in the middle islands area.

Outside the three-mile limit is beyond the area of State jurisdiction and in the AFZ. It is then a question whether the Commonwealth acts alone or jointly with the State or whether it cedes the right of the State to manage. The Government has initiated the discussions necessary to obtain management of the Torres Strait fishery, and Queensland will eventually obtain management of that fishery.

The Bill gives a general power to the authority to enter into joint-venture arrangements. That is a necessary power that ought to be there. It will be exercised subject to the discretion of the Minister.

Mr HARTWIG: Clause 27 (f) and clause 27 (g) refer to the transportation and sale of fish. Does the Bill make any provision for the stabilisation of prices when there is a glut or scarcity of fish? Such a provision is very important to the industry.

Mr AHERN: Yes, it is. It is not provided for. The function of the Queensland Fish Board is to operate freely in the market-place and to be the fishermen's broker in the market-place. Co-operatives will play that role as well. A co-operative atmosphere between co-operatives and the board will be promoted so that together they can be the fishermen's broker in the general market-place in the fishing industry.

Clause 27, as read, agreed to.

## Clause 28—Committees—

Mr HARTWIG (4.37 p.m.): Clause 28 provides—

“The Authority may form committees of its members and delegate to such committees such of its powers, authorities, functions or duties as it thinks fit upon such terms and conditions and for such times as it thinks fit.”

I draw to the Minister's attention an experience that I had relative to the granting of a master fisherman's licence in my electorate. I rang the Director of Fisheries and said, “Who knocked back this fisherman's application? Did you refuse it?” The director said, “No, I did not refuse it.” I eventually discovered that the matter had been before a board of review. The director said, “That matter was placed before a board of review.” I said, “What comprises a board of review?” He said, “A couple of fishing inspectors from your area and a couple of fishermen.” They had the power to decide whether or not the fisherman obtained his master fisherman's licence. I took exception to that. At the time, I said to the director, “If you could not agree, it should have been left to the Minister to make a decision on the matter.” Surely that should not happen when the very important question of an application for a master fisherman's licence is decided.

Mr AHERN: An important principle is in issue here. For the benefit of the honourable member for Callide and others, I would point out that the Government has tried to bring management into the fishery. That is something that is generally supported in this Chamber. It is a great idea, but when it is put into practice it is extremely difficult to apply fairly. For example, in the Pumicestone Passage a certain number of people will receive licences. It will be fishermen A, B, C and D, but not E and F. That type of decision is a very difficult one to arrive at. Everyone agrees that it ought to be made; but, when it is made, not only must it be implemented fairly but it must also be seen to be implemented fairly.

The Queensland Commercial Fishermens Organisation pleaded with us, saying, “Please don't make any arbitrary decisions just because you like the colour of a fellow's eyes or his politics or his religion. Do it within publicised guide-lines considered by Cabinet, which always can be authenticated.” We are achieving this by having fishermen's consultative panels. For example, in the barramundi fishery in the North we go to a group of fishermen and say, “These are the guide-lines. Who complies?” They tell us. In instances in which we believe that they have made an error, we ask them to reconsider the matter.

Mr Hartwig: You say “we”. Who are “we”?

Mr AHERN: I am referring to my department and me.

Fishermen throughout Queensland can see that this management program is being implemented without fear or favour. That is how it should be. It is seen to be fair.

In relation to the issue of a master fisherman's licence—certain criteria must be met as laid down by Cabinet. It is very easy for fishermen to make false declarations, so we ask them to go before a fishermen's panel in their area so that a determination can be made as to whether what they are saying is reasonable. The panel is nominated by the QCFO branch and comprises elected people. It is seen to be fair and above board. Never once have I departed from industry advice on this aspect, and that is why my department enjoys the full confidence of the industry. It is really trying to be fair about this management process.

If the honourable member thought that he could merely ring me up and say, “This chap I know is a good chap. Give him a fisherman's licence.”, that would not be on. The system cannot work that way if fishermen are to have confidence in the system. At the moment they are involved.

Mr Hartwig: You are virtually closing the industry.

Mr AHERN: Yes. It is closed at the moment. A master fisherman's licence is unprocurable. That is so in other States and other countries as well. That prevails in the interests of sound management. Everybody agrees that a free market is great in theory, but when the theory is put into practice a tremendous amount of regulation is needed. The only way in which the theories can be implemented fairly is by having consultation with the industry so that everything is open and can be seen to be honest.

Mr EATON: In the Far North quite a few licences have not been renewed. The QCFO has made recommendations to the Government, which has tried to accept those recommendations. However, some fishermen who have not had their licences renewed approach the QCFO, which says, "You should be right. You should get your licence." If they are refused a licence, they go to their local member and ask him to approach the Minister, who, in turn, is advised by the QCFO. On that advice the Minister has to arrive at a decision. A good deal of buck-passing is going on. The terms and conditions pertaining to the granting and revocation of licences should be publicised widely and made well known.

If the industry is to be stabilised, each section within it, as well as the Government, will have to measure up and accept its responsibilities. That fact should be made known throughout the industry. A borderline fisherman must be able to know where he stands and that if he wants to retain his licence he will have to measure up.

Mrs KYBURZ: In the debate on this clause might I ask the Minister again whether the authority will have the power to form a committee to husband the resources of the black marlin in North Queensland? It is in the interests of the fishing industry that the best possible care be taken of that resource. I realise that many fishermen see it only for so-called sport-fishing. In other countries black marlin are eaten and used in many ways. It is shameful that they are not used for human consumption in Queensland. I hope that this provision allows the authority to form a committee to look at this so-called game fish. While I do not regard it in that light, other people do. I hope the authority will take that into consideration.

Mr INNES: I was very interested to hear the Minister's statement about the sensitivity that has to be displayed towards the restriction of such matters as a master fisherman's licence. That is one of the arguments I have been trying to promote in this debate. The Minister said that that could not be done arbitrarily on the representations of a member of Parliament; that there must be public guide-lines, equity and fair-dealing. That is exactly what I am saying. Before a man's livelihood is taken away or restricted, the mechanics should be shown in the legislation.

At the moment a blank discretion is given to the authority. It is subject, I acknowledge, to a right of appeal to the Fishing Industry Appeals Tribunal. I understand the Minister to indicate that restriction of numbers might well be a criterion used by the authority in the exercise of its discretion. The legislation should indicate the basis on which such important discretion will be used. The Minister's words underline and reiterate the sort of things that my colleagues and I have been saying. We believe that the basis of such discretion and the manner in which it shall be used should be indicated in well-prepared legislation.

Mr AHERN: The answer to the honourable member for Salisbury is, "Yes.". The honourable member for Sherwood and I do not disagree on the way the legislation must operate. However, we do disagree on what ought to be in the legislation. Authorities such as this must account to their membership, but whether all these matters need to be spelt out in legislation is another matter. If all of them were to be spelt out, the Bill would be an extremely large document—and I wonder if it would be read at all. The industry has been consulted and legislation in other States has been studied. We believe that this is how to do it. I believe that it will be administered sensibly.

Clause 28, as read, agreed to.

Clause 29—Authority may guarantee loans and enter into agreements—

Mrs KYBURZ (4.49 p.m.): This clause causes me great concern. I am worried about the words, "Authority may guarantee loans". I am willing to listen to any explanation that the Minister may provide. For various reasons, I am very concerned when such authorities guarantee loans. For example, what will be the basis of the guarantees? Will they be guaranteed from loan funds, lending institutions or other sources? I realise that many of the problems experienced by fishermen relate to their lack of management expertise. If fishermen or the people who run fishing trawlers do not have sufficient management expertise to make a profit and maintain themselves in their business, they should leave that occupation and seek other employment. The whole industry should not become a State-run enterprise, or, indeed, a State-guaranteed enterprise.

I had discussions with the Minister earlier this year about trawler operators. We agreed to disagree. Many people entering the fishing industry are putting themselves way over their heads into debt with finance companies. If before undertaking such huge debts trawler operators did not give consideration to the possibility of defaulting on payments, they deserve to lose their trawlers. I am not at all sorry for them if they did not have the forethought to give that sort of consideration to the matter. Other small business people have to think about such matters. They have to consider that they may become ill or may lose a leg in an accident. Those matters must be taken into consideration.

I should like the Minister to explain how the authority will guarantee loans, the source of the loans and the extent to which loans will be guaranteed. That is extremely important because the clause stipulates that, subject to the approval of the Minister—fortunately that is contained in the clause—the authority may guarantee the payment of interest on and the repayment of the principal of a loan. That covers just about everything. It is of grave concern to people such as me who do not want the whole industry to become a State-run enterprise. I should like as much individual enterprise as possible and as little Government money as possible in the fishing industry.

Mr AHERN: The honourable member and I have had long discussions on this matter. They have been interesting discussions. A lot of history attaches to guarantees to fishermen by the Queensland Fish Board. To some extent they were approved to ensure product for the Queensland Fish Board. The provision has not been used since the recent trouble in the industry became apparent. At the moment guarantees exist and must be continued. It seems to be a not unreasonable power, because they are given with the approval of the Minister. The Minister can and usually does seek advice from the Treasury about them. The power ought to exist.

The fishing industry is not able to use commercial financing to get out of trouble. The industry is in difficulty and it must be given as much help as possible. I should not like that power to be removed. It will be administered with extreme caution.

Mrs KYBURZ: Many of the troubles in the industry relate directly to the lack of management expertise of many of the people involved in the industry. It is all very well to say that they are interested in being fishermen and in buying \$200,000 trawlers through a finance company at 16 per cent interest. That is no way to run a business. It should not be up to this or any other Government to guarantee loans to people such as those in this industry if they did not have forethought about their business and what is the taxpayers' concern.

Mr AHERN: I accept the honourable member's point. Certainly a number of fishermen do not operate along sound business lines. They do not have adequate book-keeping methods or use rudimentary recording.

Frankly, I have a great admiration for fishermen who go out into the night, work long hours, make enormous investments in the industry—it might be \$200,000 or \$300,000—take their wives out with them and battle with the elements. I really enjoy their company and I talk to them. While we talk to them about the need for better business expertise in the industry, we are helping them. It is hoped that the authority can encourage business expertise, and it will have the power to do so.

I find it very difficult to adopt a pious attitude when I am talking to them because they have immense courage and take tremendous personal risks. However, their overlooking their book work is a problem in the industry. It is hoped that that will be overcome in time. It is not as easy as saying, "You must be good businessmen or you will go down." It is not that simple.

Mr INNES: A phenomenon of the last five years has been the persons who bought a trawler as an investment, a taxation deduction, or just to give it a go, without having any experience in the industry and sometimes operating on a part-time basis. Their addition to the fleet has compounded the problems of the people who have been in the industry for a lifetime and know their business. What can be done practically to help to reduce the problems of the industry but not give special accommodation to that sort of person?

Mr AHERN: We do not. They are not the people who received guarantees from the Queensland Fish Board or will receive guarantees from the authority in future. I am not sure whether we will be able, in the future, to make guarantees at all, but I would not like the power to do it to not be in the Act.

The honourable member for Sherwood is right in saying that the number of people chasing a rainbow in the prawning industry has escalated. They have got in too deep, and this has created a massive problem in the east coast prawn fishery. What we have done in very practical terms is to try to close the industry and allow no more people in. We hope that, in time, the numbers will contract to a size which the resource can comfortably accommodate. The officers of the authority will be assisting, and their capacity to help will be upgraded in the future.

Clause 29, as read, agreed to.

Clause 30—Power to inquire—

Mr GYGAR (4.58 p.m.): Why has the Minister deemed it necessary to include, in the Bill, these quite extraordinary powers—

“The Authority may make inquiries in respect of the getting, supplying or marketing of fish in any part of the State and, if in relation to a particular inquiry the Governor in Council approves, for that purpose shall have and may exercise all the powers, authorities, protection and jurisdiction of a Commission of Inquiry under The Commissions of Inquiry Acts.”?

Honourable members will be well aware that royal commissions are established under the Commissions of Inquiry Act. Members will be aware from debates in recent weeks that the powers of a royal commission are quite extraordinary. They include the power to summon witnesses, to require the production of books, to cause people to swear oaths or make affirmations or declarations, to require witnesses to continue to attend at whichever place the hearing is being held, to prohibit the publication of evidence, to hear in camera trials, to exclude the public, to sit at times and places and to inspect documents.

The authority has the total power to do anything. It has a far greater power than the police have and far greater power than any other known to our law except this creature known as a royal commission, which has been recognised traditionally as the deepest, most probing form of inquiry that can be instituted; yet, suddenly, the Bill states that “This authority can act like a royal commission.” I wonder why that is necessary. If the Minister wanted to appoint a royal commission into the activities of someone in the fishing industry, I would have thought that it would be competent for him to advise Cabinet that a royal commission should be held into the matter. To put it mildly, by including this clause in the Bill we are treading on interesting grounds. It will allow wide-ranging inquiries into apparently minor matters.

Mr PRENTICE: My concern about this clause is that the powers are remarkably broad. This Parliament and the Government has been loathe to set up a royal commission, except in the most exceptional circumstances. Often for political purposes, a call is made for the setting up of a royal commission into this or that. This provision in the Bill means that without reference to Parliament there can be an inquiry, with all these most remarkable powers. I think that these powers should be reserved for the most unusual circumstances, and then exercised only after consideration by this Parliament. My understanding of the clause may be wrong, and I seek the Minister's guidance.

Mr AHERN: I am advised that this power is to be found in other Acts of a like nature. It was thought necessary to include it in the Bill so that an appropriate inquiry could be held when the management of a particular area was under very close examination. In that way, all the necessary facts can be laid on the table so that the right decision may be made.

Mr GYGAR: Could I advise the Minister that perhaps this policy should be reconsidered, because it is really quite extraordinary. The normal procedure with a royal commission is that extensive terms of reference are drawn up by the Executive Council, and they are presented to Parliament and approved by Parliament before the exercise is launched. This clause contains the words “in relation to a particular inquiry the Governor in Council approves”.

One of the great strengths and weaknesses of a royal commission is that it is usually given terms of reference, which are stated in some considerable detail. That is done because of the expansive powers of a royal commission and the way in which it can wander off the track very rapidly unless there is some close rein on what is required of it. The Minister would be aware, from reading the reports of previous royal commissions, that such inquiries can really go up a dry gully, given the powers that they have to summon witnesses, chase witnesses and extensively follow up matters.

To my knowledge, this power, though it might have been provided in previous legislation, has not been used. I think that there would have been considerable furore if it had been used. It is unnecessary, with the power of the Executive to appoint a royal commission if it views a matter very seriously.

Mr INNES: I ask the Minister to forgive me for not giving him warning that I would raise this matter, but I have not considered it previously. Has that provision, or any similar provision, been used to set up a commission of inquiry? I realise that the provision gives the power to set up a general inquiry. But has this provision, in so far as it relates to the Governor in Council approving the setting up of a royal commission, been used?

Mr AHERN: I am not advised whether the power has been used. I am advised that it is in Acts of a like nature. I remind honourable members that action can be taken only with the approval of the Governor in Council.

Mr BLAKE: Mr Miller, I regret that I have not forewarned you about this, but when the Minister says that a provision of a like nature is in other legislation, can he inform the Committee whether it is in primary industry organisation legislation?

Mr AHERN: Yes, it is in the dairy industry legislation.

Clause 30, as read, agreed to.

Clause 31—Licences—

Mr SCASSOLA (5.5 p.m.): This provision is one of the most extraordinary ones in the whole of the Bill and is certainly one of the central provisions. It is the clause that gives the authority power to grant licences. There is a multiplicity of them—processors' licences, commercial buyers' licences, restricted buyers' licences, master fishermen's licences, community fishermen's licences, assistant fishermen's licences and fishing vessel licences.

My first point is that not all of the licences are included in this provision. The fishing vessel licences are not mentioned in the clause, which merely says that the authority may grant such fishing vessel licences as are prescribed. If it is good enough for all of the others to be included in the clause, I would have thought it would have been good enough for licences in relation to fishing vessels to be included. Far too often very important matters are included in subordinate legislation but not in primary legislation.

The second point is that the authority has an almost unfettered discretion for the granting of licences. Criteria on which a licence may be granted are not set down; the provision merely is that the authority may grant or refuse an application. That has a number of consequences for the applicant. Later in the Bill a clause purports to establish the machinery for appeal. Because the authority has an unfettered discretion and because there is no requirement that it furnish to the applicant reasons for refusal, that machinery for appeal is substantially illusory and of really no effect because it is very difficult to sustain an appeal against a discretion. It is very difficult for an applicant to know what he is appealing against. He has no entitlement to obtain any reason for refusal from the authority. So how does he know what he is appealing against? All he knows is that for some reason, best known to itself, the authority has refused his application.

The authority can refuse to issue a licence on any conditions not contained in the principal Bill but which may be prescribed by regulation. That is unnecessary. All of the rules relating to the issuing of licences ought to be contained in the principal Bill. If it is good enough to have the rule anywhere, in my view it is good enough to have it in the principal Bill.

As I have said, the provision refers to the issuing of a multiplicity of licences. In view of the definitions that were referred to earlier, in my view a fisherman who seeks to follow his occupation is required, quite apart from having to register his vessel, to apply for at least three licences. He is required to have a master fisherman's licence because,

as a master fisherman, he takes fish out of the water. If he in any way treats fish in accordance with the requirements of the Act—that is, if he cleans them, refrigerates them or fillets them—he must have a processor's licence. If he transports them in some sort of vehicle from the beach or the wharf where he brings them in, that vehicle must be registered not only under the Main Roads Act but also under the provisions proposed in this Bill. A fisherman who merely wants to go about his business and earn a living is unnecessarily controlled by having to obtain three separate licences.

The authority has an almost unfettered discretion in the issuing of licences; it appears to have an almost unfettered discretion as to the fees and charges it will impose in relation to applications and the issuing of licences. In particular, I refer to clause 31 (1) (e), which gives the authority an almost unfettered discretion in that respect. That provision is far too wide. If there is any need to have licences—I accept that if a resource is to be controlled, one way of doing that is to have fishermen licensed—criteria ought to exist on which the issuing authority is required to base its decision whether or not to grant a licence, and fees should be fixed by statute.

Anyone whose livelihood is at stake is at least entitled to know the basis on which decisions are likely to be made, and to know that they will not simply be made on some arbitrary basis that is hidden from him. That is patently bad and wrong. It is the type of matter that has been raised many times in this Chamber and by committees of the Parliament.

A need exists for objective criteria so that people in the community can have some knowledge of the basis on which decisions affecting them are made. They are entitled to know the reasons why decisions are made so that they can formulate an appeal if they feel aggrieved. The clause is very defective indeed.

Mr HOOPER: At the risk of placing my future pre-selection in jeopardy, I am forced once again to agree with the honourable member for Mt Gravatt. I also agree that the clause seems to be unnecessarily arbitrary. Through you, Mr Miller, I pose the following questions:

- (1) Who will be entitled to hold a commercial buyer's licence?
- (2) Will a master fisherman be empowered to hold such a licence and thereby dispose of his or her own catch?
- (3) What are the proposed requirements in that regard?
- (4) Who will be entitled to hold a community fisherman's licence?
- (5) Could this be a means by which the present amateur or "shamateur" fisherman could avoid the provisions of the Act in regard to the licences otherwise required?
- (6) Is it proposed to raise the community fisherman's licence on a basis of "I caught more than I could eat"?
- (7) Will the board take the excess of the catch on an annual basis, thereby putting the community fisherman in direct competition with the master fisherman?

Those are very pertinent questions. I hope that the Minister can supply a satisfactory answer to them.

Mr AHERN: The licensing powers of the proposed authority are not dissimilar from those of other licensing authorities in all States of Australia. That does not make them right in the eyes of those critics who say that they are not right in other States, either. The member for Archerfield is asking for an enormous document that no fisherman in Queensland will read. I suppose the honourable member could say that if the fisherman is deprived of a licence he will have grounds for appeal. I would see that as being unnecessarily inflexible. The industry in its advice to me says that it does not see the need for such a document. I do not share the honourable member's view that it ought to be there.

Admittedly, at some time in the future there might be a need for other types of licences. Earlier the Committee discussed the tuna industry. It might be that there should be a tuna-boat licence. I suppose the honourable member would ask me to include such a licence in the legislation, together with the criteria governing the issue of and refusal to grant such a licence. However, I do not see that that is necessary; nor do other States. Surely the authority is the body best suited to lay down the criteria necessary to assist in the management of the fishery. As the resources change,

the criteria will be varied. If honourable members asked me to lay down all the criteria, I would be amending the Act twice every session. Regularly, three or four times a year, the resources change.

I do not accept the criticism that has been levelled as being valid. Honourable members are saying that suddenly there will be many more licences. I suggest that it will not be necessary to have more licences than are provided for now. There will not be any additional licences. The matter of community fishermen's licences was debated earlier. Such a licence was provided for in the Fisheries Act. Honourable members know why that is so. It has not changed; it has simply been wheeled in from that Act.

As I say, I do not accept the criticism as being valid. The authority will be the best body to administer licensing and to account to its organisations. Honourable members should remember that the executives on these organisations are elected, not appointed. They meet regularly. The membership of the fishermen's organisation is compulsory. There is accountability back to the membership, which is a satisfactory check and balance. However, I realise that on a point of principle and philosophy those honourable members who have been critical are not prepared to accept that. I am not prepared to accept their criticism.

Mr INNES: I suppose that the Minister's comment has underlined the fact that it is not just a difference in philosophy. The Minister is far too intelligent not to have reflected on some of the matters that I am about to raise.

If one looks at clause 36, which lists the offences, one realises why members have voiced concern. Clause 36 provides, firstly, that a person shall not treat fish for a commercial purpose unless he is the holder of a processor's licence. "Treat" and "processor" are capable of definition. However, subclause (2) provides that a person shall not carry on the business of a commercial buyer unless he is the holder of a commercial buyer's licence, and subclause (3) provides that a person shall not carry fish for sale. Subclause (4) stipulates that a person shall not take fish for a commercial purpose, and so on.

Every activity that would normally be encompassed by someone who says, "I am working in the fishing industry" is proscribed unless that person is licensed. Therefore, it is relevant to go to the clause that gives the licensing powers and to ask, "Who am I? Into which category do I fall? Without knowing that, I cannot continue in business; without knowing that, I will be committing offences." "Commercial buyer" is not defined; nor is "restricted buyer".

I might be able to deduce who is a master fisherman by using a process of exclusion and looking at the activities he is allowed to engage in under clause 36 (4). The most fundamental questions a person can ask are: "What will I be guilty of? What do I have to do so that I am not guilty? In which category do I fall?" Those were the questions posed by the honourable member for Archerfield. To compound his problems of preselection, I should say that the questions he asked had some weight and force.

I will now consider the difference in attitude in the drafting of this legislation. Clause 27 gives the authority powers. It sets out things in minute detail for more than a page. The powers of the inspectors are set out in minute detail for more than three and a half pages. To add insult to injury, clause 122 is virtually unprecedented. It contains powers that are not given to a policeman when he is investigating murders. A person who fails to do what an inspector directs him to do will be guilty of an offence. For page after page the powers of the authority and the inspectors are dealt with extensively, but on some occasions when a person directs himself to the legislation to find where he stands under it, he gets no assistance. A commercial buyer is not defined. Surely a person who thinks he might be a commercial buyer could reasonably expect to find that definition in legislation. I do not think the questions can be answered as expansively as the Minister indicated. A man is entitled to know what the criteria are so that he may determine into which category he falls.

I raise the strongest objection to a licensing provision that does not assist a person who is trying to make his activities lawful so that he may remain lawfully in the industry. The legislation must contain some elaboration and definition of who is a processor, who is a commercial buyer, who is a restricted buyer and so on.

Mr AHERN: I believe these matters will be clarified and advice will be given to the industry by the authority. In practice, I do not see the difficulties arising that have been foreshadowed by the honourable member.

Dr SCOTT-YOUNG: Does clause 31 (4) mean that a man can arrange a licence or cancel a licence on his own volition, or does he have to refer the matter to the authority?

Mr AHERN: It devolves certain power on the chairman. Surely, in practice, he will refer matters that are not consistent with policy laid down by the authority, to the authority for determination.

There is the time between meetings, and that is the reason for the power being laid down in subclause (4).

Clause 31, as read, agreed to.

Clause 32—Registration of fish transport vehicles—

Mr GYGAR (5.24 p.m.): This clause deals with the ludicrous situation of transport vehicles and their licensing. The Minister indicated that he does not care very much about the complaints made about this clause, but I will reiterate exactly what this miscast shambles of a clause will do, and what this Parliament is about to approve.

The clause provides that the authority may—

“register vehicles for the purposes of and in connexion with the transportation of fish”.

On the surface, that sounds quite reasonable until reference is made to clause 6, the interpretation clause, where the crazy definitions appear. What is the transportation of fish? The definition of “fish” includes everything from canned fish to shell grit, cuttle-bone and every other marine product.

The practical effect is that if my local grocer goes to Tickle or somebody else and throws a couple of cases of sardines and a few tins of red salmon onto the back of his vehicle, he will be committing an offence unless the vehicle in which the material is transported is a registered fish transportation vehicle. That is crazy. But that is what the legislation provides. If the owner of my local pet shop goes to a supplier of pet foods and other material and picks up containers of shell grit and cuttle-bone to sell in his shop, he commits an offence unless the vehicle in which he transports the material is a vehicle registered under this clause, because the vehicle would be used for the purpose of and in connection with the transportation of fish.

I am forced to reiterate my view that this legislation is ill thought out and that the Minister is suffering from appallingly bad advice in accepting it. I am sure that he did not intend that this sort of ludicrous situation would arise. It is against everything that he has said. But it is in the legislation. Once again I urge the Minister to reconsider his views on this whole issue. It all comes back to the stupid definitions in clause 6. That is another example of the ludicrous, laughable things that will be done under this clause, which can only bring the Minister and the Government into ill repute.

Mr BOOTH: I wish to comment on this clause.

Mr Hooper: What sort of fish do they catch in Warwick?

Mr BOOTH: People buy fish in Warwick and that is why decent vehicles are required for its transport.

The people who purchase fish want it transported in a decent vehicle. They want to be assured that the vehicle has to be approved. It is all right to raise all sorts of emotional technicalities but, to be fit for the transportation of fish, a vehicle must be up to standard and regularly inspected. I do not think that anything much more than that is envisaged.

Mr HARTWIG: The fishermen in my area are concerned with the provision that—

“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.”

I take it that that would not apply to fishermen unloading fish from their boats to their utilities.

Mr Ahern: You are right.

Mr HARTWIG: It applies only to itinerant vendors selling fish?

Mr Ahern: You are right.

Mr BLAKE: This is a matter of great concern to fishermen. The Minister told us that it is not intended to enforce unfair restrictions against fishermen who simply transport their catch. I realise the wide interpretation that is necessary in some sections of the fishing industry, but I repeat that the fishermen are concerned. There is a sentiment among some people in the industry that it is a regulatory power—it is not regulatory in the sense of regulating the industry—that could be used to knock them out of the industry. In other words, the vehicle could be condemned as being not suitable to transport a catch.

As the honourable member for Callide said, the clause is not intended to be used against those people, but that is the concern being expressed in the industry. A certain amount of ill will occurs between fishermen and fisheries inspectors. I do not say that parochially because a certain amount of ill will exists in any industry or between any member of the community and a law enforcement officer. I do not point the finger, but this has happened—

Mr Hartwig: Why doesn't the Bill spell it out?

Mr BLAKE: That is right. Fishermen are concerned that somebody might say, "I missed getting you for setting a net but I will get you by condemning your vehicle." If the power is used to unnecessarily discriminate against someone, and not in the interest of public health and that person has access to a tribunal, I hope that the Minister's recorded remarks will be borne in mind.

Mr GREENWOOD: I would like the Minister's explanation of the effect of clause 32. It is difficult to read it except as part of the Bill. I am looking in particular at clause 36 (3), which makes it an offence to carry fish for sale other than in a vehicle registered under clause 32.

What is the Minister proposing to do about the many grocers who, in good faith, take delivery of canned fish from grocery wholesalers and transport it to their shop? It seems to me that, in those circumstances, because of the extraordinarily wide definition of "fish", they would be carrying fish, for sale, in an unregistered vehicle. How does the Minister intend to overcome that problem?

Mr AHERN: I draw members' attention to the clause which uses the term "The Authority may". The intention is that the authority will look at transport problems in the industry. A substantial problem now exists where fish is being transported over long distances. This area is the principal concern of the legislation. The power will rest with the industry to upgrade its general transport facilities. That is how the clause will operate.

Mr GREENWOOD: With respect, that is no answer to the problem. I reiterate that clause 36 (3) makes it an offence to carry fish, which includes canned fish, in a vehicle that is not registered. To say that the authority may not register a grocer's vehicle does not help overcome the problem; it makes it worse. With great respect to the Minister, this will create the most enormous problems with the ordinary person who does not think he is committing an offence, and should not be committing an offence if he is merely transporting canned goods to his shop. To say that the authority may not register that vehicle is adding to the problem because, unless the authority does register that vehicle, its owner is placed in a very difficult situation.

Mr AHERN: The honourable member has only recently entered the Chamber. He was not present for the debate on previous clauses, when these matters were canvassed very exhaustively. There is an exemption in clause 117. I have covered this question at least 10 times during the afternoon's discussion.

Clause 32, as read, agreed to.

Clause 33, as read, agreed to.

Mr HARTWIG: Mr Miller, can I speak to clause 33?

The CHAIRMAN: Order! I am sorry, the honourable member is too late to speak to clause 33. I have already put the question.

Clause 34—Cancellation, revocation or suspension of licence—

Mr HOOPER (5.35 p.m.): What changes of circumstances are envisaged as coming within the definition of "substantial"? That should not be too difficult for the Minister to answer.

Mr Ahern: Could you explain it a little more fully?

Mr HOOPER: No. That is the Minister's job.

Mr HARTWIG: Mr Miller, with all due respect, I know that speed is the essence of the contract, but this is very important legislation.

The CHAIRMAN: Order! Speed is not the essence of the contract. I call each clause individually. I call the clause number twice.

Mr Hartwig: I called out to you—

The CHAIRMAN: Order! The honourable member did not call before I put the question and, under the Standing Orders, it is impossible to return to the clause. If the honourable member wishes to speak to clause 34, I shall call him. Is it his intention to speak to that clause?

Mr HARTWIG: No.

Clause 34, as read, agreed to.

Clause 35—Power to permit the taking of fish for sale—

Mr BLAKE (5.37 p.m.): I wish to ask some questions about this clause, which deals with granting a person a permit to sell fish taken otherwise than in contravention of this Act or the Fisheries Act 1976-1982 that are surplus to a person's personal requirements. That will cover a very large sector of the fishing industry. With the introduction of more sophisticated fishing rigs, the people covered by this clause will engage in much more fishing activity.

I realise the broadness of the clause, but I ask the Minister to inform us of the possible duration of a permit. Is it envisaged that a person will pay a fee and receive a licence for a week-end, a month, six months or a year? Will the permit allow a person to sell fish surplus to his requirements to the public, to the board or to a licensed retailer? Does it mean that after buying a permit a person will virtually be able to avoid blackmarketing in fish? The provision will affect a very large section of the community, and it is relevant to organised marketing.

Mr AHERN: I know that the commercial fishermen are concerned about this clause. A group of people who, from time to time, are referred to as "shamateurs" worry the commercial fishing operators. Under the present legislation, this type of permit enables people to sell fish legitimately.

Mr Hansen: To whom?

Mr AHERN: A present, to an office of the Queensland Fish Board. The conditions relating to this permit will be determined by the authority. The current system will be continued. The philosophy behind it is that if people who have a quantity of fish on hand do not have some capacity to sell it legitimately, they will obviously break the law. It is better that the product be delivered where it can be inspected to ensure that it is wholesome and fit for sale. The provision will be closely monitored to see that it is not abused.

Mr GREENWOOD: Clause 35 (6) states—

"A person who sells or supplies fish referred to in subsection (1) otherwise than under the authority of a permit issued under this section commits an offence against this Act.

Penalty: \$1 000."

I wonder what the word "supplies" means in that context. Clause 35 (1) mentions fish that are surplus to one's requirements. Let us assume that I go out on a fishing trip and come home with, say, half a dozen extra fish and I want to give those extra fish to

my neighbour. If giving those surplus fish to my neighbour is supplying, then before I can do that I need a permit. I want to know if supplying surplus fish under this clause includes giving fish to my neighbour.

Mr AHERN: I am advised that in this context "supply" means supply for profit. Clearly it is not the intention of the legislation that somebody who comes home from a fishing trip and decides to favour his neighbour with his surplus fish will be required to have a permit. I will have the matter investigated to ensure that the circumstances mentioned by the honourable member do not come within the provisions of the Bill.

Mrs KYBURZ: I take issue with the Minister on that statement, although I accept that he will have the matter investigated.

I refer to clause 35 (6), which has just been quoted by the honourable member for Ashgrove, and ask the Minister what circumstances are envisaged that would apply to that clause. What worries me is the inclusion of that provision in the Bill. How many inspectors will have the authority of the board to fine people that amount, which I do not consider trivial? Let me give an example. On Stradbroke Island, fisherpeople go fishing, some on a commercial basis, and sell their catch after hours from their homes. Obviously they will have to undergo the obstacle course of permits provided for in the Bill. However, it is not in the best interests of this supposed private-enterprise Government to stop people such as that (a) selling from their homes and (b) selling any fish that are surplus to their requirements or surplus to the requirements of the market at the time. That type of trivial offence will cause trouble for very small people who will not understand such a regulation.

I ask the Minister for an assurance that there will not be policing of the type that has occurred under other Acts, which I consider to be of a petty, socialistic nature.

Mr AHERN: Offenders against the Act will be brought before the Magistrates Court, when all the circumstances relating to the offence will be related to the magistrate. I confidently assume that the magistrate will temper the fine that he imposes in accordance with his judgment of the gravity of the offence.

I ask the honourable member to understand that under current Queensland law all fish caught for sale in Queensland must be delivered to a premises of the Queensland Fish Board within a fish supply district. That is it. That applies at the moment. Anyone who contravenes that offends against the Fish Supply Management Act.

Private enterprise will be legitimately involved in marketing in the industry in Queensland as it has never been legitimately involved previously. The powers under the Act are quite extensive and very restrictive. The Bill provides for a very substantial liberalisation of the activity of private enterprise. Private enterprise will have a say in the administration of the industry that it has not had in the past.

I assure the honourable member that it is not the intention to hound housewives who are flogging a few extra fish that they have caught on the week-end; but those deliberately circumventing the law and not obtaining a fishing licence when clearly they should be will be liable to appear before a magistrate to have their case determined.

Mr HARTWIG: Fishing was once looked upon as a sport, a recreation and a means of providing variety in a household's food requirements. Now, because of bureaucratic control, everybody who catches a fish is regarded as a criminal. What happens to people living along the Fitzroy River who want to catch some fish on the Thursday night before Good Friday? Must they sneak down like criminals? They are stuck out in the middle of nowhere. They have no access to the Fish Board unless they make a 50 or 100-mile journey. They sneak down to the river just on dark and ply a net across the river. They will wait until they hear the sound of a paddle or an engine coming up the river. They live in fear of the inspectors—those Hitler-like people who apprehend fishermen putting in a net.

Clause 35 deals with the power to permit the taking of fish for sale. Subclause (6) states—

"A person who sells or supplies fish referred to in subsection (1) otherwise than under the authority of a permit . . ."

The Minister is a practical man. Does he mean to tell me that those people living 100 miles up the Fitzroy River are compelled to obtain a permit to go fishing? What is the Government coming to?

Mr Hansen: He will let them do it on Easter Thursday.

Mr HARTWIG: They can? The member for Maryborough is not the Minister.

Those people know full well that, if they are caught, they face a \$1,000 penalty. All they are after is variety in their menu. They live on corned beef and damper and they want some fish thrown in a couple of times a year. Don't tell me that they will face a \$1,000 fine because they have gone fishing as a recreation or a sport!

Mr AHERN: The legislation refers to the taking of fish for sale, not for personal purposes. The honourable member should recognise that.

The honourable member for Callide said that there is too much bureaucratic control. It would be perfectly simple to abolish the Queensland Boating and Fisheries Patrol, to abolish the need for any licensing at all and to allow a completely laissez-faire attitude—do what you like, where you like, when you like. However, that would lead to the demise of several fisheries in Queensland in the short term and practically all of them in the long term. Given that management is necessary, it must then be decided how to effectively exercise that control.

The proposal that I have brought forward has the support of the industry. It sets out how its aims can best be achieved co-operatively by all associated with the industry. That is the package that lies before the Committee today.

Mrs KYBURZ: I accept the Minister's explanation on the provision on which I queried him. However, I point out to him that no-one is asking for a return to a laissez-faire attitude towards fishing, which is a business. Our society operates in a mixed economy—a mixture of State and private enterprise. Quite frankly, I regard the Minister's statement as being rather spurious.

How many inspectors are employed throughout Queensland? From his past comments, it is obvious that the Queensland Boating and Fisheries Patrol does an excellent job, particularly in controlling the taking of female crabs, and so on. However, I should like an assurance from the Minister that the trivial offences to which I referred will not be pursued with diligence. All I ask is that petty regulations be not pursued to the extent that people are hounded. I do not seek a return to a laissez-faire attitude, which the Minister is concerned about. All of us know that that is in the past.

Mr AHERN: The department has two inspectors, two operate under the Queensland Fish Board and approximately 52 and 53 operate in the Boating and Fisheries Patrol under the Department of Harbours and Marine. They service both boating and the fishing industry. The number is way short of what is required.

I assure the honourable member that there is no intention to hound people. It is an important requirement of the Bill that those persons who are engaged in a commercial operation be appropriately licensed. That is reasonable.

Mr HARTWIG: I should like to inform the Minister that last year 290 people were fined for having illegal fishing nets in their possession.

Mr Vaughan: And so they should be.

Mr HARTWIG: That is all right for the honourable member, who lives in the suburbs of Brisbane. Let him come to the Outback and see how people catch a feed of fish. He is a Brisbaneite. I represent a country electorate.

I rose merely to inform the Minister that 290 people had been convicted.

Mr PRENTICE: I wonder whether, when we move from the area of the truly commercial operator into that of somebody who takes fish for his own purposes and, on occasions, quite deliberately takes fish with the object of selling some that might be left over, we need to go to this extent to allow him to do it. Certainly licensing is needed for the person who will be fishing for commercial purposes and who as an operator will have some effect on the industry. I know that controls are needed over individual fishermen. However, I should like to see a more flexible approach adopted.

When I look at the penalty, I am horrified. I am concerned about questions of proof. I am amazed to learn that, when it comes to the matter of policing all provisions in the Bill, the Minister's department has only two inspectors. Is there any intention to appoint additional inspectors in the future?

The point I want to make is that this provision is going a bit too far and that some alternative approach could be adopted.

Mr INNES: This clause appears to raise squarely the situation of the throw-out fisherman. Probably the most typical area where this happens is where people from all over Queensland, including Brisbane, go annually on a week's fishing trip, that is, to Swains Reef, or some other reef, to catch as many red emperor and coral trout as they can. Apart from the few fish taken home most of them usually go to the operator of the charter boat. Perhaps the Minister may indicate what part of the legislation he sees those operations coming under. Does he envisage making the operator of a charter boat a person who is obliged to hold a master fisherman's licence because, in effect, he runs 40 trips a year for other people who are paying to catch fish for fun, many of which go into his freezer? Such charter operations are significantly depleting the resource in areas such as Swains Reef. On the other hand, does the Minister envisage an approach whereby each person has to take out a permit under the legislation? A second question arises: if, so far, the system requires that all fish shall be sold to the board, and the inspectorial system has not worked—

Mr Ahern: It has not been policed in recent times; that is not to say that it has not worked.

Mr INNES: Does that mean that the number of inspectors employed is totally insufficient to police the catch?

Mr Ahern: Yes, I guess that is true. But, frankly, the truth is that we have not policed the Fish Supply Management Act in recent times.

Mr INNES: As a consequential question I ask the Minister: Has he or his department any indication of the necessary increase in the law-enforcement bureaucracy to police this approach to the industry and the cost involved?

Mr AHERN: I do not know the answer to that question. The authority will have to examine it. If the authority can substantiate that a much higher level of policing and the substantial cost associated with it is necessary, we will obviously have to talk to the authority about who pays for it.

Mrs KYBURZ: I preface my remarks by saying that the Minister explained fully the details of appeal to the Magistrates Court. I now ask him: Will a person who is brought before the court have a right of appeal, with the availability of legal counsel?

Another point I wish to clarify is that we have not sought to deliberately delay or try the Minister on this legislation. I make it publicly clear that I consider members of Parliament have a duty to go through legislation point by point. I take the unprecedented step of congratulating the Minister for sitting through this debate and for the way in which he has been handling it. We all know that there will be more of it, but at least we have a Minister with the intelligence and expertise to go through this process in a civilised way. Let us face the fact that there are other Ministers who do not have his capabilities.

Mr AHERN: I thank the honourable member for her comments. In reply to her in relation to offences—it is not a matter of appeal to the Magistrates Court. The appeal will be to a tribunal established under the legislation. Offences will be dealt with in the Magistrates Court in the normal manner of dealing with offences brought before that court, and normal conditions of representation and appeal will apply.

Clause 35, as read, agreed to.

Progress reported.

The House adjourned at 6.1 p.m.