

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**WEDNESDAY, 24 NOVEMBER 1982**

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

**RAILWAY PROPOSAL**

Deviation, Depot and Yard, Collinsville Branch Line; Balloon Loop, Box Flat

Hon. W. D. HEWITT (Greenslopes—Minister for Environment, Valuation and Administrative Services) laid on the table working plans, sections and books of reference for the construction of a railway deviation, depot and yard on the Collinsville branch line at Merinda, and the construction of a balloon loop at Box Flat, together with the respective reports of the Commissioner for Railways thereon.

The commissioner's report was ordered to be printed.

**PAPER**

The following paper was laid on the table:—

Statute under the Griffith University Act 1971-1980.

## QUESTIONS UPON NOTICE

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

## 1. Increase in Chief Office Staff, Department of Education

Mr Smith asked the Premier—

With reference to the 1982-83 Budget Estimates for the Department of Education which provided for (a) an increase of 1 545 teachers, (b) an increase of 241 ancillary staff and (c) a nil increase in Chief Office staff—

Will the Public Service Board consider the representations being made by the State Service Union in this regard?

*Answer:—*

The representations referred to were, in fact, made to the Honourable the Minister for Education, and the Minister will, no doubt, reply in due course.

Within the context of the Government's 1982-83 Budget policy on staffing, certain guide-lines will be formulated shortly by Cabinet and the staffing requirements of all Public Service departments will be determined by the Public Service Board in terms of these Cabinet guide-lines.

## 2. Earth Construction Dam, Lawn Hill Creek

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

With reference to the landholdings in Queensland of Mr Sebastiao Maia of Brazil—

Did Mr Maia have permits to construct a major earth construction dam across Lawn Hill Creek, which resulted in the death of hundreds of trees?

*Answer:—*

A search has revealed that no application has been submitted for a licence to construct an earth dam across Lawn Hill Creek.

The matter will be investigated by the Commissioner of Water Resources. However, due to the remoteness of the area and the impending wet season, this may not be possible in the near future.

## 3. Proposed Bridge to North Stradbroke Island

Mr Innes asked the Premier—

With reference to my question of 11 November to the Acting Premier regarding the North Stradbroke Island bridge proposal in which I asked how many Queenslanders, and which Queenslanders or groups of Queenslanders, had called for, or shown support for, the bridge proposal and to the answer in which the Acting Premier said that approximately 40 Queensland firms had requested documents in response to the advertisement by the Government calling for submissions for the construction of a road bridge to the island—

(1) Is one right in deducing that no other persons have shown support for the bridge proposal?

(2) If not, who are the other Queenslanders who have called for, or shown support for, the bridge proposal?

*Answer:—*

(1 & 2) Apart from approximately 40 Queensland firms that have requested documents in response to invitations for proposals for a bridge to North Stradbroke Island, some 70 documents have been dispatched on request. These have been sent to individuals in Queensland and to companies and individuals interstate and overseas. A request for the document does not necessarily signify support or otherwise for such a proposal.

As I pointed out in my answer of 11 November 1982, the Government has no proposal under consideration. A final decision on whether a bridge is a viable proposition will be made only after all proposals have been fully assessed. This assessment will take into account views expressed by interested Queenslanders.

## 4. Amendments to City of Brisbane Town Planning Act and Council Ordinances

Mrs Nelson asked the Minister for Local Government, Main Roads and Police—

(1) Is he aware of allegations being made by the Brisbane City Council that approval to construct or extend buildings such as scout dens and guide huts in council-owned parks are being seriously delayed because of the failure of the Local Government Department to finalise amendments to the City of Brisbane Town Planning Act and other council ordinances?

(2) What is the correct position in relation to this matter, and when can such organisations expect the gazetting of appropriate regulations?

*Answer:—*

(1) I am not aware of the allegations referred to by the honourable member.

(2) The proposal referred to is one of a large number of amendments put forward by the Brisbane City Council to the Brisbane Town Plan. These amendments are most complex and have required detailed examination by officers of the Department of Local Government and discussions with interested parties.

It is anticipated that the matter will be finalised in the near future and that appropriate recommendations will be submitted to the Governor in Council in respect of all proposed amendments.

### QUESTIONS WITHOUT NOTICE

#### In Vitro Fertilisation Program

Mrs NELSON: I ask the Minister for Health: In the light of current discussions concerning in vitro fertilisation programs in Queensland and his initiative in calling for State and Federal discussions on the matter, will he advise the House—

(1) How far advanced are the joint discussions between the various State Health Ministers and Attorneys-General in establishing uniform guide-lines for legislation throughout Australia?

(2) How far advanced are discussions between him and the State Attorney-General, and when can the Parliament expect to receive legislation to—

(a) provide strict guide-lines for the operation of in vitro fertilisation clinics in Queensland; and

(b) provide legal protection for children born as a result of such programs?

Mr AUSTIN: The honourable member has quite correctly pointed out that the matter also concerns my colleagues the Minister for Justice and Attorney-General and the Minister for Welfare Services. Officers of the departments have been meeting for some time. They are in the process of preparing a joint submission to Cabinet on behalf of the three Ministers, each of whom has expressed his public concern about the matter. The preparation of the submissions has not been an easy task. However, I hope that within the next fortnight all three Ministers will be in a better position to make a public statement on what has been achieved.

Mr DAVIS: I had intended to ask two questions without notice of the Minister for Transport. As he is not present, I will have to place them on notice.

*The honourable member then proceeded to give notice of two questions.*

#### Alleged Misuse of Funds by Leader of the Opposition

Mr POWELL: I ask the Premier: Is he aware of statements made by the present Leader of the Opposition in relation to honesty and integrity in government? How does the honourable member's purported support for honesty and integrity measure up against his alleged misuse of funds as detailed in the Peel report? Has the honourable member paid into consolidated revenue the amount mentioned by the Auditor-General?

Mr BJELKE-PETERSEN: I am aware that the present Leader of the Opposition has made some statements about honest government. Of course, people who live in glasshouses should not throw stones. Mr Wright should start with himself in relation to being honest. He has refused consistently to be honest even though his attention has been drawn again and again to the fact that he owes the Crown \$3,042.

Opposition Members interjected.

Mr SPEAKER: Order!

Mr BJELKE-PETERSEN: I could have a field day with the supposedly honest people on the other side of the House. They cannot even be honest themselves. The Leader of the Opposition is not an honest man; he is a dishonest man.

A Government Member interjected.

Mr BJELKE-PETERSEN: The Leader of the Opposition ran away. He knew that I would probably ask him a question, and he ran away.

Opposition Members interjected.

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

Mr BJELKE-PETERSEN: Naturally, Opposition members do not want me to make my point. The Leader of the Opposition has been talking about honest government. However, before anyone begins telling other people that they should be honest, he should be honest himself. The Government disputes very strongly the statement made by the Leader of the Opposition. He is not honest, because, as revealed by the Auditor-General's report, he still owes \$3,042.65. That is the information that came to me recently. Obviously, the Leader of the Opposition is still refusing to pay his debt to the Crown. That is not the action of an honest man.

Mr Burns: Do you think it is honest to be reading from little notes when it is supposed to be a question without notice?

Mr BJELKE-PETERSEN: For the benefit of the honourable member, I will say again that the Leader of the Opposition ought to be honest himself. We on this side of the House are honest, but that man is not honest. He has stolen from the Government \$3,042.65. It is up to him to repay it and to make an apology to the House. And he ought to pay interest, because he has had the stolen money for a good many years.

Tape-recording of Telephone Conversation between Mr Michael Olsen and Police Officer

Mr YEWDAL: In directing a question to the Minister for Local Government, Main Roads and Police, I refer to the shooting of Michael Olsen and his subsequent involvement with the Police Department. No doubt the Minister will recall that Olsen rang the emergency telephone number, 000, and claims that the police officer whom he contacted was reluctant to respond to his pleas for help. I now ask: As the telephone conversation was taped by the police officer who received the call and as the Police Department has refused to make the tape-recording available, will he instruct that the tape be released, thereby clearing up the matter once and for all in the interests of all parties concerned? If not, why not?

Mr HINZE: Yes, of course I will make the tape available. The honourable member will get quite a shock when I do.

#### Alleged Illegal Gambling in Brisbane

Mr YEWDAL: In directing another question to the Minister for Local Government, Main Roads and Police, I refer to frequent charges appearing in the media that illegal gambling is being conducted in Brisbane at several venues and to the suggestion that at least four gambling establishments are functioning. In view of the fact that the Minister has been quoted as saying that no illegal gambling is being conducted in Brisbane, I ask: Will he confirm his previous statement that no such gambling is being conducted in the city of Brisbane?

Mr HINZE: The honourable member has put his own interpretation on something that I said at a news conference when the honourable member for Archerfield said something along the lines that in Fortitude Valley there were police-protected Mafia-style casinos. I said there were none to my knowledge, and I kept on saying that. One of the newspaper reporters asked me whether I was calling the honourable member for Archerfield a liar. I said, "No, I am not calling him a liar."

Mr Burns interjected.

Mr HINZE: An Opposition member asked the question, and now the Opposition has to listen to the answer.

Mr Burns interjected.

Mr HINZE: There used to be an SP merchant at Tingalpa. I don't know whether he is still there.

Let me answer the question about our friend and colleague the honourable member for Archerfield. I said, "No, I do not think there is any police-protected Mafia-style casino in the Valley." I added that I knew that there were Yugoslavs, Germans, Italians—

Mr Hooper: Bellinos.

Mr HINZE: Yes, Bellinos—people from overseas who get together and have a game of coon-can. I said, "If you want to call that a gambling casino, that is entirely in your corner."

To answer the question—at all times, the police are instructed to take action if and when there is illegal gambling, prostitution or casino-type activity anywhere in the State.

#### Overseas Trade Mission by Premier and Deputy Premier and Treasurer

Mr SIMPSON: I ask the Premier: Following his recent trade mission overseas, what would he consider are the major factors affecting opportunities for investment in Queensland, the creation of jobs and the export of our goods overseas?

Mr BJELKE-PETERSEN: The main factor affecting our export trade overseas and overseas companies buying from Queensland is confidence. Of course, that is the key issue right across the nation today. For the honourable member's benefit, I point out that Queensland's standing overseas is higher than that of any other State in Australia. Dr Edwards and I were informed repeatedly that because people overseas had confidence in the Government, Dr Edwards and me, and in Queensland generally, they would support us by buying our commodities. As I said yesterday, we hope very shortly to sign a coal contract worth \$40m. They are also buying other commodities. In return, they expect Australia to open its doors more freely to some of the goods that they produce so that the people of Queensland and Australia can buy goods very much cheaper than they are buying them today. That is a fairly hard argument to counter, and it is becoming a real issue wherever one goes round the world today.

Mr Burns: What about "Buy Queensland Made" under that proposal?

Mr BJELKE-PETERSEN: We are flying the flag of "Buy Queensland Made" and "Enterprise Queensland".

Dr Edwards: They are three times the price.

Mr BJELKE-PETERSEN: Yes, the Australian goods are three times the price of imported goods. We have to keep our two feet on the ground.

Mr Burns: Do you believe in buying the cheapest, not "Buy Queensland Made"?

Mr BJELKE-PETERSEN: We stand very strongly for Queensland, but some of our producers and manufacturers who employ labour have great difficulty in selling their goods because their prices are too high. That is why I have referred to week-end penalty rates and all the rest. We have to look very seriously at those matters if we want to keep jobs.

#### Effect of Ord River Proposal on Queensland Sugar Industry

Mr SIMPSON: I preface a question to the Minister for Primary Industries by voicing my understanding that the sugar industry is financially Queensland's major industry but that at the moment it is going through very difficult times. I ask: Are some producers being faced with bankruptcy? Does he see the opening of a new sugar-production area in Western Australia putting producers and manufacturers of associated sugar products at risk? Does he also see it affecting the hard-won restricted and controlled marketing procedures as well as the quality of product for which Australia has become famous as a sugar producer?

Mr AHERN: There is no doubt that the sugar industry is facing one of the most serious economic challenges that it has had this century. Indeed, it is the most serious economic challenge. There are substantial economic problems in Queensland's cane-growing areas. That is not unexpected when one thinks in terms of \$300m having been taken from the pay cheques of 7 000 cane growers in Queensland. That has led to very serious economic problems for those who are involved. The effects are being felt not only by the growers but also by the mills. The co-operative sugar-milling organisations in Queensland have substantial economic problems at the moment—as do the proprietary companies, the towns and the machinery operators in the towns.

The position is not good. We are trying to remedy matters through the Rural Reconstruction Board. Since 1 July this year we have made available to Queensland canegrowers in excess of \$3m for carry-on finance and for debt reconstruction. The Federal Government, in recognition of the problem, has sought an IAC inquiry into how the sugar industry might be assisted. Currently, the industry is making representations to the International Sugar Council in an endeavour to reopen negotiations for a new international sugar agreement in order to overcome the problem of gross surpluses on the world market caused by EEC policies and the greater use of high-fructose corn syrups throughout the world.

Those are the problems. These are our responses to them. The sugar-exporting countries are studying a proposal to denature sugar to make it into stock feed in an endeavour to get rid of some of the mountains of supplies that are on the world market.

For anybody to come on the scene in such circumstances and proudly announce an addition to Australia's problems is very irresponsible. I would be doing less than my duty if I did not speak out on behalf of the existing industry and say that our Government will do all that it can to assist. We will examine every legal action that is open to us to fight the proposal. We have already taken a deputation to the Federal Government on the matter. I led a deputation to the Minister for Primary Industry (Mr Nixon) to ask him to do what he can in the circumstances.

The Commonwealth has options. It is a signatory to the Commonwealth/State Sugar Agreement, in which the Commonwealth says that it will control the production of domestic sugar in this country. If a new industry is to be opened up in Australia, surely a responsibility is thrown on the Federal Government under that agreement. The Commonwealth is also a signatory to the International Sugar Agreement, under which it agrees to cut back production at this time. It has given an undertaking to cut back. Therefore, expansion at the moment would cause serious problems for the existing industry. In my opinion, the Commonwealth still has a responsibility to act. We are examining absolutely every option we have to overcome the problem on behalf of our sugar industry. Our responsibility is to that industry, and we will do all that we can for it.

#### Fire Brigade Levies

Mr GREENWOOD: I ask the Minister for Environment, Valuation and Administrative Services: What is his reaction to statements made by Mr Rogers and other local government representatives on fire brigade levies and in particular to their accuracy or inaccuracy in describing the Government's proposal?

Mr HEWITT: The proposals that I intend to bring forward to the House on the funding of fire brigades are very far-reaching and represent great change. I give an assurance to every member, every member of every local authority and every interested party that there will be ample time to consider those provisions and for those people to give me their observations thereon.

If the Lord Mayor of Brisbane, in particular, wants to reduce the level of debate to that of a bar-room brawl, I am not prepared to follow him in his convoluted arguments. Let me say this about the Lord Mayor of Brisbane: every last argument that he has brought forward has been answered adequately and well. On a host of occasions over the last 15 months I have had discussions with no fewer than 81 local authorities. Their input has been taken into account. Where it has been possible I have embraced their points of view and have done every last thing to accommodate whatever problem they may have in phasing in the levy.

It is a matter of regret to me that the Lord Mayor of Brisbane should continue to bring forward points that have been properly responded to and to which he has complete answers. He has now reached such a convoluted state that he is in fact arguing with

himself. On television last night he totally opposed my proposal for a levy on vacant land, but in the discussion document that he made available in the Brisbane City Hall he stated—

“Statistics published by the Metropolitan Fire Brigade Board indicate that 35% of fires in Brisbane in 1981 were on vacant land. Despite this, only nominal levies on vacant land are proposed.”

A few weeks ago the Lord Mayor criticised the fact that the Government proposed only nominal levies but now criticises the concept out of hand. It is impossible to argue with a person who cannot even put forward a consistent argument.

I must confess to some disappointment over the argument advanced by Councillor Fred Rogers, who was given an absolute assurance that my proposals would be debated at length at the Local Government Conference in Bundaberg on 15 September. That undertaking was honoured to the letter. A commitment was given that further consultation would be entered into. I have not resiled from that commitment and I fail to understand why he is calling publicly for further consultation when that commitment will be honoured.

Mr BURNS: Once again I notice that Ministers are clairvoyants. That was an example of another Minister who had a handful of papers to answer a question without notice. I will now place three questions on notice.

*The honourable member then proceeded to give notice of three questions.*

#### Proposed Amendments to Casino Control Bill

Mr NEAL: I ask the Deputy Premier and Treasurer: Is he aware of a Press conference being called by the member for Woodridge regarding amendments to the Casino Control Bill? Are there any such amendments, on what are they based, and will they strengthen the legislation in any way?

Dr EDWARDS: I am aware—and it is common knowledge around this place—that the member for Woodridge is calling a Press conference at 12 o'clock to condemn the Government for the amendments that he alleges will be moved in this House—

Mr Davis: How do you know?

Dr EDWARDS: Because the honourable member cannot keep his mouth closed and tells everybody what he intends to do.

Relative to that matter—it is true that the Government will be moving amendments during the Committee stage, as I have indicated on a number of occasions, and those amendments will not water down the legislation but will in fact strengthen it even further.

Mr Scott: What were we debating last night?

Dr EDWARDS: The honourable member for Cook is a self-confessed expert on everything. He contributed a great deal to the debate last night—he did not even speak!

The proposed amendments will take three forms, and I will take the opportunity to make them available now so that the media have the correct information before the honourable member's Press conference.

The first proposed amendment relates to the appointment of an administrator. If a licence is cancelled, the amendment will allow the appointment of an administrator to administer the operations of a casino under total Government supervision.

Some 12 months ago, both the honourable member for Woodridge and the honourable member for Sandgate discussed that matter with me. The provision was in the original legislation. Because it was considered to be difficult to implement, it was omitted. A way in which it can be implemented has since been found. It is totally inaccurate for the honourable member to say to the Press, as he did, that the legislation is being weakened. The proposed amendment will save the jobs of 2,000 people who would immediately be put out of work if the licence were to be cancelled.

The second amendment relates to strengthening the cancellation of a licence when circumstances that are to the detriment of the public interest arise outside the normal conditions for cancellation of a licence. If that is not a stronger proposal than the present one, I do not know what is.

The third amendment will place a time limit on the period in which the Governor in Council may make a decision about appointing a receiver or manager. That provision was requested by the company. The Government has agreed to it for the protection of the company and to strengthen controls in the public interest.

It was amazing that the honourable member for Woodridge should claim, as he did last night, that he was an expert, because he admitted to me in the lobby that he had not read the Bill until yesterday and asked me whether he could contact my officers for a briefing. The hypocrisy of the honourable member is self-evident when he is prepared to criticise amendments about which he knows nothing.

#### Floodgates on Callide Dam

Mr HARTWIG: In directing a question to the Premier, I refer him to the drought situation, particularly as it affects irrigation areas, and I ask: Will the Government consider giving priority to constructing floodgates on the Callide Dam to double its capacity?

Mr BJELKE-PETERSEN: The construction of floodgates on the Callide Dam is subject to the priority allocated by the Water Resources Commission. I am not aware of the priorities allotted by the commission or its responsibilities in other areas. I am sure that the commission will be looking at the Callide Valley and many other areas.

#### Funds Provided under Farm Water Supplies Assistance Act

Mr McKECHNIE: I ask the Deputy Premier and Treasurer: As funds available under the Farm Water Supplies Assistance Act are in short supply because of demand caused by the drought and other factors, will he endeavour to make additional money available to that fund in this financial year as a matter of urgency?

Dr EDWARDS: I am aware of the enormous demand for funds provided under the Farm Water Supplies Assistance Act. Funds amounting to \$1.6m, which were made available in this year's Budget for various projects, are well on the way to being expended. The honourable member has drawn the matter to my attention. I assure him that I will have it examined in association with my colleague the Minister for Water Resources to see whether there is some way in which assistance can be provided.

There is a need for Governments throughout Australia to become more concerned about those people who are affected by drought. I am disappointed at the fact that greater response has not come from the Commonwealth Government relative to drought relief.

Mr Davis interjected.

Dr EDWARDS: The honourable member for Brisbane Central would not know what a drought looks like. I remind him that the New South Wales Labor Government has been criticised by many people, including those in the farming industry and others in the Federal Government, because of its failure to implement many of the drought-relief measures that are already available. The honourable member should not make comments without knowing what he is talking about.

I assure the honourable member for Carnarvon that water conservation is a major objective in the Government's policy. If there is any way in which the Government can assist in achieving that objective, it will do so.

#### Young Farmer Establishment Scheme

Mr HARPER: I remind the Minister for Lands and Forestry that in presenting his Estimates he said that as at 30 June only \$1.23m of the \$1.5m that was allocated to the Young Farmer Establishment Scheme had been expended and that the money remaining was returned to the Treasury Department. I now ask: Has the unexpended amount been lost to the Young Farmer Establishment Scheme?

Mr GLASSON: I thought I had made it perfectly clear that, although it was stated in the Press that the money was returned to the Treasury Department, it was not returned. That carry-over money will continue to be allocated to the scheme together with the \$4m that will be injected in the 1982-83 year. It will still be part of the money available to the Young Farmer Establishment Scheme.

## Ord River Sugar Scheme

Mr BLAKE: I ask the Minister for Primary Industries: With reference to the text of his answer to an earlier question today that the Commonwealth Government has offered to control the production of Australian sugar in keeping with the provisions of the International Sugar Agreement, and in view of the detrimental effects of Western Australia's latest sugar production intentions on Australia's pending negotiating situation with the GATT, the EEC and the International Sugar Council, will he, as a matter of urgency, again approach the Commonwealth Government for an immediate statement of intent on the production of Western Australian sugar before it can detrimentally affect Australia's bargaining position in world councils on sugar production?

Mr AHERN: I have certainly approached the Commonwealth Government on a number of occasions. On receipt of advice yesterday that the Western Australians were determined to proceed, I again made representations. The situation has to be clearly understood. The existing industry in Australia has accepted the disciplines of the international market-place. It has accepted its responsibilities to produce quality sugar. It has established an entitlement. That has had advantages, but it has also had cost disadvantages. That is what has happened over a long period.

We believe that the Commonwealth Government has responsibilities in this matter, and on previous occasions I have told it that it should accept those responsibilities. Again, I have told the Commonwealth Government that.

I also indicate to the cane growers of Queensland that the Queensland Government will exercise absolutely every option that it has to represent their interests. This fight will go all the way on behalf of Queensland's cane growers.

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

## MATTERS OF PUBLIC INTEREST

## Queensland Sugar Industry

Mr CASEY (Mackay) (12 noon): Recently—even in this Chamber this morning—a lot of hot air and pious platitudes have come from the Government about Queensland's sugar industry. Let me make two things quite clear for everybody inside and outside the Chamber. The sugar industry is the State's biggest agricultural industry and sugar-milling is the State's biggest manufacturing industry. Therefore, what is happening in the sugar industry is of great significance to all Queenslanders. The sugar cities and towns throughout the State constitute the greatest consumer market outside the metropolitan area. Even in the metropolitan area itself, the service, supply, commerce and finance industries are very reliant upon the sugar industry.

The industry's present position must be of concern to every Queenslanders. At the outset I say that I am not a preacher of doom and gloom. What is happening in the sugar industry today has nothing to do with the current Australiawide recession. Certainly, it is caught up with it through the high interest rates and the other policies of the Federal Liberal-National Country Party Government. However, one of the biggest problems today is that many people associated with the sugar industry—within the Government and within the industry itself—would not face the facts that have been staring them in the face for the last five years or more. One of the biggest contributors to the sugar industry's problems has been the Queensland Government.

I could enumerate the problems faced by the industry. The first is the International Sugar Agreement—and I will have more to say on that later. I can recall saying in 1977 that it would not work. It has not worked. It has failed hopelessly every inch of the way. It has been consistently backed and is still being backed by the National Party in Queensland. Mr Anthony, through his Trade and Resources Department, recently had discussions about its extension for a further two years. Those people are talking about extending a failed agreement! It is a lot of rot! It is about time that the National Party pulled its head out of the sand about such nonsense in the sugar industry.

The second biggest problem is that the price is at bedrock, well below cost of production. That is something that has occurred world-wide and is caused by approximately only 10 per cent of the world's sugar production being traded on the international market.

Most countries are self-sufficient in sugar production. Other countries buy a small percentage of their needs or sell a small percentage of their production. However, a nation such as Australia, which is required to sell almost 80 per cent of its production on the export market, is extremely reliant on the international market. Despite the indicators that appeared some considerable time ago—and I am referring to the period when the last International Sugar Agreement was negotiated—not a lot of common sense has been shown by the Queensland Government.

The industry is facing its second IAC inquiry in something like four years. In the last few days I have reread the report of the original inquiry into the sugar industry and its pricing arrangements, which was set up by the Commonwealth Government back in 1979. Nothing has changed since then. It is a lot of nonsense for the Federal Government to say that we have to go through the motions of another IAC inquiry. Very few industries in Australia have been subjected to scrutiny twice by the IAC in a period of four years.

There are huge world surpluses of export sugar. That has only occurred in recent years, but the stockpiles will last for years. It will be something like three or four years before those surpluses are reduced. We are faced with the EEC trading policies and the USA protectionist policies. I guarantee that Mr Anthony will have no success in reducing that protection at the current GATT conferences.

Some of Australia's major buyers are moving towards artificial sweeteners and the high fructose corn syrups, most of which have been developed in the United States, which is one of Australia's major buyers and which also held out for a long period as a signatory to the International Sugar Agreement. It only succumbed when it realised that it had a stranglehold on the technology for the manufacture of the high fructose corn syrups, which has helped it use its surplus of corn.

Not the least of the problems of the industry is the manufacturing lobby in Australia, and I will speak a little more about that later. These days the Federal Government is certainly dictated to by the manufacturing lobby—the manufacturers of cordials, sweets and jams, which are the major users of sugar in Australia.

Australia has suffered the loss of the Japanese agreement, which was one of the very bastions on which the industry was founded. The Queensland Government must accept some of the responsibility for that loss because, when the price was very high, it put the screws on the Japanese to maintain an artificially high price under that agreement and the Japanese have never forgotten that they got their backsides screwed off at a time of high sugar prices. Now that sugar prices are low the Japanese are taking advantage of the market and any amount of crying and bleating to them about the cost of production will not help at all.

Another problem was caused by the overspending of the industry during the good years. Now there is the development of Ord sugar. It is of little solace to the industry for me to stand here and say, "I told you so." I suffered much criticism from the National Party machine for my outspokenness on many of these matters. What I am saying today is a repetition of what I said five, six and seven years ago.

Mr Blake: Which, incidentally, has been proven absolutely correct.

Mr CASEY: Yes, that is so.

I can remember, just prior to the 1977 election, when Ministers rushed into the House, praised themselves and cried with great gusto that rural Queensland had been saved. The Government said that it had renegotiated the International Sugar Agreement. Everybody took up the cry and the propaganda machine of the National Party got into gear and spread the word throughout the State that the industry had been saved. Like hell it was saved. Because of the finalisation of the negotiations on that agreement, it went down the chute. Everybody who is now in the industry should recognise that. Some people say that price benefits were gained from that—I will not use a rude word; I will simply say "male bovine excreta". Because Australia is a signatory to that agreement it has missed out on selling sugar at a better price. Because the Americans did not enter into the agreement, they benefited. From 1977 to 1980, the BEC went out and pinched the markets. It was not until 1980 that the Queensland Government recognised that the International Sugar Agreement would not work but, by that time, it was too late because the markets had been lost.

I now turn to circumstances on the home front. I have already mentioned that the Federal Liberal-National Country Party Government is being pressured by the manufacturers. I will now examine some of the manufacturers. "The Australian Financial Review" has reported the record profits that have been announced each year by companies such as Cadbury Schweppes Pty Ltd, which of course is British owned and British controlled, Coca-Cola Ltd, which is American controlled, and Nestle Australia Ltd, which is Swiss controlled. The major Australian users of sugar are controlled by overseas combines.

Mr Powell interjected.

Mr CASEY: The honourable member should wait to see the submissions made by those companies to the IAC inquiry. Then there will be no doubt about who is putting the pressure on the Government about the home price of sugar. Many of those companies are getting round the import embargo on sugar by importing the manufactured products. Honourable members do not have to take my word for that; they can look on the super-market shelves and see the lollies and even some cordials that are manufactured overseas and imported.

The industry itself can be blamed for many of its problems. Particularly in the late 1970s when prices were high the money was simply frittered away. At that time I was a strong advocate of a stabilisation scheme for the industry so that it held onto its own money. At that time farmers were paying big taxes on big incomes. Particularly through the mid '50s there was plenty of money to be spent within the industry. Industry leaders told the cane growers to get rid of the money, to use it in whatever way they saw fit, because they would merely be paying it to the Whitlam Government by way of taxation. But now their taxes will help the Western Australian Government establish the Ord sugar scheme.

Recently the Premier said that that scheme would not be viable. Governments can make any industry viable. The Western Australian Government is determined to make the Ord sugar scheme viable, and it will. It will provide the port and meet infrastructure costs that usually have to be met by industry. Because Western Australia is a beneficiary under the Commonwealth grants system, all Australians, including Queensland cane growers, will be contributing to those costs through their taxes.

(Time expired.)

#### Drug Abuse

Mr BERTONI (Mt Isa) (12.10 p.m.): Today I draw the attention of the House to what I believe can only be described as the creeping cancer of drug use in Queensland.

Even after considerable publicity some time ago—and I do not refer only to the dreadful revelations of murder, ruthlessness, bribery and corruption in connection with the Mr Asia syndicate, which is still sweeping the world—concerning the day-to-day effect of drugs on our society, it has become almost the norm to hear daily about unfortunate people who have fallen prey to the many other Mr Asias. It seems that drug abuse has become an almost accepted form of sickness about which people say, "Isn't that terrible. Something's got to be done about it," etc., but then close their newspapers or turn off their television sets and forget about the problem until the next major revelation.

Some people still adopt the attitude that it cannot happen in their family or that it is all being overdone by the media. It is not being overdone by the media. In fact, in my view, there is still not sufficient coverage by the media to acquaint people with just how deeply this greed-ridden scourge is penetrating our society. The fact is that there are in Queensland many young people, and some not so young, who, because of drug abuse, are now on a course towards either a shocking death or a serious impairment of their mental and physical gifts to the point where very soon they will be thrown on the scrap-heap of society, to become a statistic in one form or another. That is happening right now as we sit in this Chamber, charged with bringing about the betterment of our society.

Australia's most valuable resource is people, and it is being eroded daily. According to the "Sunday Sun" of last Sunday, a 24-year-old woman is lingering between life and death in a Brisbane hospital. She has been unconscious for at least 471 days and will be lucky to survive, at best even as a vegetable. According to the report, the man who

put her in hospital by giving her a heavy dose of heroin, described as "brain destroying", was sentenced to a mere 18 months' imprisonment by a court in Tweed Heads. Only 18 months' imprisonment for condemning that young woman to such a shocking fate! And the reason? Pure greed, which undoubtedly is the basis for the disgusting drug trade that is killing and maiming more of our people than would any war.

The drug trade is increasing. In 1978-79, 3 598 drug offences were detected in Queensland, whereas I understand that in the current financial year the figure has climbed to over 7 500—an increase of more than 100 per cent in only four years. Over 100 per cent!

An article in today's "Telegraph" is headed, "Killer-strength heroin in city". It is alleged that heroin of 70 per cent purity is being sold. One dose at that strength will kill a young person. The figures that I have cited relate only to the police-detected offences—the tip of the iceberg—despite a terrific effort by them. That is the reason why I am today drawing the attention of the House to the colossal threat to the family unit.

I have done some research about the various drugs used by different age-groups. The information shows that youngsters aged 16 to 19 become involved with marijuana in its various forms. People aged from 20 to 25 use heroin, and they are very lucky indeed if they are not dead or mentally ill by the time they reach 27 or 30. It is found that people in the 30 to 40 age-group use cocaine. It has become the fashionable drug, and it is carried in locket round the necks of trendy ladies who attend parties at which it is the in thing to have a little sniff of cocaine to obtain a big high during the evening's jollifications. That practice is very definitely on the increase.

Imports of cocaine to Queensland from South America have increased noticeably. Heroin is coming into the State in an ever-increasing flood from the Golden Triangle. Because bumper crops of opium poppies are being produced there, additional markets have to be found by the dealers in death. That fact alone condemns more of our young people. The drought in Australia has resulted in much smaller crops of low-grade marijuana, and with heroin being more easily available, its use is increasing.

As a chemist, I have some knowledge of drugs. It is widely reported that marijuana is not habit forming. I do not know about that; I do not smoke it. But I do know that the smoking of marijuana leads users to become dependent on the drug and that, after a while, they want to use stronger drugs. It is then that they begin using heroin. The danger in marijuana usage lies in what it leads to. More information is becoming available daily to show that the use of marijuana has harmful effects on the brain. In spite of all that, the ALP policy document, under the heading "Health", has this to say—

"A Labor Government will legislate to decriminalise the use and growing of marijuana for personal use."

In other words, the ALP is prepared to agree, willy-nilly, to the further destruction of our youth, without the slightest regard for the fact that the use of marijuana leads eventually to heroin addiction. How could any parent possibly vote the Labor Party into Government in Queensland or in the Federal sphere? Are parents prepared to risk their children's well-being? It is an irrefutable fact that almost invariably heroin users have been marijuana users. The ALP stands condemned in the strongest terms for its totally irresponsible attitude. There can be no answer to that charge by the ALP, because that is its stated policy.

The Queensland Police Force is doing a magnificent job, despite being hampered by lack of funds, a lack of drug detection personnel and a lack of equipment.

Mr Scott interjected.

Mr BERTONI: The ALP is not interested in drug use. It is interested only in youngsters using marijuana and other drugs. The ALP tends to make a joke of this very serious matter. I want the people in my electorate to know where the ALP stands on drug use.

The police have an extensive coastline to cover. They are battling with ruthless, greedy killers who would make their grandmothers addicts to make a dollar. This Assembly must give the Minister in charge of police, the Police Commissioner and the policemen on the beat maximum support to combat the drug scourge.

Mr Katter: The honourable member for Cook has in his electorate all the airfields used by the drug dealers.

Mr BERTONI: He has a few airfields in his electorate.

Mr Scott interjected.

Mr BERTONI: I hope that the honourable member has that matter under control.

I turn now to the much discussed "Mr Bigs" in the drug game. They are there; they are shrewd and they are cunning. I have a suggestion to make to the Minister in charge of police based on reliable information given by a retired policeman who was noted for his dedication to wiping out this vicious trade. It is that rewards for information leading to the conviction of major drug criminals should be increased to \$300,000 or half a million dollars, with maximum protection being given to informants. That would be using the greed principle in reverse. We must make it worth while for people to inform on the "Mr Bigs". For months, if necessary, small task forces of, say, two or three policemen, should be assigned to tracking every one of those criminals until a conviction is obtained. When they are convicted, the courts must stop pussy-footing around.

The Government of this State should adopt the methods used by Lee Kuan Yew and the Thai Government and reintroduce the death penalty for those who cause so much death and suffering. That is the only way we will get on top of this disgusting ruthless game of death. All responsible members of this House have a duty to back the Police Force, the Minister and the Commissioner in every possible way to achieve that end, and it must never be forgotten that marijuana is the first step on the road to destruction.

#### Maryborough "Chronicle" Editorial; Creation of Employment

Mr POWELL (Isis) (12.20 p.m.): From time to time, members of this Assembly have taken the opportunity to criticise the Press and what it prints. Today, I should like to draw the attention of the House to an editorial that appeared in the Maryborough "Chronicle" on Monday, 8 November. I suggest that it should be compulsory reading for every member of this Assembly and for many country people. It is titled, "The cradle of national spirit"

The editorial resulted from something that happened on the previous Friday, when the editor of the Maryborough "Chronicle" and others were present at the Torbanlea State School to see presented to that school for its library a cheque for \$1,000. It will become an annual presentation. I wish to refer to some of the statements in the editorial, which reads—

"Sometimes it is the simple, little things in life that get to one and bring home a few basic truths:

And that it is why it was a pity that Malcolm Fraser, Bill Hayden, a gaggle of our unhappy union leaders and a paddock full of our bellyaching protesters could not have been at little Torbanlea State School last Friday morning.

The occasion was the presentation of a set of books by the father of a grateful former student, himself a former student until 61 years ago.

The occasion was unusual, a touching indication of one man's affection for his old bush school, even though he now flourishes as a successful London stock-broker, and his love for his late mother.

But even more touching for one out of touch with the wonderful world of the young was the normal pre-lesson ceremony of the Torbanlea State School.

Any Australian who did not feel a lump in the throat as those young pupils gathered around their national flag and recited their lines would be unworthy of the name. . ."

The crux of the editorial follows. The words spoken by the children as they salute their flag in the morning and participate in their morning session are these—

"I salute my flag. I honour my Queen. I love my country."

The editorial continues—

"If our federal parliamentarians concentrated more on inculcating such spirit— and "State" could be substituted for "federal"—

"in our schools instead of wasting time and money on divisive multiculturalism and other side issues this nation would be much better placed than it is today."

I do not think that there are very many people in this country who would disagree with that statement. The editorial continues—

“It is about time we began to put first things first in this nation of ours, and got back to some of the basic solid values on which it was built—loyalty, love of country, sharing and friendship.

Somehow or other we have slipped so far down hill that it has become fashionable now to sneer at patriotism as old fashioned, and to knock precious tradition.

If this nation is ever to become a strong, united Australia the example of the Torbanlea State School must be followed, and extended right through the education system because the schools are truly the cradle of national pride.”

I emphasise that the schools are truly the cradle of national pride. The editorial further states—

“If we don't build it in the schools the fabric will be weak and the nation will crumble under the avalanche of divisive forces in our midst.”

To me, that editorial gives an indication of exactly where this nation is heading and what we ought to be doing about that. There is certainly nothing more divisive than the lack of patriotism that is shown. Recently, I was appalled when, at another school, during the playing of the national anthem two teachers were talking and giggling while the students were expected to pay their respect to the nation.

Mr Hooper: That is a mortal sin.

Mr POWELL: Of course it is a mortal sin; it ought to be regarded as a mortal sin.

If this nation is to be a great nation, patriotism must be shown. Every day, children ought to be honouring the flag before they go into school. The national anthem should also be played, and a verse recited similar to the one recited at the Torbanlea State School. If that fabric is not built into our children in our nation today, we can expect Australia to go downhill through greed and avarice.

At this time of the year, many school speech nights and functions of a similar type, to which members are invited, are being held. Recently I attended two such functions at two colleges. The speeches that were delivered were as different as chalk and cheese. One was a speech of gloom and doom; the principal claimed that the students were going out into a society in which there were no jobs. The other speech was totally the reverse; the principal told the students that they have the world at their feet and that they ought to grasp the opportunities.

An Opposition Member interjected.

Mr POWELL: I am not aware of his political affiliations; neither do I know the political affiliations of the other principal.

It is interesting to note that the students at those two colleges adopted totally different attitudes to the way in which they go about things in the community. In one instance, the students do not try to make jobs for themselves; in the other, they are doing everything they possibly can to be positive.

A few other facts ought to be brought to the attention of this Parliament and of the people of Queensland. Anyone who read the 1981-82 annual report of the Bell and Howell organisation would have noted that 80 per cent of the products marketed by that company were unknown eight years ago. If that is not creation of employment and creativity in employment, I do not know what is.

Another fact that must be remembered is that in the past decade man's knowledge has doubled. Given that man has been on the earth for about 6 000 years—I do not believe that I came from the monkeys, but others may believe it.

Mr Hooper: Of course we did.

Mr POWELL: Mr Deputy Speaker, you can hear those members who believe they came from monkeys. I believe that man was created and that he has been on this earth for 6 000 years. It took 5 990 years for man to gain a certain amount of knowledge. In the last 10 years, his knowledge has doubled. It will probably be doubled again within the next eight or so years.

Those nations that can effectively use technology have good employment prospects and those that are frightened of technology have long queues of unemployed.

Another fact that should be emphasised is that in the 12 months from July 1981 to June this year, of all the jobs created in this nation 49 per cent were created in Queensland. This Government has a proud record.

To take it further—the Budget for 1982-83 provides for an increase in employment of 4 300 professional people. If we use the multiplier effect, which we are told by economists is the thing to use, that means that 12 900 people can be employed as a result of that provision. That figure is arrived at by multiplying 4 300 by 2. That gives 8 600; which is the number of people who will be needed to support the 4 300 professional people, and the two figures are added, to give a total of 12 900.

In capital works, \$1,000m is to be spent on main roads, water resources and the Housing Commission. Most of that money will be spent in the private sector through tenders. It is estimated that that will provide 15 000 jobs. The multiplier in this instance is 2.5, so 37 500 is to be added to 15 000, which gives a total of 52 500 additional jobs.

In the mining industry, new mines are opening in parts of Central Queensland, and the multiplier effect is 5. In other words, one job for a miner means jobs for five other persons in support.

I cannot accept that teachers and other people who should know better should be allowed to talk in a very gloomy manner to students who are leaving school this year. Today, young people have the world at their feet. It is clear that if they use the technology that is available to them and the skills that they have been taught in schools, they will make jobs for themselves. Surely the fact that 80 per cent of goods produced by one company alone were unknown eight years ago is an exciting prospect. Quite frankly, I would not mind being 23 years younger and entering the work-force today. The prospects before young people in this nation today are immense. We ought to be doing something about the patriotic spirit.

(Time expired.)

#### Discrimination in the Work-place and Sexual Harassment in the Community

Mr R. J. GIBBS (Wolston) (12.30 p.m.): Today, I wish to advise this House that it is the intention of the Opposition to introduce into this Parliament in the new year a Bill by a private member to prevent discrimination in the work-place and sexual harassment in the community by those so inclined.

It is a fact, particularly from a female's point of view, that with record unemployment and worse yet to come, many unscrupulous employers are using these circumstances to advantage by demanding sexual favours from employees and, further, by suggestive overtones at job interviews, making it clear that it will virtually be a condition of employment.

It will be my intention to frame legislation preventing discrimination in the teaching services, to render unlawful racial, sex and other types of discrimination, particularly within financial institutions, to render unlawful discrimination on the grounds of a person's physical impairment and to make provision with respect to equal opportunity in public employment.

Reported cases are becoming everyday occurrences. Two examples which have been brought to my notice recently involved a woman law student at the University of Queensland in her 30s, who is married with two children, and who applied for a standard bank loan of \$2,000. She was told by the bank manager she was too old and her employment prospects were not good enough. The loan was refused, but it was offered to her husband who was of similar age, did not have a job and was not studying or training. At the Buranda Community Youth Support Scheme office at least a third of females for whom job interviews were arranged later complained of sexual harassment during the interview or some other form of discrimination based on sex. These proposed anti-discrimination laws are needed to counteract the pro-male mentality that still survives and flourishes in Queensland.

This is a matter of grave concern to the Australian Labor Party as a party committed to achieving social justice and a fair distribution of the wealth and power in this country. Within our own ranks we have already taken steps to ensure the equal participation in all aspects of women members of the organisation and, as a consequence, the party has benefited enormously from the talents, expertise and dedication of women.

The main purpose of the Bill will be to assist women to gain full participation in all strata of Queensland society. It is an absolute disgrace that this Queensland Government has done nothing to enact the treaty obligations under the International Convention on the Elimination of All Forms of Discrimination Against Women, which was signed by Australia's representatives in July 1981.

On 11 May 1982 a High Court judgment was handed down upholding the power under the Federal racial anti-discrimination law to make nationally binding treaties entered into by the Foreign Affairs Department. Such treaties, UN conventions, etc., are legally binding upon the nation as a result of that decision. Already, some Australian States have enacted similar legislation, or are in the process of doing so.

Unfortunately, they reinforce the idea that only some forms of discrimination are unacceptable, and so made unlawful, while the other areas can continue untouched. In South Australia, it is lawful to discriminate on the ground of sex or marital status in the payment of wages and salaries. In New South Wales, it is lawful to discriminate in all terms and conditions of industrial awards and agreements. A similar provision is proposed in Tasmania. In South Australia, New South Wales and Victoria, it is lawful to discriminate in superannuation schemes. A similar provision is also proposed in Tasmania. In South Australia, New South Wales and Victoria it is lawful to discriminate on the ground of sex in insurance policies. In the five Acts and Bills in existence, there are exemptions for private clubs.

If ever there was an area in which women are entitled to membership of a private club, it would be the Queensland Turf Club.

Mr Davis: And the BATC.

Mr R. J. GIBBS: The honourable member's point is well made.

It is our intention to frame legislation which will make all those matters I have mentioned unlawful, and I invite women's groups, interested community organisations, trade unions, welfare organisations and other interested bodies to contact me so that arrangements can be made for them to prepare submissions for my committee.

The Australian Labor Party is committed to a policy of equality for women. Now, more than ever, it is incumbent upon us to recognise that our most important resource is the human one, and that women make up half our population. We must ensure that they are able to contribute their knowledge, skills and talents to the fullest extent. We cannot afford to do otherwise.

The National Party has an absolutely appalling record as a governing party when one considers the plight suffered by rural women today. The lack of recognition of the contribution made by rural women is an important issue. The image of agriculture in Australia is still very much a male one; yet the "National Farmer" Farmpoll found that in 1978 7 000 properties in Australia were operated by women. Family partnerships make up approximately 75 per cent of the total number of farm businesses, and the majority of those are husband-wife partnerships.

The nature of the work done by women varies greatly, from decision-making to farm labour, to the bookkeeping and business side of farm enterprises. Over one-third of the husband-wife partnerships reported to the National Farmpoll in 1978 that the female partner contributed to farm labour such as wood-clearing, hay-cutting, fencing and tractor work. In many cases women do the farm books and often much of the overall financial management of properties. As well, they are still responsible for the major share of housekeeping and child-nurturing.

Rural women are often responsible for educating their children, providing meals for the farm work-force, growing fruit and vegetables for domestic use, providing emergency medical care and ensuring sufficient supplies for periods of isolation. The work of "farm housewives" should not be undervalued. It is a vital component in the operation of the majority of Australia's agricultural enterprises.

Despite their important role, rural women have gained little from a Government supposedly in sympathy with country people. The Bjelke-Petersen Government's attack on the public sector has meant that country women continue to go without services which, if not widely available, are far more common in the cities. Country women have made repeated representations of their needs to the Government—extension of telecommunication and postal services, women's refuges, child care, family planning and women's health services, increased education assistance, library services, dental and geriatric services and improved air and rail services. The response, to say the least, has been minimal indeed.

Opportunities for employment in the country and in provincial towns have seriously decreased during the current recession, a trend which can be expected to worsen. The loss of country telephonist jobs through the introduction of automatic telephone exchanges is just one case in point. The Queensland Government has not been prepared to do anything about rural unemployment, and has been very sensitive to publicity on the situation. New capital works announced in the 1982-83 Budget cannot be expected to boost employment for women in the country, as long as there is no anti-discrimination legislation or training program which might assist them.

For the past two years, three-quarters of the funds available for job-training and creation programs have been directed towards youth training. Given the high youth unemployment rates, the need for this kind of assistance is undeniable, but the concentration of funds on youth leaves unemployed adults out on a limb. As most of the schemes that adults are eligible for are tied to unemployment benefits, access for unemployed married women is limited still further.

Moreover, the schemes do not really assist the people who need them most, namely, young women aged 15 to 19 years. They have been channelled into schemes offering low levels of subsidy and little opportunity for advancement. There is also evidence that these subsidised jobs are replacing real ones, as employers are only too willing to take advantage of the subsidy. This might be acceptable if the young women who were hired gained marketable skills; but they cannot in schemes which employ them in the already overcrowded "female" segment of the labour market. Only recently have some State Governments begun to set up projects designed to help young women acquire skills outside conventional areas of female employment. But again, the Federal Government has not acted in this area.

In 1982-83 the Government is doing more of the same. Increases under the Commonwealth Rebate for Apprentice Full-time Training Scheme (CRAFT) will further weigh training assistance in favour of young males. The evidence suggests that as long as training assistance is targeted, as it is currently, to specific groups—the youth, the disabled and Aborigines—there is a case for providing special assistance to women.

It is not often that I agree with comments contained in the "Telegraph" but I commend to honourable members the editorial in today's edition of that newspaper, which is an excellent article on rights for women. It makes similar comments to those that I have just made to the House. I reiterate that the Labor Party is committed to doing something for the women of the community. It is the only party that has that commitment. In the new year, hopefully with the support of some members of the Government parties, the Labor Party might be able to achieve something in that direction.

#### Use of Molasses as Stock Feed

Mr HARPER (Auburn) (12.40 p.m.): Particularly at times of drought the value of molasses as a stock feed attracts the attention of rural communities. Unfortunately, present and foreseeable availability of that by-product of the sugar industry is now a matter of great public interest in country areas.

Generally molasses costs somewhere between \$38 and \$48 a tonne ex mill. Freight and cartage subsidies are available from the Government's drought-aid schemes. Of course, if extra handling is involved, such as when molasses has to be taken to terminals and then transhipped out of terminals, extra charges can increase the cost of that feed to the order of \$58 per tonne ex those terminals.

Feeding costs for fortified molasses, that is molasses with an additive such as urea, are in the order of 35c a week for cattle if 8 per cent urea is used. That is a good survival ration. If less urea—say 5 per cent—is used with another additive, such as 3 per cent cotton seed or meat meal, it is a more expensive mixture but the cattle will do on it.

Molasses is not the easiest of feed stuffs to handle but then no drought feeding is easy. It is a time and labour-demanding chore but it does have the advantage of being quite cheap, and in the beef cattle industry economics of that type are most important.

Australia has an annual production of something like 700 000 tonnes of molasses and of that at least half is normally exported. However, the total Australian industry terminal storage of this product is only about 140 000 tonnes, and for physical reasons that figure is seldom achieved, although in the present season something like 140 000 tonnes has been stored at terminals. But very often that figure is reduced to more like 120 000 tonnes and, of that, about 80 000 tonnes is required by distillers.

Largely owing to the lack of storage and problems of storage, only about 40 000 to 50 000 tonnes of molasses carried from one crushing season to the next by the sugar industry are available in Australia for stock feed. I am told that once crushing starts the Australian storage at mills is soon filled. In a matter of about six weeks the mills, if they have not been able to get rid of some of their molasses, have more than they can store. So that, of necessity, decisions have to be taken to export molasses well in advance of the sugar-cane crushing season. Shipping has to be ordered at least a couple of months in advance and, naturally enough, long-term contractual commitments are made for export.

I make it quite clear that my understanding of the Molasses Pool policy is that the supply to the domestic market is given priority over exports. Although the Federal Government does not now have legislative control over the export of molasses, I understand it has maintained its interest in the matter and is kept fully informed.

Mills north of Bundaberg have a storage capacity of the order of 84 000 tonnes of molasses, and south of Bundaberg the total capacity is about 24 000 tonnes, including about 11 000 tonnes in New South Wales. Once the mill storage is exhausted, molasses can still be drawn from terminal storages although, as I said earlier, it then involves increased costs because of the necessary additional handling. Incidentally, the delivery rate from these terminals is limited to about 1 000 tonnes a day, but there is a free flow of molasses between the various storages and, in fact, supplies presently being drawn from Bingera and Fairymead are replacement stocks which were intended for distilling purposes. In turn they will be replaced with stock from terminals.

It seems to me that an increasing awareness of the role that molasses can play in drought-relief feeding should lead to increased consumer storage, if problems associated with that storage can be overcome. A recent Department of Primary Industries' survey in South-east Queensland extending into the South Burnett, and even into the Burnett generally, indicated that some 503 farms, mainly dairy farms, have a total storage capacity in excess of 16 000 tonnes of molasses, with an estimated annual consumption in excess of 30 000 tonnes. We as a Government should be doing what we can to build up that storage capacity on farms and grazing properties, particularly in grazing areas, although there are additional storage problems associated with high temperatures in those areas.

During October, with the worsening drought situation throughout eastern Australia, and particularly throughout Queensland, the consumption of molasses in New South Wales and Queensland reached in excess of 8 000 tonnes, which was a tremendous increase over the consumption of a month or two prior to October. I have been advised by the Sydney-based administrator of the molasses pool that it seems—I say this very deliberately because it is of extreme public importance in rural areas—that supplies of molasses available will certainly carry through to February or March of next year. An extension of that estimate will depend on what rain falls, and where. It does seem that the grazing industry can rely on molasses being available, certainly through to February or March next year.

The Minister for Primary Industries recently announced the Government's intention to encourage local authorities throughout Queensland to construct and operate local storage and distribution facilities. It is expected that these storages will be built in scattered rural areas, particularly out in the grazing areas of the State where the feeding of stock with other products is so expensive and so difficult to maintain.

It is anticipated that the storage capacity at each site will generally not exceed 12 000 gallons or about 75 tonnes and that the State Government will make a meaningful contribution to the cost of establishing these facilities. Where a situation develops

that the economics prove that storage facilities of a greater capacity would be warranted, I understand that the State Government intends to consider applications from local authorities for even larger storages.

I do not doubt that local authorities throughout Queensland will consult with industry organisations, both at a State level and particularly at a local level, with a view to operating these storage facilities in conjunction. I am quite sure that satisfactory arrangements will be made by local authorities; that is, of course, if they decide to apply to the State Government to participate in the scheme. I certainly commend the scheme to all local authorities and grazing organisations throughout the State as a very meaningful step which is being taken by the Minister for Primary Industries and this Government. I see this initiative as one which has potential to develop into much more than a mere network of distribution points, each with a modest 75-tonne storage capacity.

I believe that the scheme has the ability to develop into a much larger scheme which will certainly help with any future droughts. There will be problems to overcome, including corrosion of unlined metal tanks and, more particularly perhaps, a chemical breakdown of the molasses in conditions of high temperature. But surely they are not insurmountable! They will be overcome if people set their minds to the task.

I congratulate the Minister and his officers on their positive approach to this and all other drought measures. I am particularly pleased about their positive approach to the supply of molasses and the provision of storage facilities and distribution points in rural areas. Surely that represents a further significant step in the Government's efforts to mitigate drought.

#### Parliamentary Reform

Mr PRENTICE (Toowong) (12.50 p.m.): Today I wish to put forward what some people may consider to be a rather revolutionary step in Queensland concerning the need for this Parliament to be the governing body, the body making decisions on the future of the State and the fact that it should play a role in Government and the way it works.

Mr Davis: Impossible.

Mr PRENTICE: The honourable member for Brisbane Central said, "Impossible". He and other members know that it is not impossible.

This Parliament can work properly if people within it have the will to make it work. The first step is to change some of the procedures in Parliament to ensure that it can work.

Last year and, indeed, for many years, pressure increased to vary the Standing Orders. The pressure built up in the Opposition and Government parties because members believed in the need for change. On a number of occasions, the Standing Orders Committee met to engage in considerable discussion about how the operations of Parliament could be improved. Finally, those discussions led to a report being presented to Parliament. In all, three hours and 26 minutes were devoted to discussing that report in Parliament. Since then, it has disappeared into the mire. If a number of people here have their way, I suspect that it will never resurface. A Parliament that works is a Parliament that questions and keeps the Government on its toes. The present procedures in this Chamber are such that Parliament cannot effectively question Government. Question-time is a shambles.

Mr Powell: Why is it that Opposition members always put questions on notice?

Mr PRENTICE: I have considered that matter. The Opposition should be most active in questioning the Government. Opposition members, more than Government members, should be questioning the Government. They, with other private members, have a responsibility to do that. By placing questions on notice they fail to live up to their responsibility.

Before the House rises this year we should be prepared to once again discuss the Standing Orders Committee report. That cannot be delayed longer. I am sure that a number of Ministers would prefer that it did not resurface, but we cannot let that happen. We sit here to do a job for the people of Queensland. If we need to change the procedures to do that job, we should be prepared to do so. The few hours of debate on 18 August this year were insufficient. The Leader of the House has a responsibility to bring the debate before Parliament once more. Some members will say—and Opposition members have

already said it—that the debate was delayed by discussing the setting up of a public accounts committee. That discussion was as important as any facet of the report. The committee system could well have been considered. The committee system is so important that the honourable member for Mt Gravatt and I raised it in the Chamber once again. Notwithstanding the fact that the major part of the debate dealt with that topic, and notwithstanding the fact that we did not finish considering the report, it cannot be assumed that we should forget about it. If we feel that we have a responsibility for good government we cannot ignore it or forget it, I am advised, but I am open to correction, that the Standing Orders Committee has not met since that time. If that is the case, when I hear Opposition members complaining about Standing Orders, I ask why they have not done something to encourage the calling of a meeting to get the show back on the road.

The operations of this House can be changed. As members know, question-time is appallingly bad. It is overloaded with questions on notice. A procedure could be adopted that would ensure that members could ask only questions without notice. In my view, we should move away from the round robin system. Only members who want to ask questions should have to do so. At present, there is almost an expectation that when it comes to a member's turn, he will ask questions.

If honourable members examine the number of parochial nonsense questions that are asked in this Parliament, they will see that time has been wasted. If we were to allow questions of that type to be tabled and have the answers incorporated in "Hansard", it would be interesting to see how effective question-time would be. It would take a while for such a system to work. The majority of the questions asked by Opposition members are placed on notice. Government members also place them on notice. I admit that on occasions I have placed questions on notice. All members do that, because it gives a Minister a reasonable time in which to answer a question. The reality is that if we did not have to ask questions under the present system, government could be questioned much more effectively.

Mr Davis interjected.

Mr PRENTICE: The honourable member for Brisbane Central wants some time. If I had any spare time, I would prefer to give it to the honourable member for Salisbury.

I wish to comment also on the sitting times of this Parliament. That matter has been raised time and time again. My predecessor as member for Toowong had strong views on it. No Parliament can work effectively when it sits into the wee hours of the morning. Because members have many responsibilities, they cannot ensure that legislation is given the proper scrutiny that it deserves.

I admit that there may be exceptional circumstances. Sometimes it is necessary to introduce urgent legislation. I would not deny any Minister the right to introduce such legislation and, if necessary, have it passed through all stages. However, there are many occasions on which legislation could be deferred. The Government and the Leader of the House have a responsibility in that regard. There is no need for the absurdity of sitting into the wee hours of the morning. It does this Assembly a disservice, and various constructions can be placed on it.

We must be prepared to give this Parliament the opportunity to work effectively by giving it a committee system. A public accounts committee should be established. The Labor Party refused to support such a committee when it had the opportunity. The Parliament could question the operations of government and, if necessary, question also the public servants and the bureaucrats. It could keep a control on the operations of Government that fall outside the departments and statutory authorities—the qangos and similar committees and bodies about which we hear so little.

That will be achieved only if the Parliament is prepared to examine the Standing Orders. The Leader of the House and the Government have a responsibility to bring that matter before this Chamber. They have a responsibility to give members sufficient time to debate it in detail. That includes the question of public accounts committees, question-time and the discussion of the adoption of Sessional Orders. Those matters should not be shoved under the carpet. The Government cannot expect that, because it has allowed two and a half hours of debate, the problem will go away and members will feel somehow relieved.

Many members want to see some changes. Many of them have fought for them for a long time. I know that the Minister has fought for changes in the past. Those matters should be raised before the Parliament.

Mr DEPUTY SPEAKER (Mr Miller): Order! Under the provisions of the Sessional Order agreed to by the House on 5 August, the time allotted for the debate on matters of public interest has now expired.

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

## CASINO CONTROL BILL

### Second Reading—Resumption of Debate

Debate resumed from 23 November (see p. 2674) on Dr Edwards's motion—

“That the Bill be now read a second time.”

Hon. L. R. EDWARDS (Ipswich—Deputy Premier and Treasurer) (2.15 p.m.), continuing in reply: As I said last night, I thank honourable members for their contributions to the debate on the Bill. I want to comment on the remarks made by those honourable members who obviously have studied the Bill in the time available. Their contributions are deeply appreciated.

At the outset, I express my thanks to the many people who have supported me in the assessment, the programs associated with the calling of applications, the independent tribunal that looked at the assessment, and, eventually, the preparation of the legislation. I thank my own Casino Control Division, Kevin Leyshon, Mr Noel Hall, Mr Vern McDonald and the other people who worked so hard in getting the legislation to this stage.

I realise that for some honourable members this whole issue is one of conscience. I deeply respect the personal views of those honourable members. This House must accept those views.

I appreciate the honesty shown by the honourable member for Ashgrove, Mr Greenwood, right from the beginning. He is a member of my committee and, as such, has been placed in a very difficult position. He has had to help with the preparation of the legislation, in spite of the personal views that have been expressed by him so clearly in my committee, in the party room and, last night, in the House.

I turn now to the comments made by individual members. It is disappointing that, although a date for the resumption of the debate on the second reading was set deliberately, the standard of the debate was so poor. That indicates that obviously the Bill is acceptable to the people and to members of Parliament.

Mr Shaw: It may indicate that everyone was half asleep.

Dr EDWARDS: That may be so. However, people go to sleep only when they do not have an interest or, alternatively, accept what is happening.

The honourable member for Woodridge led the debate for the Opposition. I realise the difficulty that confronted him. Ordinarily, he would not have been called upon to lead the debate for the Opposition. However, owing to circumstances beyond his control he had to do so at short notice.

I must say that I am not quite sure where the honourable member stands in relation to the Bill. On the one hand, he refers to the dangers of casinos; on the other, he speaks of the advantages of casinos.

It is absolutely essential that it be made clear that casinos pose a danger. I make no apology for that statement. Anyone who treats casinos lightly, as some honourable members did, is only playing with fire. I cannot give an assurance to the people of Queensland or to this Parliament that the criminal element will not attempt to infiltrate casinos in Queensland.

Mr Hooper: You are agreeing with what I said.

Dr EDWARDS: I shall deal with the honourable member's speech in a moment.

I repeat that I cannot give a guarantee on that aspect. I can, however, guarantee that the Bill will give the Minister and the Government of the day power to deal with any situation that arises.

Some members have claimed that the Bill is a draconian one. I appreciate that point. I make it clear that I personally will have no part of any other legislation that contains draconian principles unless that legislation is associated with activities similar to the operation of casinos.

The nature of the Bill is such that it interferes with the liberty of many people. However, it does not deal with normal activities; it does not deal with a Sunday school picnic; and it does not deal with the ordinary law. It deals with people who will try to beat a system and with people who will try to infiltrate the system, not only in the actual operation of the casinos but in relation to the contracts that have been entered into. The Bill relates to situations in which certain activities are totally unacceptable.

From many overseas sources we have evidence indicating that, although we could have a lily-white casino operation in accordance with the very best of ethics, the contracts are the process by which the worst type of rorts are worked. The honourable member for Ashgrove mentioned that aspect last night. That is how the infiltration of criminal activities has occurred.

I am disappointed that some honourable members have been critical of the draconian provisions, but I would have no part of any legislation that did not contain them. As I said last night, if the legislation does not have those draconian powers, I can be counted out as the Minister controlling the casinos. Those powers have to be in the hands of the Minister, the Governor in Council or this Parliament; and it must be remembered that many of the powers are vested in the Parliament. In fact, in the next few days, I shall bring before the Parliament the agreement relative to the first casino on the Gold Coast. It will contain many powers that may be ratified only by the Parliament, and that is how it should be.

I make no apology for including those draconian provisions in the legislation; but let me place on the record that neither I nor my party or the Government will ever use the provisions in this legislation as a precedent for including similar provisions in other legislation. I cannot make that any clearer. I appreciate the concern of some honourable members; but unless those provisions are included in the legislation, we will not have the controls that we need.

The member for Woodridge raised a couple of other matters. He said that the legislation was ill informed, and that it was not good legislation. He is on his own in making that criticism. He referred to Sir Stanley Raymond, the Nevada people and the people from the law-enforcement agencies in Tasmania and Victoria. We have paid to bring every one of those people to this State. We have spoken to Sir Stanley Raymond. Many of the problems that have been experienced in other States and in other nations have been brought to our attention. That is why we can say with confidence that the legislation is powerful and will give us the power to act—and act we will. I have indicated to the two successful tenderers that if they infringe in any way they will have the power of the legislation and the power of this Parliament imposed upon them.

The member for Woodridge made some comments about Federal Hotels. I wish to clear up that matter once and for all. Neither the Government nor I ever criticised Federal Hotels. In fact, in my discussions with representatives of the company, it was made very clear that we had no criticism of their operations. But the Government, in its judgment—I accept that judgment—decided that one company should not operate all the casinos throughout Australia. If that happened, there could be disadvantages for us. Package tours could be arranged between the States and the benefits would flow to those States and not to the Gold Coast or to Townsville. The Government decided that it wanted an operator other than Federal Hotels. So we said to Jupiter's, "It is not acceptable to have Federal Hotels. We would like you to operate it yourself.", and that will be the case. Genting will be the operator of the northern casino.

The honourable member for Woodridge referred also to some clauses of the Bill, and I believe that he will be moving some amendments at the Committee stage. From what I hear, from what he told me and from the advice that I have received, I do not believe that those amendments will be acceptable to the Government.

The member for Surfers Paradise (Mr Borbidge) made a very fine contribution to the debate.

Mr D'Arcy: You wrote it for him.

Dr EDWARDS: I would like to have thought that I did, but I assure the honourable member that the member for Surfers Paradise made his own contribution. He understood the value of casinos and also the dangers associated with casinos. He brought to the attention of honourable members the value of casinos relative to tourist promotion. He also made one point that I think it is necessary for me to correct. I have discussed it with him privately and I think he understands the position. The member for Southport (Mr Jennings) also raised the same point.

Mr Kruger: You called them into line.

Dr EDWARDS: No, I did not call them into line. I am explaining a matter that they raised, and it is my responsibility as a Minister to do that.

They both raised the matter of community benefit. I understand their concern. During discussions with the two operators, they indicated that they would like some flexibility so that occasionally, when they want to extend some benefit beyond the local district, they can do so.

Four of the six people on the committee will be local community representatives. Therefore, the decision may even be a majority one. My officers will be there just to make up the numbers on the trust.

I give both members a total assurance that I would like to see all of the money spent in the local area. However, at the request of the operators, we have agreed not to use the word "local". As far as I am concerned, I assure both members that, in consultation with the people, the total amount will be spent in local areas.

The member for Surfers Paradise raised the matter of the draconian provisions in the legislation. I appreciate his points. However, he understands the reason for them. In fact, he supported the Bill in that regard.

The honourable member for Archerfield used the debate as an opportunity to make a dissertation on a favourite subject of his—illegal casinos in this State. I have drawn those facts to the attention of the Minister for Local Government, Main Roads and Police. I think the honourable member drew the matter to the Minister's attention by way of a question this morning. I assure the honourable member that the police will look into these matters.

Mr Hooper: I did raise some other matters.

Dr EDWARDS: Yes, but I do not think they are worth spending any time on.

The honourable member for Southport made an impassioned speech. He and I are in disagreement—personal disagreement, not disagreement in any other way—about the draconian provisions in the legislation. I repeat the point that I made before he entered the Chamber. It is absolutely essential that such draconian measures be in the hands of the Government. I say to him, as I said to other honourable members, that never must the legislation be considered as a precedent. I again place it on record that the Government indicates to the people of Queensland that the Bill must never be taken as a precedent. If ever any person uses this legislation in that way, it will certainly be against my wishes and against the will of the Government.

The honourable member for Southport commented on the benefit of casinos to tourism. He had strong views and had gone into the matter of the benefits flowing to his area. The honourable member has had many discussions with me about the southern casino. I assure him that, following discussions with the people from Jupiter's in the last few days, progress will be on schedule. There is no doubt that work will begin in the near future, once the agreement is finalised and passed by the Parliament.

The honourable member for Ashgrove made an excellent speech in which he expressed his concern about casinos. He referred to the Lusher report and indicated

some of the deficiencies in that report. I appreciate the points that he made. I repeat that this is a conscience matter. Although it is a Government Bill, it has been left open to those who wish to register a vote in conscience to do so. I respect such views and would never have honourable members resile from their stance.

Other honourable members made worthy contributions to the debate. Really, it was a general discussion on casinos. My advisers and I felt that there was little discussion about the legislation itself. In that event, I assume that the House accepts the Bill in general principle.

The members for Townsville and Townsville West made general comments about the Bill relative to Townsville issues. I assure them that those matters will be taken into consideration.

Other members contributed widely. The members for Toowoomba North, Hinchinbrook and Port Curtis, and other honourable members, contributed in their way. However, they did not raise any points that I have not covered already in my reply.

At the Committee stage the honourable member for Woodridge (Mr D'Arcy) wishes to move some amendments. I also have some minor amendments. Unfortunately they have not yet been received from the Government Printer.

Question—That the Bill be now read a second time (Dr Edwards's motion)—put; and the House divided.

Resolved in the affirmative under Standing Order No. 148.

#### LAND TAX ACT AMENDMENT BILL

Hon. L. R. EDWARDS (Ipswich—Deputy Premier and Treasurer), by leave, without notice: I move—

“That leave be granted to bring in a Bill to amend the Land Tax Act 1915-1981 in certain particulars.”

Motion agreed to.

#### First Reading

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

#### Second Reading

Hon. L. R. EDWARDS (Ipswich—Deputy Premier and Treasurer) (2.37 p.m.): I move—

“That the Bill be now read a second time.”

This Bill provides for the land tax concession which was announced in my 1982-83 Budget Speech. Honourable members will recall that it is proposed to extend the present land tax exemption in relation to land owned by natural persons and used for primary production to land owned by Australian exempt proprietary companies wholly engaged in primary production.

Generally under the Land Tax Act, companies, like absentees, do not benefit from exemptions and deductions from taxable value for the purpose of calculating land tax. Exempt proprietary companies are usually small operations with directors and shareholders being members of the same family. It is therefore considered reasonable to extend the primary producer concessions in these particular circumstances.

This Bill will enable the existing concession to be available to Australian exempt proprietary companies in similar circumstances as a natural person involved in primary production. It is intended that these companies will be eligible for the concession where they use the land for primary production and also where a natural person who is not an absentee, a nominee or agent for an absentee or a company, uses the land owned by an Australian exempt proprietary company for purposes of primary production.

The Government believes that this concession will be welcomed by the community as it will provide additional assistance for these small primary producers.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

## NOISE ABATEMENT ACT AMENDMENT BILL (No. 2)

Hon. W. D. HEWITT (Greenslopes—Minister for Environment, Valuation and Administrative Services), by leave, without notice: I move—

“That leave be granted to bring in a Bill to amend the Noise Abatement Act 1978-1982 in certain particulars.”

Motion agreed to.

## First Reading

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

## Second Reading

Hon. W. D. HEWITT (Greenslopes—Minister for Environment, Valuation and Administrative Services) (2.40 p.m.): I move—

“That the Bill be now read a second time.”

During the passage of the Noise Abatement Act Amendment Bill 1982, considerable debate focused on local authorities' prescribing excessive noise for their individual localities. It was considered that noise by-laws should be tailored to the varying needs and expectations of local authority areas and that a uniform prescription was not suitable for the diverse communities of this State.

A model noise by-law was prepared on the basis of this requirement for flexibility, especially in relation to what constitutes excessive noise. Legal opinion, based on a broad interpretation of the extended powers granted to local authorities under Part IV, Division 1, of the Noise Abatement Act, envisaged no complications with a local authority's prescribing excessive noise or authorising an officer to form an opinion on excessive noise in relation to noise sources within its jurisdiction.

Two of the larger local authorities advised that, in their opinion, noise by-laws are made under the Local Government Act and that this Act does not empower local authorities to prescribe excessive noise or to authorise officers to form an opinion on excessive noise. Legal advice was sought in relation to the arguments submitted and it was conceded that sufficient doubt existed to warrant an amendment to provide local authorities with the specific powers to make effective and locality-tailored by-laws. Accordingly, the House has before it a Bill to amend the Noise Abatement Act 1978-1982 by extending the powers granted to local authorities under the Local Government Act enabling local authorities to legislate for their individual needs.

It has been argued by advocates for uniform prescriptions of excessive noise that some local authorities may not legislate in an effective manner to control noise. To counter this argument, may I inform the House that draft noise by-laws submitted to the Department of Local Government for approval are referred to the Noise Abatement Authority for comment if the draft deviates from the model.

The necessary alterations to the Act entail—

an extension to the definition of “excessive noise” to cover noise prescribed as excessive noise by a local authority or which is the subject of an opinion by an officer of the local authority;

a specific extension of local authority powers in section 28 (2) to provide the necessary legislation for the formulation of specially tailored noise by-laws; and

an extension of the Governor in Council's power in section 57 (1) (f) to authorise some other person to form an opinion on excessive noise.

All amendments are interrelated and necessary for the formulation of suitable and effective noise legislation at the local government level.

I commend the Bill to the House.

Debate, on motion of Mr Mackenroth, adjourned.

## SURVEYORS ACT AMENDMENT BILL

Hon. W. D. HEWITT (Greenslopes—Minister for Environment, Valuation and Administrative Services), by leave, without notice: I move—

“That leave be granted to bring in a Bill to amend the Surveyors Act 1977-1980 in certain particulars.”

Motion agreed to.

### First Reading

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

### Second Reading

Hon. W. D. HEWITT (Greenslopes—Minister for Environment, Valuation and Administrative Services) (2.44 p.m.): I move—

“That the Bill be now read a second time.”

In order to provide for the regulation of the practice of surveying and for purposes related thereto, all Australian States and Territories have legislation under which surveyors are registered and/or licensed. Our close neighbour, New Zealand, and other countries which have a Torrens type system of land title registration have similar legislation.

The Queensland Surveyors Act 1977-80 is acknowledged as one of the most advanced Acts of this type in Australia, if not in the world. Queensland is one of only three States that have legislation covering the complete range of survey activity, including such categories as mapping, hydrography, geodesy and other specialist areas.

All States prohibit the carrying out of land boundary surveys by any person not licensed to do so. This provides protection for landholders and the general public with respect to the integrity of the actual physical boundaries, the accuracy of dimensions and other essential information about the land.

In the other areas of surveying, although any person may carry out surveys, he cannot hold himself out to the community as being a surveyor unless he is registered under the Act. This concept of general registration was introduced in South Australia in 1975, in Queensland in 1977 and in Victoria in 1978.

Certain traditional uses of the title “surveyor”, such as mining surveyor, insurance surveyor, engineering surveyor and the like, are exempted from this requirement. The people of Queensland can be confident that anyone lawfully using the title “surveyor” in this State—apart from the specific exemptions referred to—has qualifications and a level of competence acceptable to the Surveyors Board. The Surveyors Board, which is constituted under the Act, is charged with its administration, subject at all times to the Minister.

The surveyors boards of all Australian States and New Zealand have reciprocal agreements which provide for the acceptance of qualifications prescribed for the registration of surveyors by the other boards. The qualifications are kept under review by the reciprocating boards and, despite some minor variations in requirements, there is currently relatively free movement of professional surveyors between States.

Although initially modelled, to some extent, on the South Australian legislation which pre-dated it by two years, the Queensland Act is now the most progressive in Australia. It permits the use of new technologies or the new and imaginative use of existing techniques and instrumentation. The efficient and economic servicing of the needs of Government, industry and people is thus encouraged.

New technologies, including satellite and inertial surveying, laser instruments, computer-assisted mapping and Landsat imagery are in use and under active research in Queensland. The well-established mapping technology of photogrammetry has been selectively applied in recent years to carry out land boundary surveys at a much lower cost than would have been possible using traditional methods.

Changing trends in the management of consultancy practices, which to some extent mirror those in other professions, have been accommodated under the Queensland Act. We are the only State which currently registers bodies corporate as surveyors. Eighteen are so registered at the present time.

It is and always was intended that the Act would permit the Government, through the Minister and the board, to control the survey activities of bodies corporate in the same manner as for natural persons. The first registration of a body corporate took place some three years ago. With the benefit of our experience since that time, legal advice from the Solicitor-General and advice from the practising profession, amendments are proposed in the Bill which will remove certain doubts and anomalies which have come to light.

Queensland, as I mentioned previously, is in the forefront with respect to the legislative control of corporate practice in surveying. A prominent Queensland consultant and former board member was invited earlier this year to address the reciprocating boards of Australia and New Zealand on corporate practice and Queensland's legislative control of it. Clause 8 of the Bill in particular deals with this aspect.

Section 52 of the principal Act permits the Surveyor-General to instruct an inspecting surveyor to correct an error in a survey and recover costs from the surveyor who made the error. Clause 14 of the Bill provides that when it is not possible to recover these costs from the surveyor, they will be met from the funds of the board. It is not anticipated at this time that there will be any frequent need to invoke these provisions. However, in view of the recently established procedures for corporate registration and the annual renewal of registration, and the greater mobility of professional people internationally as well as within Australia, it is prudent to provide this additional protection for the public.

Surveyors Board funds for use in the administration of the Act are provided for the most part from the annual registration fees of surveyors. The practising sector of the profession which provides survey services to the public for a fee is made up of consulting surveyors, most of whom are represented by the Association of Consulting Surveyors, Queensland. This association is charged under section 8 of the principal Act with nominating four surveyors to a panel from whom two are to be appointed to the Surveyors Board. It is reasonable that the consulting sector, through payment of higher registration fees, meet the greater share of the expenses necessarily incurred by the board in the administration of the Act.

To allow for this concept to be implemented by subsequent amendment to Surveyors Regulations, and to permit more efficient administration of the Act generally, clause 3 of the Bill proposes to introduce a definition of consulting surveyor. Clauses 9 and 10 propose to restrict the use of the words "consulting" or "consultant", in association with the title "surveyor", to those persons whose registration is appropriately endorsed.

Clause 3 of the Bill also introduces a definition for "identification survey". The identification survey is one of the most common of the services that the profession provides. It normally requires a relatively minor deployment of resources but may be used as the basis for determining the location of a multi-storey commercial building or of a private individual's home.

Surveyors Regulations currently provide for the control of standards for this type of survey and for the lodgment of the records of the survey. The profession and the board perceive a need to clarify and extend these requirements in the public interest. To this end, the definition is to be inserted in the Act—none being previously provided. The required amendments to the regulations will subsequently be proceeded with.

Sections 79 and 80 of the principal Act provide for the appointment of the Surveyor-General and one or more Deputy Surveyor-Generals, and for the delegation of powers, functions, authorities and duties by the Surveyor-General. Clause 6 of the Bill proposes that the qualification for Deputy Surveyor-General be prescribed in the same manner as that for the Surveyor-General.

I would point out that a Deputy Surveyor-General appointed under the Act need not be a director of the Department of Mapping and Surveying, although initial appointments were of three such directors.

Section 38A of the principal Act sets out the qualifications required for persons wishing to be registered as surveying associates under the Act. As it is currently drafted, section 38A does not permit the board to exercise the same discretion in assessing the qualification of such persons as is allowed in the case of a person seeking registration as a surveyor. A redrafting of section 38A is proposed by clause 7 of the Bill to allow such discretion to be exercised.

The board currently has before it an application from a person it considers to be eminently qualified to be registered as a surveying associate, but it is prevented by the current drafting of the section from granting registration.

Other clauses in the Bill are largely machinery ones which will—

allow the board legally to invest any funds which may be surplus to its immediate requirements (clause 4);

update the audit requirements with respect to Surveyors Board funds (clause 5);

update the penalty provisions in the Act; and  
correct two minor drafting or printing errors in the principal Act.

The amendments proposed in this Bill have been discussed widely with the surveying profession. Comment, criticism and suggestions with respect to the proposals have been invited on several occasions. Only one written objection has been received. This was from an academic member of the profession. It referred to the inclusion of the definition of "consulting surveyor" and related provisions. The point of view expressed by that member was based on a genuine concern that the legitimate "rights to practise" of the surveyors in the public and academic sectors would in some way be infringed.

The president of the board replied in writing and in some detail, pointing out that in the board's view there was no substance to his concern and that the proposed amendments were in the public interest.

In view of the general approval of the profession as expressed through the Institution of Surveyors Australia, Queensland Division, it is evident that these proposals have the support of the majority of the profession. I submit that they are in the best interests of the people of Queensland.

I commend the Bill to the House.

Debate, on motion of Mr D'Arcy, adjourned.

## FARM PRODUCE AGENTS ACT AND ANOTHER ACT AMENDMENT BILL

### Second Reading—Resumption of Debate

Debate resumed from 16 November (see p. 2357) on Mr Ahern's motion—

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

Mr KRUGER (Murrumba) (2.54 p.m.): The Opposition is not opposed to the introduction of the Bill. However, honourable members on this side of the House seek clarification of certain points. We also intend to raise some matters in the interests of the industry generally.

The early clauses detail what the Bill is all about. One of the main provisions in the early part of the Bill concerns the change in definition from farm produce agents to farm produce commercial sellers. As one reads through the Bill, the reasons for that change become obvious. In the past, agents have been selling on a commission basis, whereas commercial sellers can in fact purchase produce directly from a farmer and sell it.

The members of my committee, the industry and I are concerned about ensuring that it will be possible to police the provisions of the Bill throughout the whole State. We have looked through the Bill and it seems to cover the position at the Brisbane Market. But commercial sellers will be involved at many centres throughout Queensland, such as at Bundaberg, Rockhampton and Townsville and various other cities and towns where the COD, in particular, has outlets. We have to ensure that officers or inspectors will be able to carry out, on a Statewide basis, any checking that is required under this legislation. I shall seek some clarification of that matter at the Committee stage.

Further on, the Bill deals with the dumping of produce, and so on. It has been suggested that in the past produce has been dumped at the Brisbane Market and, without any improvement being made to it, it has then been sent on to other markets. Basically, what the Bill provides is that if produce is not fit to be sold in one area, then it is not fit to be sold anywhere. We want to ensure that inspectors can reject it in other areas, if that is in the best interests of the industry generally.

I am concerned also about whether the definition adequately covers the fidelity bond arrangements. I would like some confirmation of whether that is exactly spelt out in the Bill. That matter is not terribly important at present. However, if problems arise in the future, we want to ensure that the legislation can be used to overcome them. I shall go into that matter in more detail later.

A form of consignment note is being made available, and that will be of great advantage to many growers, although they will not be forced to use it. It will tie up

the industry to the extent that people who use the consignment note will be able to overcome any problems that arise. All of the information will be recorded on the consignment note.

The next provision relates to the registration of persons and companies before sales can be effected. That will be another improvement. If a company, whether it be a parent company or a subsidiary company, is involved in sales, the record must be kept in such a way that people are able to find out what is going on. In the past, there has been a suspicion that agents at the Brisbane Market have not operated in that way. Now, it will be necessary to register companies that are involved in sales so that any problems that might arise will easily be sorted out.

Another matter that has been causing concern for some time at the Brisbane Market is the sale of tail-ends. Often, some of the lines that are of inferior quality, and in respect of which there is an oversupply, are able to be cleared at the market and are not dumped.

The other advantage is that if an agent has a large amount of produce dumped on his section and he is unable to sell it, by selling the tail-end—if there is 10 per cent in the balance, for example—he can pay the grower for the produce that has been sold.

There is something else that growers will have to be made aware of. After having followed the practice of selling through agents on commission, if they adopt the method of selling direct to agents they will have to show concern in their produce by maintaining its quality to make sure that they receive reasonable value for it. This type of selling is not new. However, when we legislate for it, we have to do so in a way that maintains controls and allows arrangements to be made that are in the best interests of all concerned.

I refer to the use of bank guarantees as an alternative to fidelity funds. The idea of the central guarantee fund, which has been suggested, is a good one if it can be got off the ground. As I understand it, it means that agents—or “commercial sellers”, as they will be now known—must have sufficient funds available so that when they sell they are able to pay the grower the amount of money owing. The fund will ensure that amounts are always available to meet the requirements. Insurance cover will be taken out. That is most important. If that is not done, some growers could be left in the lurch if a commercial seller “goes down the drain”, to use a common phrase, and is not able to meet his commitments. That is a safeguard that is in the best interests of the industry. It is certainly a welcome provision.

There has been some discussion about the possibility of variation in liquidity of certain COD sections. Under the Bill, the COD is exempt from some areas. However, generally the Act has brought the COD into line with the commercial sellers. The COD, of course, is controlled differently. It is not private enterprise. Some of my comments at the Committee stage will clearly spell that out. The COD has a Government representative in its organisation and is subject to Government audit; so it has quite a deal of control that is not exercised over private enterprise operations at the market. At a later stage I intend to seek the clarification that we require on that provision.

The Fruit Marketing Organisation Act will be amended in such a manner as to tie in with the amendments to the Farm Produce Agents Act.

The Minister gave us a detailed outline of the intention of the proposed amendments. He pointed out that there had been discussions with most sections of the industry. I, too, have had discussions with those people and have found that the Bill is fairly well accepted. Some points that have been raised by different interested groups will be dealt with at the Committee stage. I have covered most of the points I wish to raise now. There are many points that cannot be made until the Committee stage.

I wish to quote from the Australian Labor Party's State policy which gives an outline of what it would do when in Government—

“The quantity and variety of the different types of fruit and vegetables produced in Queensland is immense.

Because of the need to supply the consumer with a fresh, wholesome product, most of the production areas have become concentrated near the State's major market—the Brisbane market area.”

That is the point I made before. However, there are other growing areas with markets and that is why controls need to be looked at for those areas. Labor's policy is to fully

investigate the operations of the COD, the Municipal Market Trust and the Chamber of Fruit and Vegetable Industries Co-operative Ltd, especially in relation to handling charges, handling methods, packaging and transport costs.

Although I appreciate that in this Bill the Minister has not gone into those sections of the marketing system, in the not-too-distant future this Government—or with a change in Government, a Labor Government—should consider some of those problems. There is a great need for amendments to be made to other aspects of the legislation.

The most important thing seems to be to maintain a viable and fast-moving outlet through the markets. I am sure that the controls provided for will speed up the handling of produce, because the commercial sellers will have purchased the produce from growers. The major safeguard for the growers is that the fund will be available and will have to be held at a level which will meet the payments due to those producers who have placed their goods with the commercial sellers at the Brisbane markets.

Mr GOLEBY (Redlands) (3.7 p.m.): The Bill has been long awaited and has been referred to many times. It is welcomed by the trade generally. The other Act to which amendments have been made is the Fruit Marketing Organisation Act, which deals in particular with many of the practices under which the COD has operated for many years. The Bill will update and bring into line the changes that have occurred in the industry in the marketing of fruit and vegetables in the State.

The problems that the Bill sets out to rectify have been and are being experienced in other States; they are not problems that are peculiar to Queensland. I understand that Queensland is the first State to take positive steps in this regard by introducing legislation to try to eliminate some of the anomalies that have been created by the changes in trends in marketing since the Act was last reviewed.

In his second-reading speech the Minister said—

“One of the main changes in fruit and vegetable marketing over recent years has been the growth in merchant transactions between growers and wholesalers as opposed to agency transactions. The essential difference between these two forms of trading is that a merchant transaction involves the wholesaler buying the produce of the grower. The wholesaler then sells the produce on his own behalf. Agency transactions require the wholesaler to dispose of the produce on a commission basis.”

That has been understood for a long time by those who have had a close association with the markets and trading at the markets. As a grower I used the Brisbane market extensively, as my family did before me, but in recent years many growers have not realised or appreciated that their produce was being sold, after they consigned it, on a merchant basis. Most growers who operated within the market-place believed that the transactions were taking place on a commission basis. It may have appeared that way on their account sales, but that was not necessarily the case. So the legislation is designed to very clearly determine the method of sale of the produce. The grower is the one who is to determine that.

That will be done by the grower informing the agent or merchant how he wishes to have his produce sold. That could be a little confusing from the grower's point of view. If one system is to be adopted, then the grower should stick with it. The grower should write to his agent and inform him of his decision. If a grower decides on a merchant-type transaction for one load, then he should use that transaction for all loads. He should not be able to chop and change; if he did the whole system would become very confusing. I notice that in preparing the legislation the Minister set out to try to lessen the confusion by making the system as simple as possible. Growers and agents will have to be educated to develop an understanding.

The Bill provides that a wholesale seller will now be referred to as a commercial seller and not as an agent or merchant.

There is also a provision relating to the selling of produce to a firm in which the agent has an interest. As I mentioned, a similar provision in the original legislation also required that the consent of the grower had to be obtained.

Things have changed in the market-place in recent years. In the main, the number of growers has dropped and those who have remained have become larger. It is a fact of life that no matter what industry one is engaged in, one has to get big to survive because

of tremendous cost competition that is experienced in all industries. As a consequence, there are much larger quantities of produce coming from the individual grower than there were years ago when the original legislation was drafted.

An example of this increase in size is the COD. It has increased tremendously since it first began 58 years ago. The COD has established itself not only in this State but in the southern States. It has established branches or agencies throughout Queensland. It has agencies and distribution points all along the coastline and in western areas, and these agencies have proved a tremendous asset to the growers' organisations, and in turn the growers, because they have allowed a much better distribution of fruit and vegetables.

Modern transport facilities such as ice wagons now make it possible for fresh fruit and vegetables to be delivered throughout Queensland. The other day I saw broccoli being packed in crushed ice to be sent out to Cloncurry. I was given to understand that that product would be railed to Cloncurry and would arrive there just as fresh as it was when it reached the Brisbane markets, thanks to modern technology with polystyrene cartons properly sealed in crushed ice. That is indicative of the improvements in the market-place in the presentation and distribution of produce. There is no organisation in the fruit and vegetable industry in Australia that is better equipped to handle these improvements than the COD and its many branches. It has been very much to the fore, as always, in the upgrading and updating of its branches, and new buildings were recently provided in Rockhampton and Mackay. The establishment of these agencies or branches has enabled growers throughout this decentralised State to market produce quickly.

Let me remind members that this State has a tremendous range of fruit and vegetable production, because of its varied climatic conditions. Deciduous fruits are grown on the granite belt, and crops that grow well in the southern part of the State grow to perfection on the Atherton Tableland. So it is most important that a selling establishment has been set up in the main centres along our decentralised coastline. That has contributed to the ease of marketing for growers in those regions.

Under the legislation an agent will have 21 days after the receipt of a consignment to make payment while a seller operating as a merchant has 14 days in which to make payment. The previous speaker referred to the change whereby an agent will be able to buy the tail-end of a consignment. Quite often produce of a popular size sells readily while the extremely large or small sizes tend to drag. Because an agent will be able to buy the tail-end of a consignment, the grower will be paid much earlier. At the same time, the agent will be able to dispose of it and clear the section, which means that the produce will not have to be entered in his books day after day, with only one or two lots being sold. This provision will be of great advantage to both the grower and the agent.

Sales to employees have always been a bone of contention. Whereas previously this practice was prohibited it will be permitted with documentation. For a number of years it has been the practice in one area of the fruit and vegetable markets to have a retail section in a wholesale market. A short time ago minimum quantities were revised, with the idea of policing them rigidly. In the Brisbane fruit and vegetable market I have seen pumpkins sold by the piece and cucumbers sold singly or in pairs. Such transactions should be conducted in the local fruit shop, not in a wholesale market.

In many instances the agents themselves were not engaging in these sales. The agents' employees bought produce and resold it after the main trading hours. Some employees made a practice of it to earn additional income. I do not say that reasonable minimum quantities should not be imposed. Some lines always drag in the market-place. When produce is in over-supply and the housewife or other smaller purchaser goes to the market after the main trading hours, a golden opportunity is presented to move the stubborn lines. On the other hand, retailers must be protected. Wholesale and retail markets cannot operate in the same section.

Agents buy a stand in the markets in the knowledge that they are operating in a wholesale market. It is useless for agents to cry to politicians and people close to those who administer the markets about wanting the same rights and opportunities as retailers in shopping centres. That is just not on. I was indeed pleased that the minimum quantities set were reasonable. Any person is at liberty to buy a quantity of produce to share with his neighbours or relatives, but no-one should be allowed to buy half a pumpkin at the markets.

The fidelity bonds have always been controversial. In many instances one decent consignment of fruit and vegetables could completely cut out the inadequate fidelity bonds. However, the legislation does not totally solve the problem. I understand that the combined agents are looking at it objectively. They have suggested a central guarantee scheme.

I hope that something of that nature can be introduced so that all agents and merchants contribute to the one fund. If anyone becomes insolvent in the market-place, only one or two agents or merchants will be involved; the whole market will not go down. That has been borne out by history. Growers will receive much greater protection from the central guarantee scheme.

Commission rates within the market-place have always been a contentious issue. From time to time applications have been made for increases in commission rates, as there have been in other sections of the selling industry. That has happened on many occasions. The last increase took the commission above the 10 per cent level, which had been the reigning level since the market opened.

In addition, various changes were added. Whether a commodity is selling at a high price or a low price, the same unloading and stacking costs are incurred. Unloading and stacking fees were applied. That has meant an additional income to the wholesale seller and stemmed the gap, if there was a gap, between the commission rate and the price of the commodity. When commodities are cheap, the commission received is very low. When commodities are highly priced, the volume going through the market is relatively small. Because of the high price, there might be a high commission charge, but the volume is limited. That puts the agent at a disadvantage.

No matter which way the argument goes, it is most important that the Minister have the final discretion in determining commission rates. I do not want to hear one section of the industry saying, "There will be no increase in commission." and another section saying that an increase is justified. There can be only one adjudicator, and the Minister must have the final say.

The amount of condemned produce has decreased in recent years. That has been brought about by better grower understanding, better promotion and, above all, better means of transport. Fruit and vegetables do not spend as much time in transit as they did 10 or 15 years ago. There has been an increase in the use of bulk handling. Previously a large volume of fruit and vegetables was handled individually. I refer particularly to fruit such as pineapples and watermelons and to vegetables such as cabbage and cauliflowers. When there is an increase in the handling of perishable goods, the damage that takes place increases.

Because of humid conditions in the market-place, deterioration of fruit and vegetables is very rapid. It is essential that whenever a line of produce is condemned by departmental inspectors, at least a photostat copy of that condemnation slip is forwarded to the grower concerned. From time to time I have received complaints about agents who have noted on the account sales that so many items of produce were unsaleable and condemned. However, no condemnation slip was available.

I do not suggest for one moment that the agent was acting in a dishonest way. It is a matter of office procedure that the condemnation slip moves from the section floor to the office. In some large establishments, thousands of pieces of paper are used during a day's transactions. It is quite easy for those slips to be misplaced. To maintain growers' confidence, it is essential that the condemnation slip be forwarded to the growers with the account sales.

At the beginning of my speech I said that the COD had been in operation for 58 years. It was established under an Act of Parliament. It was the salvation of the growers within the horticultural industry at that time. Since its establishment, it has been the envy of all grower organisations and grower groups throughout Australia.

It is true that from time to time the COD has come in for criticism. Whether that criticism has been justified or not, I am not going to say. However, the growers have a lot to thank the COD for. It has either been responsible for or has played a leading role in the establishment of the Brisbane Market, and it has taken the lead in the use of various containers, the operation of crate pools, the distribution of fruit and vegetables throughout Queensland and the adoption of innovations in packaging.

For as long as I can remember, the distribution of fruit and vegetables to southern markets by fruit trains has been organised by the COD. In times of flood or derailments, the COD has taken upon itself the responsibility for ensuring that consignments, whether to the COD or to other agents, reached their destination as quickly as possible. The COD is a very important organisation.

I do not believe it is necessary to bring the COD within the conditions that apply to other sellers in the market-place. Over recent years, it has been necessary for the Fraud Squad to investigate one or two agents who went down the tube, as it were, and some practices that were engaged in. Basically, the majority of agents in the Brisbane Market are honest, as are most of the growers who supply that market. However, there will always be those who try to take short-cuts.

As I said earlier, the COD was set up under an Act of Parliament and, therefore, is subject to continuous audit. That means that there is no room for skulduggery, misdemeanours or malpractices; they would be discovered immediately. However, the Minister and his officers have seen fit to bring the COD under the same control as that under which all sellers in the market-place operate. I do not argue strongly against such a move; I merely state that I believe that there was no problem associated with the operations of the COD. The growers with whom I have been associated for many years do not see any need for such a change.

It would be fair to say that some people in the market-place are somewhat jealous of the status of the COD. That statement would be accepted generally. Many of those jealousies are the result of misgivings or misconceptions as to the way in which the COD operates under its charter.

From time to time complaints have been made about levies. All Queensland growers who supply fruit and vegetables to the Brisbane Market pay levies. Those levies are collected either by the COD or by the agents, who receive a commission to collect them and to then pass them on to the COD. The levies are used for various purposes, such as promotion, advertising and extension work.

It should be noted that tens of thousands of dollars collected by way of levies have been paid to the Government to carry out extension work at the various research stations throughout the State. Such work has involved tomato trials at Bowen and horticultural research in the Redlands district.

The COD has been to the fore when insufficient Government funds have been available to enable certain projects to be carried out. On research stations, glasshouses and other items, such as specialised machinery, have been purchased with funds derived from levies collected under the Act. The prospects of the growers have been enhanced, and problems that occur from time to time have been fully investigated and worked on by the extension staff.

Earlier I said that Queensland is a most diversified State in the production of fruit and vegetables. When the industry saw fit to move the Brisbane Market from Roma Street to Rocklea a transformation took place in the marketing of fruit and vegetables.

If people who had no association with the old Roma Street markets were to look at the site today they just could not imagine the transactions and the chaos that took place in that area. If a person could drive his vehicle through the old Roma Street markets without losing the side of his vehicle and half his load, he could get a licence to drive anywhere in the world.

The establishment of the Brisbane Market at Rocklea was a major step forward in the marketing situation in Queensland, and no-one has regretted it. The system there has been copied Australiawide. Many of the features, such as the selling floors, have been adopted in other markets. The markets are of interest to people from overseas. Various delegations have come to Brisbane to view the Brisbane Market and how it operates.

Originally, there was the selling floor set-up. Bulk handling is the norm at the Brisbane Market. Various crate pools and bulk handling facilities are available at the Brisbane Market. Ten to 15 years ago forklifts were unheard of in any markets. Today, most produce is handled by forklifts. Cool stores are a feature of most bulk stores at the Brisbane Market. The large chain stores, which are responsible for buying 60 per cent of the produce at the Brisbane Market, operate there with their bulk stores and aid with the distribution of our fruit and vegetable lines.

Distribution is the key in getting those commodities out to the public generally. People who handle fish are trying to adopt many of the policies that are adopted at the Brisbane Market. The fruit and vegetable industry, through the Brisbane Market, has mastered the art of selling its produce. People who have had a long association with the Brisbane Market fully appreciate just what has been done there, particularly when they remember what the old Roma Street markets were like.

Mr McKECHNIE (Carnarvon) (3.33 p.m.): Today, it gives me great pleasure to speak on the amendments to the Farm Produce Agents Act. The Bill has been many years in preparation. A lot of work has gone into preparing it—from the Minister, down through the Department of Primary Industries to all sections of the industry. I am disappointed that it was not introduced 12 months ago, but the simple fact of the matter is that by waiting this extra time we have a better Bill, and more consensus in the industry. I think that that will prove to be for the best in the long term.

For some time, I have been concerned about the fruit and vegetable industry in my area. It has some unique problems. With that in mind, I wrote to over 500 fruit and vegetable growers in my electorate and asked them a series of 24 basic questions. I received an excellent response; 311 of them replied. Of those 311 who replied, 95 per cent were growers who had been growing on the Granite Belt for more than three years. That is not being derogatory of new growers; it is just pointing out that the vast majority of the growers who replied were experienced growers who should have a greater knowledge of the industry.

So, today, I can speak with some authority about what my electorate wants. I shall inform honourable members of the results of the survey. Seventy-three per cent of the growers who returned the questionnaire thought that improved grade standards should be applied to remove a larger percentage of the second-grade fruit from the market, regardless of whether new processing outlets are opened or not.

Seventy-seven per cent thought that some growers on the Granite Belt should combine with a central packing facility and market their produce under one brand name. The reason for the concern about grade standards and central packing is that growers are facing increasing competition from interstate fruit. One of the advantages enjoyed by interstate fruit is stricter quality control, both at the central packing facilities and through Government regulation.

Ninety-two per cent thought that tougher laws should be introduced to deal with growers who do not make a genuine effort to control disease on their farms. I will seek the Minister's co-operation at a later date to do something about that. After all, we do not permit people to grow diseased sugar cane. Why should growers get away with producing diseased fruit? I am talking about the small minority of growers who tend not to look after their orchards. There is a defect in the existing law that should be removed later.

Seventy-seven per cent of growers thought that agents should be required by law to inform growers of the names of buyers of fruit and vegetables sold in 20-case lots or more. I might add that that is the policy of the Deciduous Sectional Group Committee of the COD, but it is not the policy of the COD itself. In other words, the DSGC does not have the numbers. I have spoken to the COD and representative agents about the matter. I know that that school of thought is just not accepted by the COD as a whole or by the agents. It is not accepted by a majority of members of Parliament from fruit-growing areas; so I have to concede defeat on that. However, members of Parliament should take some cognisance of the fact that 77 per cent of growers want to know who buys their fruit. Perhaps at some future date we should further investigate the reasons why they want that information. One of the reasons, of course, is that some of them want to bypass the Brisbane Market, which is why COD and the agents do not want it. I can understand their concern. However, there are probably other reasons, and more research should be done.

I have been told repeatedly that the Brisbane Market will work satisfactorily only if all sections of the industry have confidence in it. I receive quite a number of comments from growers in my area who do not have confidence in their agents. However, the questionnaire revealed that a small majority had confidence in their agents. It was only 51 per cent, but the fact remains that it was a majority. I would like to play a role in building greater confidence between the agents and the growers. In many ways, the Act is designed to improve that confidence by informing growers that there will be better control of books of account and other matters that I shall mention in a moment.

It is interesting that 52 per cent of the respondents to my questionnaire thought that there should be the same number of agents at the Brisbane Market as there is now, 24 per cent thought that there should be more and the other 24 per cent thought that there should be fewer.

Basically, I believe that the majority of people want the status quo. Quite a number of growers speak to me at times about wanting a growers' market at the Brisbane Market so that growers may sell their own fruit and vegetables at their own stall. The survey showed quite conclusively that the majority of growers—61 per cent—do not want that. Sixty-four per cent do not think it practical or desirable to register Queensland growers and place production quotas on them.

Quite a few growers mention from time to time that they want quotas and a register of growers. The simple facts are that the majority of growers do not want them and the growers' representatives do not want them, so those matters should not be pursued any further at the moment.

I also mention that 64 per cent do not want the existing LPA structure changed to commodity LPAs. I have spoken to somebody from another sectional group who is on the executive of the COD. What that other sectional group does is to keep its existing LPA structure, but from time to time various components on an industry basis within that sectional group structure have meetings purely for one particular fruit, vegetable or whatever product it may be. That encourages greater interest in the organisation, and I commend that suggestion to the SGC in my area. More people should be encouraged to go to their LPA meetings, and occasionally a meeting should be held just for stone-fruit growers or grape growers. That would be welcomed by growers and it might encourage them to take a greater interest in their industry organisation, which can only be for the benefit of everybody concerned.

I now wish to speak about the amendments contained in the Bill. The fact that the merchants will have to have a basis for the price prior to delivery rather than an actual price, which is in the present Act, should be commended because the present Act is not working. The agreements need to be written down. If growers wish to receive some protection in law if there is ever a dispute between them and the merchants, they can voluntarily fill out the merchants' consignment note. However, the commercial seller who is trading as a merchant will have to issue a purchase memorandum note or have to have some record in an approved form as to what he believes the deal is. That is necessary to encourage greater confidence by those growers who do not have confidence at the moment. In my area they are a sizeable number.

It is also important that the provisions relating to traceability of sales be tightened up. Such a provision is designed to give greater confidence in the market so that those growers who do not have confidence in some of the agents can feel that a system is provided to help allay any suspicions about any untoward practices. Like the member for Redlands, I believe that most agents are honest and that the suspicions could be largely allayed through more consultation between growers and agents. Growers should go to the markets more often in an endeavour to find out why things are not always proceeding as they would like them to be.

The fact that agents will be allowed to buy in tail-ends should expedite payments to growers in certain instances. In these days of high interest rates and inflation it is important that growers are paid as quickly as possible. That fidelity bonds will be extended to cover merchant transactions is something that I ask the Minister to confirm in his reply. That is my understanding of what the Government has endeavoured to achieve, but I just do not understand that clause of the Bill. I ask the Minister to confirm that the merchants will have to have some type of fidelity bonds which, at the moment, they do not have to have. Whether the bonds are in the form of bank guarantees or subscriptions to an approved guarantee fund is irrelevant.

Grower confidence in the market must be encouraged. The fact that the registrar does not have to renew the licences of directors convicted of offences against the Act should also encourage grower confidence in the market, and that is very important. I cannot stress that too much. But I do not want to be one-sided, and speak only about the problems of growers and their confidence in the market, because, as I said earlier, slightly more than 50 per cent of growers in my area have confidence in their agents. If the system is to work, that confidence must be improved.

I am told that agents are concerned about the Bill. I hope that the Minister will make a statement that will satisfy them. They are concerned that the liquidity test that they will have to pass will be different from that faced by the COD. They are concerned also that the registrar is empowered to show the books to virtually anybody. Again, I think a clear statement of the Minister's intentions about the way in which that provision will work would go a long way towards overcoming their concern.

I would like to take the time of the House to refer to some of the suggestions growers made when replying to my questionnaire. One of the questions was, "In what way do you feel that the DSGC could better represent you?" I received literally hundreds of suggestions from growers, and I sent all of them to the chairman of the DSGC. I will not be releasing them to anybody else. It will be up to the chairman to do so if he chooses to take other people into his confidence, because some of the comments were very blunt. I am aware of the libel laws, and I do not want to get into trouble by releasing some of those blunt suggestions. Growers were basically constructive, and it is up to the chairman to release some of their comments if he wishes. I hope that the suggestions will be taken into account and that they will be helpful to the DSGC in its attempts to better represent growers.

I also received hundreds of suggestions from individual growers, and I will relate some of them to the House. Growers believe that I should make my parliamentary colleagues more aware of the problems of growers on the Granite Belt and that I should try to promote fruit and vegetables at every opportunity. Growers believe that I should try to convince the Government to assist in the removal of neglected orchards, which can be a real problem. They are concerned, as are all fruit and vegetable growers, about what they see as the excessive margin between the price received by the grower for fruit and vegetables and the price charged in some retail shops. When the Queensland Government promotes Queensland-made products, they want to see fresh fruit and vegetables as part of that campaign.

Because the COD is spending a great deal of the growers' money on that campaign, the growers would like to see more Government involvement. The growers favour tougher laws to clean up the markets. Obviously that suggestion came from a grower who is not very confident about the markets. The intention of the Bill is to try to instil greater confidence into the growers through clearly defined rules governing the way in which the markets will operate. Growers are also concerned about inflation and continuing cost increases. They have urged me to do as much as I can to help them.

Mr Hooper: You don't seem very well today.

Mr McKECHNIE: I do not normally read my speeches. I am under a little strain in not speaking off the cuff. I want to read these matters into "Hansard".

Growers are worried about prices, high costs and the lack of encouragement of exports to South East Asian markets. They favour more training courses for young men in the district in orchard and tractor work. I am doing my best to get a TAFE college established in the area. Indeed, I have an assurance from the Minister for Education that, when it is established, a fruit and vegetable farm will be bought so that more on-the-spot training can be given.

Many of my growers believe that commercial sellers should not be able to operate in the markets as both agents and merchants. They are of the opinion that they should be allowed to operate only as agents. I have been advised by most of the people responsible for drafting Acts of Parliament that if the Government chose to keep merchants out of the Brisbane Market they would maintain companies outside the market, and very little would be achieved. It may be better to legalise an accepted practice and ensure that proper rules and guide-lines restore confidence in this area.

My growers are concerned about the price of fuel. They want me to support the DPI in the hope that more money can be spent on research, extension work and quality control. The survey revealed that growers want the DPI to spend much of its time on quality control.

The growers' main concern relates to grade standards. Most growers want them improved. Representatives of the agents believe that improvement in grade standards is critical to get the best price for Granite Belt produce. That is contrary to the

policy of the Deciduous Section Group Committee. I issued a Press release in my electorate pointing out frankly that it was time growers attended the LPA meetings to discuss grade standards and urge the DSGC to seek amendments to the regulations relating to improved grade standards. As a first step we should implement broadly the New South Wales grade standards for apples. Whether or not the industry body chooses to lift the minimum grade, or to take some other action, the simple fact is that if the growers are to benefit something must be done. I only hope that growers attend meetings and urge that something be done. Growers in my electorate fear that the COD overrules the DSGC on too many matters. Once again I assure growers in my electorate that if a resolution came before the COD relating to purely a Deciduous Section Group Committee matter, the DSGC's will would prevail.

Of course, if other sectional groups are affected, a decision must be made by the two representatives from each group who make up the executive of the COD. I am not going behind the back of the COD when I say that many growers in my electorate do not like the COD. I am not sure of the percentage, because that was not mentioned in the questionnaire.

The COD operates under an Act of this Parliament. If I am to be party to a Government decision that growers must pay a levy to a compulsory organisation, it behoves the COD to gain the confidence of the vast majority of growers in Queensland, particularly those growers in my electorate. Without trying to knock the COD, I suggest that it should try harder to obtain the confidence of the growers in my electorate.

Many apple growers believe that it is wrong that the Australian Apple and Pear Corporation should impose a levy. It was brought in against the wishes of Queensland growers, and they would like something to be done to ensure that the levy does not have to be paid. That attitude may be short-sighted; it may not be. The Federal Government should take another look at that levy to see whether the corporation has the support of apple and pear growers in Australia.

In my electorate there is a strong feeling that more inspections should be made of fruit at loading centres before it goes to market rather than the majority of the inspections being carried out at the Brisbane Market. I commend to the DPI the thought that if there is to be a viable fruit and vegetable industry in Queensland, the rubbish must be kept off the market. Rubbish gives the fruit and vegetable industry a bad name. The DPI should become more vigilant in its inspection procedures not only at the Brisbane Market but also outside it.

I am aware that some growers think that there has been too much political influence. The inspectors at the Brisbane Market have my total support in what they are trying to do. Although it is the right of a member of Parliament to question their decisions, in the eight years that I have been a member of Parliament, I have questioned their decisions only two or three times. Each time I have been satisfied with the action that they have taken. I say to them again, "Get on and do your job." I say to any member of Parliament who interferes too much with them, "For goodness sake, don't do it." More must be done to maintain quality controls.

It was suggested that agents' books should be examined at short intervals. Growers think that if they cannot be told who buys their produce, inspectors should at least carry out random checks rather than wait for a specific complaint to be made. I pass on that suggestion to the Minister.

Mr Blake: Doesn't that take place now?

Mr McKECHNIE: I am not sure; I do not know. If it is not taking place, maybe it should. At the same time, it should not become such a cost on the agent that he is forced to ask for increased commission. A very fine balance must be struck.

It has been suggested that there should be a by-law providing that an agent should be deregistered if he is found not to be submitting correct returns. Most growers have confidence in the agents. The Bill is designed to create confidence.

Mr Davis: Why don't you write the Minister a letter?

Mr McKECHNIE: The honourable member for Brisbane Central asked why don't I write a letter to the Minister.

Mr Davis: You are on the same side as he is and you are going to support him in the deputy leadership challenge. Why don't you talk to him?

Mr McKECHNIE: One of the things that the fruit and vegetable growers in my electorate want me to do is inform other members of Parliament of the problems that confront them. From the remark of the honourable member for Brisbane Central it is obvious that he is not concerned about their problems. He hates the primary producers; he is noted for that. God help the primary producers in my electorate if ever the honourable member for Brisbane Central was a Minister in some future Labor Government. However, I know that the fruit and vegetable growers throughout the State have more sense than to vote for the Labor Party.

Another suggestion is that the Government should be encouraged to reduce taxes. I am keenly interested in that proposal, but it is not what Opposition members are interested in. They never stop asking the Government to spend more money. The growers in my electorate have my assurance that I agree with the growers' point of view.

The whole concept of the questionnaire that I sent out was aimed at giving me some knowledge of what the growers wanted, so that when the Bill eventually came before the Minister's committee, the joint Government parties and the Parliament, I would be aware of their feelings.

I have not spoken at length on the wording contained in the Bill. I see my role as that of ensuring that the Bill contains the wording that the growers want. Not all the wording desired by the growers is in the Bill, but it contains as much of their wording as can be included in it.

With the possible exception of the two matters that I raised with the Minister during my speech, the commercial growers have been given a fair go. I look for his assurance on those matters. It is not good to have the growers fighting with the agents all the time. Both sides must learn to accommodate the other and both sides must have greater confidence in the other than they have at present. The industry must go forward and try to become united on a profitable basis.

I wish that members of Parliament such as the honourable member for Brisbane Central felt more sympathy for the growers and did not try to prevent me from speaking in the House about the problems confronting the fruit and vegetable growers in my electorate. I assure the growers that they have my total support.

Mr EATON (Mourilyan) (4.3 p.m.): At the outset, I believe that honourable members should have been given more time to study the Bill. I distributed copies of the Bill throughout my electorate and adjoining electorates in order to obtain some feedback from the industry, but there was not sufficient time to allow that to occur to any great extent. The Minister said that the Bill is by no means a simple one and that it involved considerable consultation and negotiation with the industry. I do not doubt that for a minute.

The Bill is in the best interests of the farmers, particularly the small-crop farmers who are involved in the production of perishable goods. Naturally, in transit some items of produce will keep longer than others. Papaws, for example, do not require the same care and attention as potatoes. Nevertheless, all fruit and vegetables are covered by the Bill.

Overall, I am in agreement with the Bill, but as I pointed out earlier I would have liked more time to have more consultation with the growers in North Queensland. I can understand the reason why the growers represented by the honourable member for Carnarvon would want him to make other members of Parliament aware of the problems confronting them. As I said before, the Bill deals with perishable goods. They can be struck by seasonal conditions. On several occasions throughout the year, as the result of either strikes or weather conditions, quantities of produce are lost during transit.

The biggest fruit and vegetable industries in North Queensland are the potato industry on the Atherton Tableland and the banana industry in the coastal region. They have been established in my electorate and also in the electorate of the member for Hinchinbrook (Mr Row), in which more than \$8m worth of bananas are handled in a year. One can see that a lot of money is tied up in the fresh farm produce industry in Far North Queensland.

The producers in the North established their own markets. They built them up to such an extent that today those markets are worth millions of dollars. The majority of produce is sold interstate. Most of the potatoes are sold along the eastern coastline

and even across as far as Adelaide. With the advent of road transport and improved interstate highways, bananas and pineapples are also being sold interstate.

I was wondering about the effect that the Bill will have on interstate merchants. From my limited knowledge of the way in which the system works, I assume that its provisions would not apply to interstate merchants unless they were associated with a company registered in Queensland. If something went wrong, producers would have recourse to the COD and to companies such as that.

The consensus of the people to whom I have spoken is that the Bill is in the best interests of the producers of both fruit and vegetables. There are a few grey areas in it and I hope that the Minister, when he replies to the debate, will clarify some of them.

I would like the Minister to inform me whether one licence will be issued to both merchants and agents.

Mr Ahern: Both ways.

Mr EATON: It operates both ways.

The Minister referred to the problems that are being encountered in the industry. No matter what industry we are discussing, we are all conversant with the problems in the particular industry. However, very few of us have the solutions, and that is what the game is all about. We must do all we can to overcome the problems in primary industries and in all other industries.

The problem relative to the allocation of costs in the event of condemnation or downgrading of produce will stay with us for a long time. Again, it gets back to the fact that they are perishable goods. There has been a lot of conflict between agents and producers over the transport of potatoes interstate or even to markets in Central Queensland or in Brisbane. If potatoes are not covered properly on a truck and they get wet, they will not keep very long. The question of compensation arises when bananas are loaded on to a non-refrigerated van and a railway strike occurs.

The Minister has tried to cover those matters. He said that there has been a lot of consultation, and I am sure that there has been a lot of input from people who have been involved in the industry for a long time.

The Minister said also that there must be agreement on price before delivery. Once again, the delivery of perishable goods is governed by supply and demand. Quite often, some of the agreements are made verbally over the telephone, particularly where people live long distances away from the market-place or from the wholesaler. I can see a conflict arising from time to time because it will be one person's word against another's. The problem has been with us for a long time and I cannot see the Bill overcoming it, despite the fact that there are consignment notices and quite a bit of other protection built into the legislation.

I do question the provision relating to a farm produce commercial seller acting as an agent. We all know that in any industry, whether it be primary or secondary, the greatest market is the home market. North Queensland probably has more potential than anywhere else in Australia to grow fruit and vegetables, but we do not have the population to take advantage of the potential. Similar remarks apply throughout North Queensland, from Mackay north. We grow mangoes and tomatoes at Bowen and water-melons right along that coast. We grow pineapples, bananas and papaws. We even grow grapes on the Atherton Tableland. There is a winery at Herberton. Avocados, tomatoes and mangoes are grown in the Mareeba area. I am not simply working the parish pump. All electorates in Far North Queensland have similar problems. They have a similar constituency make-up. My problems are often identical with those of the adjoining electorates.

Mr Moore: Why don't they market granadillas? That is a North Queensland crop.

Mr EATON: There would be problems in transporting them any distance. They have a very soft texture. They are in great demand, and we do not doubt for a moment that a market exists for them. People coming back from North Queensland, whether it be by bus, train or plane, bring them with them. They do not trust them to the railways or anyone else.

Mr Moore: They should use wood wool.

Mr EATON: The cost of making them safe for transport exceeds the value of the goods.

The provision to which I referred says in full—

“A farm produce commercial seller acting as an agent who wishes to sell to an associated firm or company must register with the registrar the names of such firms or companies before any agency sales are made.”

That was one of the grey areas that I have picked out. Because of the present economic climate, business will be very competitive. Particularly in North Queensland, with local sales, people involved in an agency could also have a share in a retailing outlet. I can envisage all sorts of problems arising. I do not doubt, as the Minister said in his speech, that some of those problems could be covered by regulations. I hope that after the Bill is enacted the regulations will cover such matters.

One section of the Minister's speech did concern me—

“A similar provision has been made to allow a farm produce commercial seller acting as an agent to buy in large and unannounced consignments, on prescribed conditions, where market disruption might otherwise occur.”

That is another grey area that could from time to time be open to manipulation. Although we might all start out as good and honest citizens, economic and social pressures that are sometimes brought to bear cause some people to deviate from those ideals. Again, I hope that that matter can be covered by regulations.

The Bill deals with trust accounts, which are a matter of concern. As the Minister quite rightly said—

“Experience has shown that the present provisions relating to the operation of trust accounts are impractical. Because of this, it is proposed to replace the present provisions with procedures which permit the holding of funds derived from both agency and merchant sales in a general account which will be a farm produce trust account.”

We only have to read the daily newspapers to see what happens when people are in charge of trust accounts. I refer particularly to the legal fraternity. What a track record they have for tickling the peter.

As huge trust funds have been touched, in some instances, for millions of dollars and, in other instances, for hundreds of thousands of dollars, it will be very hard to operate the trust account system so that it is not liable to a little bit of “tickling up” from time to time. I know that that is part and parcel of today's society, and is part of the system with which we have to learn to live. To overcome the problem will require constant vigilance.

Another provision of the Bill that I was pleased to see is the one that provides for the short-term investment of trust funds. Producers would want to know where the interest from such investment was going and whether there would be an increase or decrease in the commission because of the success or failure of that investment. In the sugar industry, another primary producer area, the funds of the producer, before they are paid to him by the trustee, are put into short-term investments, and over a 12-month period a few million dollars is earned by way of interest. So that is a matter that is worth consideration. I do not know whether the fresh fruit and vegetable industry of Queensland is big enough to earn that sort of money by way of investment on the short-term money market or even whether it will have sufficient money to invest. There is always a delay between when the farmer's produce goes to market and when he receives payment. I am sure that in the current economic climate most banks are chasing primary producers to find out when their cheques will arrive. Everybody is aware that a considerable amount of money can be made on the short-term money market with the interest rates that now apply.

The Bill also includes provision for the updating of penalties for breaches and for regulation-making powers relating to the deductions which a farm produce commercial seller acting as an agent can make from growers' returns. I do not see any problems that arise from that. However, problems could arise with the small businesses of North Queensland which are finding their role in society much harder because of the pressures being placed on them by big companies. A producer could be selling to an agent as well as directly to small shopkeepers in the local area.

Overall the Bill will have to be administered with a little patience and tolerance, particularly in the early stages when many problems will have to be remedied. I have tried to be fair because overall the Bill is in the best interests of all those concerned. I have tried to point out the problems that face the producers of North Queensland. North Queensland produces much more than is needed for the local market and produce has to be sold as far away as Western Australia. The producers want to keep the markets that they already have.

I will now refer particularly to South Australia and Western Australia and the banana growers and pineapple growers of Far North Queensland. Before I entered this place I was working on such a property and I could not understand why, with the price that was being paid for the product, it was being sent to Perth. I learnt from later consultation with the farmer that that particular agent took all the produce that he consigned during times of gluts. That farmer always consigned his goods to that agent in Perth and he always received a reasonable return. He continued to send his produce to that agent to maintain a good working relationship with him for the future.

Mr Lee: Goodwill.

Mr EATON: That is right. That must be considered. Although we can legislate for many things, goodwill must always be maintained between buyer and seller.

As I said earlier, overall I am satisfied with the Bill, but I would have liked a little more time to study it in detail.

Mr STEPHAN (Gympie) (4.20 p.m.): Any mention of a change in the marketing of fruit and vegetables seems to make the bristles rise on the necks of people in many different quarters. It affects growers, marketing agents, wholesalers and retailers. Probably that will occur for as long as I live; but it should be remembered that a lot of discussion takes place before any change is made.

Mr Davis: You won't repeat everything that has already been said, will you?

Mr STEPHAN: If I do repeat anything, I am sure that the honourable member will not notice it, because I have noticed that on occasions his eyes have been closed. The honourable member might be able to glean some information from what I have to say about the fruit and vegetable industry, which is tremendously important to the people of Brisbane whom the honourable member represents.

Mr Davis: I bet you are going to talk about beans.

Mr STEPHAN: Beans are only one part of the vegetable industry. They are an excellent and very cheap product. If the honourable member buys them fresh from the market or from his retailer, he will be purchasing something that he will enjoy.

The proposed marketing changes will certainly be of advantage to the industry generally. Quite a few have occurred in the long build-up to the amendments now being made to the Act, not the least being the pre-cooling systems that have been introduced. A few years ago one man took it upon himself to be the driving force behind that innovation. I particularly want to thank Tony English for his efforts in that area, and also in many other areas. His foresight led to the introduction of that system, which was beneficial not only to producers and to wholesalers but also to the ultimate users of the product, who now receive a good quality, well-presented article that they can enjoy without paying too much for it.

None of the proposed changes, no matter how tough, will make people involved in the industry any more honest. I have learnt from speaking to producers that they believe they are being taken advantage of in a number of ways in relation to pricing. That manifests itself far more when prices are low and costs are high, as is the case at present. Growers' costs have increased rapidly, but their profit margin is still very low.

I point out to city members that the profit margin of fruit and vegetable growers has never been very high. They should not get the idea that because a grower dispatches 100, 1 000 or 10 000 cartons of vegetables he will make a large profit on the sale. He might be doing his job and supplying a demand, but in many instances he is doing nothing more than just paying his way, and much of the time he is not even doing that.

We must strive to create trust between the retailers, wholesalers and growers. A discussion of their problems round the table would go some way towards overcoming them.

I am very happy with the way that the Australian United Fresh Organisation is working. Unfortunately, it is not supported as well as I and many people in the organisation would like it to be. At least it is getting various segments of the industry together at its annual conference to discuss problems relating to packaging and transportation, which have not previously been dealt with. It is important for the different segments in the industry to get together to discuss their problems.

The growth in the volume of business at the Brisbane Market has been tremendous. The Brisbane Market, compared with the other markets in Australia, is growing. Although the major markets in winter-time are in the southern States, the size of the Brisbane Market should not be underestimated. According to the 1975 figures, turnover at the market totalled \$46m and, by 1981, the turnover had increased to \$132m, which represents almost a 300 per cent increase in the value of produce passing through the market. The increased turnover indicates the importance of the market to the Queensland fruit and vegetable industry.

The market is vital to the growers, wholesalers, retailers and consumers. As other honourable members have said, it is encouraging to note that there is still room to move in the Rocklea market. I should hate to think what the conditions would be like if the market was still at Turbot Street.

The covered unloading area at Rocklea has helped to improve the quality of the article reaching the consumer. It has also reduced the quantity of fruit and vegetables dumped. Unfortunately, the wastage is still tremendous. It is catastrophic that so much effort, time and finance spent on producing the articles go to waste. I am disappointed that we do not use far more of our produce. Some of the proposed changes will go a long way towards getting the industry to work better.

On the matter of the fidelity bonds—although not as many agents have been going out the back door as in the past, it is essential that other facets of the industry be covered. That is the only way to provide security.

As to the 21 days provided for payment—a lot of money can be involved when crops are peaking. Large sums of money, often amounting to millions of dollars, pass through the hands of a relatively small number of merchants and retailers. In the end, the producer must meet any shortfall.

I am concerned about the point at which there is a change of ownership in produce. From time to time the buyer returns produce to the seller. However, it is the grower who must foot the bill for its disposal. The present procedures should be tightened up, if possible, so that once produce is taken away by a buyer it becomes his responsibility. In many cases the grower is not at fault. Produce can deteriorate very quickly. That is something that should be fully investigated.

A written agreement should be reached on whether an article is to be sold on an agent or merchant basis. It has been suggested that there should be an agreement between the producer and the seller. It could include other aspects of the trading that would be expected. Many suggestions have been made about the pricing procedure. That is a matter that could be the subject of agreement. An agreement should be reached between the vendor and the purchaser at an early stage. That would overcome some of the problems that frequently confront grower representatives.

It is important that growers receive condemnation notices so that they are aware that they have not been taken for a ride and that the agent is doing his job to the best of his ability. A producer would be very surprised at the quality of some condemned produce. It has been said that when it is condemned an agent will trot out a handful of tomatoes or beans that have been left on the bench from the consignment and say, "Look at this. Here is some good quality produce, yet it was condemned at the market." It is not realised that changes take place in the produce between when it leaves the farm and when it is sold. That is an extra support for the agent and a guarantee for the grower.

Consignment notes have been called for in many instances. To ensure that the amount is correct, the consignment note should be produced. A great deal of pilfering takes

place in the fruit and vegetable industry. Steps should be taken to ensure that all the produce that leaves a farm arrives at the markets.

Far more use of refrigerated storage can be expected. Very often the comment is made that products have been pre-cooled, sent to the markets in refrigerated units and left in the sun for one or two hours waiting to be sold. Growers are disappointed that their produce should be subjected to such treatment. Selling by sample could take place, with most produce kept in cold rooms and samples provided before purchases are made. That practice prevents a great deal of the deterioration that occurs when produce is left in the hot sun.

The matter does not stop there. I should like to see the installation of refrigerated units in retail outlets. The hot western sun streaming through a shop window does not do a great deal for the quality of fruit and vegetables. Those matters may be for negotiation and not for legislation. Nevertheless, common sense should prevail to ensure a better quality article.

A voluntary clearance scheme has been operating, but recently it was not too successful. Because of that, the scheme was dropped from the marketing procedures in Queensland. I have not noticed too much of a difference in the supply, carry-over or pricing because the scheme is not operating at present. I have not heard too many complaints from the producers and wholesalers. The clearance scheme paid for the freight on products that were removed voluntarily from the market. So it does have advantages for the producers and the agents concerned. Since the decision was made not to continue with the clearance scheme, I have not heard one complaint in relation to it.

An aspect of the legislation that I want to mention in particular is liability for offences in connection with the corporation and organisations existing under the Act at present.

Section 49 of the Act provides—

“every person who in Queensland manages or acts or takes part in the management, administration, or government of the business in Queensland of the corporation”

is liable for any offence committed under the Act. I realise that another section may cover this aspect, but I look for some clarification on it.

Another point on which I seek clarification concerns the registrar. He may advise any person of the findings of any inspection, examination or audit, as he sees fit. I wonder whether the phrase “any person” is included for a particular reason. I can understand the necessity for providing that the Minister or his nominee be advised. However, the words “any person” are very broad. How far will the information go?

The honourable member for Redlands mentioned the work that the COD has been doing over a lengthy period. Without detracting in any way from the work of the agents who operate throughout the marketing chain, I point out that growers in other States envy those in Queensland who have access to the COD, which operates in a very efficient manner. Many growers from other States come to Queensland seeking advice from the COD. They say that if only they had such an organisation in their State they would be much further ahead than they are at present. The COD is able to get the producers together, and it plays a vital role in the whole industry.

It is claimed that the COD acts as a wholesaler and retailer. The change in the definition will mean that the COD will have two different functions. It will have to keep separate books and work within very strict guide-lines. I would say that the COD works under tighter guide-lines than do many of the agents. If it is felt that the COD is in an advantageous position, I suppose that that could be put down to the support that it receives from the growers and its own staff. Many of the staff have worked with the organisation for a long time. Some of them have been with it for more than 25 years. They stay there not because of the money that they are earning but because they want to support the organisation.

I now wish to comment on the promotional campaign in New South Wales. That campaign is conducted under the auspices of the New South Wales Government, which provided a couple of staff for the original campaign. Every article that passes through the Sydney markets is subject to a levy of, I think, 2c. The money raised from that

levy is used to promote the article. Such a scheme could be introduced in Queensland, and the people who received the benefits from the advertising would pay the cost of the advertising. The introduction of such a scheme in this State would be a step forward for the industry, and it would help to promote the industry. I do not believe that any industry can afford to sit back and not publicise the value of its products to the buying public.

I do not wish to play down the processing industry, but the theme "Fresh is Best" has been very successful. There is certainly a big difference between the flavour of a fresh product and a processed product.

The member for Mourilyan made a comment in passing about large, unannounced consignments that reached the markets, and expressed concern about the way in which those consignments are handled. That is something that we do not like to see in an industry. I like to see organised, not unorganised, marketing. When large, unannounced consignments reach the markets, that is unorganised marketing. It results in reduced prices and a carry-over of commodities. That has happened in the past, and I am not sure who has been the greatest beneficiary and the greatest loser. It is a problem at which we should be looking.

Mr Davis: You are only speaking for "The Gympie Times".

Mr STEPHAN: I am not worried about having anything in "The Gympie Times".

We are looking at it from an industry point of view. It is a little different being in the country. Country electorates support us. They know that we are working for their benefit. They do not write to the local Press ridiculing the Government at every opportunity, as the Opposition is so quick to do.

Mr Ahern: He is not concerned about the growers at all.

Mr STEPHAN: I have volunteered to take him into the growing areas to give him some idea what it is like to be in a bean patch or a zucchini or tomato patch. He said that he was born and bred on the farm, but that was a long time ago. I am sorry that he has forgotten what it was like. He gets a carton of milk at the front door every morning. I point out that milk is not produced in cartons and tomatoes are not grown in packets. A lot of work is required to get them to the market.

Mr Davis: I listen to 4KQ country radio.

Mr STEPHAN: That is one point in the member's favour. If he keeps it up, in another 50 years he will know where Gympie, Warwick and Toowoomba are and what happens in those areas.

Mr Ahern: I think he might have retired by then.

Mr STEPHAN: Yes. He will be very tired, anyway. I am not looking forward to taking him out in 50 years' time myself.

I place on record my appreciation for the work done by Mr Tony English for a long period as general manager—14 or 15 years. The organisation has been developed into a much larger group under his direction. Certainly it was rolling along reasonably well when he took it over, but his initiative and drive have helped the producers, the wholesalers and the retailers. I hope each section appreciates the value of the United Fresh Organisation, which had its foundation when he and the chairman of the COD, Don Kidd, and Gordon Wilson attended a United Fresh conference in America. They brought back much information of value. At times we tend to ridicule fellows who travel to see what is going on in other parts of the world. However, unless we are prepared to do that and to spend a lot of time and effort, we will not reap the benefits of the work of sections of the industry in other parts of the world. Neither will we reap the benefits of different marketing and growing techniques.

I appreciate the enormous amount of effort that has gone into the presentation of the Bill. We will not be wholly satisfied with it; but, because of the negotiations that have taken place over a long period, we have legislation that we can be quite proud of.

Mr BLAKE (Bundaberg) (4.49 p.m.): Firstly, I refute the allegations of the Minister and the member for Gympie, who said that the member for Brisbane Central is not interested in the primary producer at all. Admittedly, with the type of electorate he

represents, he is primarily concerned about the interests of the consumer. However, one of his favourite interests is listening to the market reports. I can assure the Minister that the interests of the primary producer are just as important to him as the interests of the consumer. He takes his responsibilities very seriously over the whole spectrum of the community.

Mr Ahern: The truth is that he has been responsible for a few strikes that have cost the primary producer plenty down through the years.

Mr BLAKE: I doubt that he was responsible for any strikes that cost any sector of the community more than they benefited those who were involved.

The marketing of primary produce has been, and always will be, a very contentious field, with allegations and counter-allegations of inefficiency, malpractice, fraud, etc. Even though such practices might exist, it must be recognised that some producers have consigned their produce to the same agents over a long period. I am sure they have done that because they have learnt that they get a fair deal from certain agents. That decision would not have been arrived at without the producers' going through the whole spectrum of agents. Despite all the allegations of malpractice that are made, from the primary producers' point of view it still boils down to whom they consider to be the best agent. Therefore, the marketing side of the industry remains highly competitive.

New practices in marketing have developed, and it is only natural to legislate to attempt to cover and regulate such practices. A considerable degree of agreement has been reached by the various agent bodies that handle fruit and vegetables and other farm produce. In fact, in relation to this Bill, the degree of agreement is commendable.

The provisions of the Bill were well canvassed by the Minister in his second-reading speech and by those who have already spoken in the debate. The extra documentation for different types of sales in order to make clear whether a wholesaler is handling produce on an agency or merchant basis might be resented by some, but it is necessary, particularly when a dispute arises.

The Bill proposes to extend the existing requirements relating to merchant transactions so that a pricing basis must be agreed to before delivery. Because disputation has so often arisen in relation to price, that is an essential ingredient. There really is no point at which responsibility can be fixed. So if there is no agreement on a firm price, a pricing basis must be agreed upon if some of the disputes that occur in the industry are to be eliminated.

The provision under which a licensed wholesaler must ensure traceability of all sales, including sales to associated firms or companies, is very desirable. Without traceability of all sales, arguments can go around in circles. If traceability is provided for, the problems of settling disputes and determining areas of conflict will be largely overcome.

I see nothing wrong with the provision that a licensee will be required to notify the registrar whenever his trust account has insufficient funds in it to meet all payments. As has been mentioned by those who have spoken before me, that is very desirable. If a licensee's trust account cannot meet all payments due to growers in accordance with the conditions and time limitations imposed under the Bill, then that provision should apply.

The provision for short-term investment of trust funds is quite desirable. In the present economic climate of high interest rates and short-term investment, it is quite foolish for money not to be invested for a short term. Investments from trust funds have to be approved by the Treasurer, which makes eminently good sense.

Naturally, it will be a continuing requirement for a licensee's books to be audited, and the registrar will be empowered, as he is now, to obtain from the licensee whatever information is necessary to satisfy him that proper procedures are being observed. One does not need to look far for precedents relative to difficulties with trust funds and, therefore, to accept the desirability of that provision.

The Bill proposes that in any case in which a wholesaler acting as an agent wishes to make any reduction from a grower's return because of dumped produce, then upon request from the grower the wholesaler must supply a certificate by an appropriate officer. That certificate will specify the nature and the expense of the downgrading or condemnation. That points right at what I might call the greatest area of contention between the grower and the agent. Such a provision is a must, and I support it. If it is implemented correctly, it will go a long way towards determining the rights and wrongs of a dispute.

No doubt any member who has had anything to do with the fruit and vegetable or farm produce market has heard allegations that a grower has received a notification that produce has been dumped when he claims to have evidence that the produce has in fact been sold. This will be one of the most useful provisions in the legislation.

Where the Committee of Direction of Fruit Marketing is concerned, I see that the Fruit Marketing Organisation Act is to be amended to provide for automatic registration of the COD. That also is as it should be. I know that there is dissension among agents about the function of the COD and certain so-called privileges that it has in the market. I do not concur with those thoughts. The COD was constituted with a very definite function in mind, and although, perhaps, it does not always comply exactly with its original charter, by and large it has done a very good job for the farm produce industry, and I have no reason to wish to whittle away any of the conditions under which it operates. Again, it is commendable that agreement has been reached to the extent that it has between agents, as is shown in certain provisions in the Bill.

I know that in practice there have been loopholes that have allowed malpractice. There have been investigations of fraud—unfortunately, not with any determinate results—and no doubt legislation never will eliminate with absolute certainty either the malpractices or the allegations of malpractice. I agree, though, that the Bill will go a long way towards tightening up practices that have developed in the marketing of fruit and vegetables over recent years. No doubt if it becomes evident that any loopholes are still open for what one might term shonky dealing in the future, the industry itself will consider further legislation to deal with any omissions or remissions that might need to be provided for.

Mr INNES (Sherwood) (5 p.m.): I suppose the first point that should be made is that the application of this legislation is not confined to the Brisbane Market. It has general application throughout Queensland wherever there are farm produce agents. That point has not been made clearly enough. In saying that, I am not ignoring the fact that the biggest and most sophisticated fruit and vegetable market in Queensland is just outside my electorate at Rocklea.

Obviously many Government members who have been growers know the ABC of the industry, but perhaps not everyone understands that a grower has several options open to him when dealing with his produce. He can sell direct to a local merchant or agent or to the COD or he can consign his produce to agents in Queensland or in other States. No grower is compelled to send his produce to any particular place. The agent does not have a captive audience. Obviously growers will over-produce to make a living, and they have to find a market somewhere. The Rocklea market is very large, efficient and modern. Anyone who has visited it must have been impressed by its facilities and the co-ordination of the services and operations provided. Trucks arrive from all over Australia with as good a range of fruit and vegetables as can be found anywhere in the world.

Obviously problems arise in transactions conducted at a distance. When a grower considers the price he receives and the charges of the intermediaries he thinks that something is wrong when he sees the high price charged in a shop. Every person involved believes that he should get more for the part he plays in production and sale.

The fact that goodwill can exist was testified to by the honourable member for Mourilyan. He spoke about the farmer on whose property he worked, who was prepared to stick with an agent in Perth. The reality is that this type of operation depends on trust. The majority of agents have regular customers to whom they offer a good deal in good and bad times. When an agent does not have captive suppliers he has to offer a fair deal to remain in business. Goodwill exists, but we cannot legislate to ensure that it does. Perhaps the maintenance of an open market and multiple options ensures that a fair deal is likely to emerge.

On another occasion I told honourable members about visiting the market when a very large consignment of Victorian apricots was condemned. The fruit looked magnificent but, it was found to be mushy and rotten in the centre. Case after case was in the same condition. It was obviously with horror that the producer was contacted immediately by phone. The agent, with the market officers reinforcing his words, informed the grower that his fruit, which looked magnificent, prime produce on the exterior, no doubt because of one of the vicissitudes of the refrigeration process—

Mr Davis: And transport.

Mr INNES: Yes, that would be right.

The grower was told that, because of the vicissitudes of the refrigeration process and transport, the consignment was absolutely unsaleable. That would be a very difficult pill for him to swallow. No doubt it would result in the human reaction of believing that something had gone wrong somewhere and that the fault did not lie with him. There are clear suspicions that can arise out of trading. In the end result, the checks and balances that provide for the maintenance of honesty are available.

An agent's licence is a valuable right. The right to occupy one of the bays at the markets is a very valuable right. It is not one that a person will readily jeopardise. The Minister pointed out that changes have been made to practices that have led to confusion. Those changes have not had their focus in the Brisbane Market but generally throughout the industry. The way in which a merchant can transact his business can conflict with the general concept of agency. The two are totally different. Real consequences flow from a person's buying direct or buying and selling on conditions. The legal concept of agency has always carried with it special obligations. Those obligations are reinforced by the terms of the legislation, some of which are contained in the Bill.

The legislation follows the reality of the market-place that invariably occurs when a Government tries to legislate about a trading situation. The facts, circumstances and practices will change, and the legislation will have to catch up. In this case the legislation appears to be catching up. The Minister should be commended for the clear process of consultation in which he has engaged over a significant period to glean the fears and worries about all aspects of the industry and then acted in a manner that gives respect to those fears and establishes a fair basis for all parties.

As I have said, the principles of agency are reinforced in the Bill. The principles of accountability are also reinforced. If there is accountability, established documentation and an obligation to maintain documentation, that material can be shown to the umpires, the inspectors or other persons, such as the producer, the grower or his representative, to reveal exactly what has happened to the produce and the basis on which the transaction was conducted.

The member for Gympie referred to condemnation notices. They are an important link in the chain. The agent must have the ability to satisfy the grower that everything was above board and that the process of correspondence and documentation coincides with the story that he has told the grower on the telephone. Many people fail to realise that it is a very fast-moving industry. Things are done on the nod or on the telephone. Prices go up and down like the proverbial yo-yo. The condition of fruit and vegetables can deteriorate with delay. There is an enormous amount of trust, as there must be. That underlies whatever one does by way of legislation to achieve things such as accountability and the documentary appearance of propriety.

The two most important aspects of the legislation are the reinforcing of accountability to stem or to stop the cancerous suspicion that exists. Growers sometimes say that they have been ripped off. However, there is very little proof of it. Very few documented cases come to light. There is a niggling and somewhat cancerous suspicion that is expressed frequently. On most occasions, facts cannot be found to vindicate that suspicion.

Mr Blake: The markets are highly competitive.

Mr INNES: They are indeed, and that is what keeps the whole operation as clean as it is. Anyone who doubts that should visit the Brisbane Market. I have no doubt that he will be offered every facility to view the whole exercise.

Another matter I raise concerns the operations of the COD. It is not surprising to find that the honourable member for Bundaberg, Mr Blake, has a natural affinity with the COD. The COD has been in operation for a lengthy period.

Mr Davis: And it is a very good organisation.

Mr INNES: It is a unique organisation. Compared with the ordinary agent, it trades at an advantage. It enjoys a tax advantage that cannot be altered by this legislation. Just as the agents are required to have their operations scrutinised, so, too, should the COD have its operations scrutinised. As far as possible, it should operate on the same terms as the agents and be subject to the same competition as the agents.

Mr Lee: It doesn't pay tax, though.

Mr INNES: This Government cannot alter that.

Mr FitzGerald: It doesn't make a profit; it all goes back.

Mr INNES: As the honourable member for Lockyer knows, it enjoys other benefits and returns.

From this Government's point of view, the COD should operate as much as possible on the same terms as the agents. Notwithstanding its favourable position, the agents have continued to prosper and to attract support. I and, I am sure, the agents are pleased to see included in the Bill those provisions that make the COD more accountable and subject to the same type of managerial requirements as those that it imposes. That is as it should be.

With your indulgence, Mr Speaker, I shall refer to a couple of clauses now rather than at the Committee stage. Under clause 41 (1A) the Committee of Direction is exempted from the operation of certain sections of the Act. Among those sections is the proposed section 30. I crave the indulgence of the House, because I should like to short-circuit the procedure at the Committee stage.

Mr Davis: Which clause is this you are talking about?

Mr INNES: Clause 41 exempts the COD from the operation of section 30.

Mr Davis: Righto.

Mr INNES: The honourable member for Brisbane Central should eat a lot more veges. Stunted growth and short-sightedness are clear signs of lack of fruit and vegetables.

By the proposed section 30 the agent will be required to have a special account, called Farm Produce Trust Account, which will be subject to a variety of requirements as set out in that section. For good reason, the COD is exempted from that provision. It does not have such a single identifiable account, and its funds are mixed with other payments, such as levy payments; so its situation cannot be compared directly with that of the agent.

However, the COD will not be exempt from the provisions of the proposed section 30A, which deals with the maintenance of certain funds. It is designed to ensure that funds are maintained at a level that covers the obligation the agent has towards the grower.

That section is predicated upon the existence of a Farm Produce Trust Account and, without such a trust account, it would seem to me that the section has no real meaning, and that the phrase "with necessary modifications", which appears later in the Bill, does not get over the initial legal problem that no Farm Produce Trust Account is held by the COD nor, as we understand it from the point of view of practicality, can it hold one.

I ask for a reassurance from the Minister that the spirit of that section will be observed and that, having regard to the differences, there will be a requirement on the COD to comply with the spirit of that section. The matter has been raised before, and I would be grateful to hear the Minister respond to it and to give some reassurance about it.

In the end result, I think it is fair to say that, having regard to all sides of the industry, the proposed legislation is as good a deal as can be gained. The deal has been gained after consultation and after hearing the views of all sides of the industry. I understand that the legislation is appreciated by all sides of the industry. It brings matters up to date. It is therefore modern legislation, and it should operate for the benefit of a fair and honest market in fruit and vegetables in this State.

Mr FITZGERALD (Lockyer) (5.17 p.m.): I am pleased to join in the debate. Previous speakers have referred to the operations of the Brisbane Market. Although I am aware that the Brisbane Market is a very important section of the fruit and vegetable marketing industry in Queensland, the Lockyer Valley is the next largest market area in Queensland for vegetables.

I think that some of the changes that this legislation is making to the traditional farmer/merchant transactions are far-reaching. A considerable quantity of produce leaves the Lockyer Valley each week-end, and the bulk of it goes to the southern markets

in Sydney and Melbourne, and at times to Adelaide and Perth. People in Brisbane are probably under the misapprehension that the Lockyer Valley is totally dependent on the Brisbane Market. I assure members who represent Brisbane electorates that only a fraction of the produce grown in the Lockyer Valley finds its way into the Brisbane Market.

One or two farmers in the Lockyer Valley could meet the requirements of the Brisbane Market for considerable periods of the year. I think that three onion growers in the Lockyer Valley and one potato grower operating at maximum capacity for a couple of weeks or a month would keep the Brisbane Market in a state of glut. It must be recognised that the major markets for the heavy produce grown in the Lockyer Valley are interstate.

Quite a chain of merchant transactions takes place before produce is transferred from the farm into the consumers' hands in Sydney or Melbourne. The money has to travel along a long path to get from the consumer to the primary producer.

I was rather interested to note that although the Bill provides for amendments to update the legislation in line with changes in fruit and vegetable marketing and to overcome problems, a review of similar legislation has been undertaken in New South Wales and Victoria. I would like the Minister to inform me what stage those States have reached with their legislation, and whether it is similar to ours.

Mr Ahern: They are waiting to see how we go with ours.

Mr FITZGERALD: Obviously Queensland is leading the way once again.

It has been said before that legislation is enacted to keep honest people honest. It is very difficult to legislate to stop shysters. This legislation gives a great deal of protection to those who are rather nervous about their transactions. Providing they have taken into consideration its provisions, they can fall back on the legislation. They must have agreement with what will now be known as a farm produce commercial seller before they sell their produce.

Most marketing presently done in the Lockyer Valley is done by agreement between a merchant and a farmer on the nod, as has been said before, or on the telephone. There are no witnesses; merely complete trust. When a person establishes a name as a primary producer or as a trusted merchant, he must honour his word. It has been traditional that if a person says he has top quality produce, the merchant can look at it and inspect it. But after he has been inspecting the produce day in and day out, the merchant will often say to the primary producer, "What is it like?" He knows the primary producers who tend to overestimate the quality of their product, is wary and inspects it. The adage is: let the buyer beware. However, if a product breaks down in a southern market and there are kickbacks, any primary producer worth his salt will make good the value of the produce or take a discounted price. If he has complete trust in the merchant, he will take his word. If there is disagreement—of course, disagreements arise when people are not convinced that their produce has broken down—it is only fair to have a trusted person in Sydney or Melbourne make an inspection and give him an opinion of the condition of the produce.

I know that disagreements occur after the issue of a condemnation note or when somebody says, "Your produce has been condemned." I speak with some experience in this field. Trading as a partnership, on occasions we have been advised by our local merchant that produce has broken down. On one occasion we were informed of that in a time of glut. When the semi-trailer driver returned to the Lockyer Valley a couple of days later, we got the full story from him. After a few more phone calls, the merchant had straightened it out.

The agent in Sydney had ordered too much of the product. When ours turned up, which he had ordered from the merchant, he told the semi-trailer driver to stand the load in the sun for two days. Naturally enough, because of heat damage to the top of the load, the produce was condemned by an inspector. After a phone call to the merchant in Gatton, the merchant in Sydney was advised that he had taken delivery when he told the driver to wait; that he should have made an inspection of the produce at that time. When that was pointed out, a miracle happened. The produce suddenly became saleable. The top layer was taken off, a reinspection was ordered and took place, and the whole semi-trailer load of produce was unloaded and sold to a waiting market.

Dr Lockwood: What sort of produce was it?

Mr FITZGERALD: Water-melons. That goes to show what can happen unless there is complete trust. Admittedly, our merchant was very suspicious. However, we work on an honour system. All farmers at some time have produce that they believe is in excellent condition and, when it eventually reaches the market, it has deteriorated. A person is fooling himself if he says that that does not happen from time to time. If there are genuine reasons, the agreement should be honoured. It will be honoured if a person wishes to sell to the same merchant with the same trust. That is the basis of all the dealing in the Lockyer Valley over many years. People have trust and confidence in each other.

No legislation can force people to be trustworthy, and I know that the legislation does not attempt to do so. However, if a farmer has some doubts about a merchant, a written agreement can be drawn up prior to sale or the conditions of sale can be agreed to. In that way they can be honoured.

One thing that has concerned people who supply large quantities of produce is the equity that some merchants have in their business. Over a number of years, producers have dealt with merchants who seemingly have been very honest men. However, those merchants have conducted their business and supplied produce to southern agents whom they believed to be completely honest. In turn, other people, who are believed to be completely honest, can also be supplied. One of the southern firms might have a change of ownership, even though its name is unchanged. It might always have paid within 30 days of receiving the produce, but suddenly the time is stretched to six weeks and then to two months. By that stage, the bulk of the season in the Lockyer Valley is over, and the local merchant is caught and is unable to meet his commitments. He has not been paid and he does not have the equity to be able to pay for the produce that he has handled in those couple of months.

The provision in the legislation that allows for the inspection of books is very laudable. I would like to see most farmers establish an agreed time for payment with their merchants. When they are doing so, I hope that they take into consideration what probably will come in by way of regulation for standard Brisbane Market transactions, that is, payment within seven days. My reason for saying that is that sometimes the produce has been eaten months before the farmer receives his cash. The cash must be in the system somewhere, because housewives who go to stores in Sydney to buy potatoes, onions, pumpkins or whatever cannot buy vegetables on the tick; they must pay cash. The cash is in somebody's hands.

When the greengrocer goes to the markets, he has to pay his account in cash. If the produce goes through a market in Sydney, payment has to be made within so many days—I think it is seven. However, what causes the system to break down is that many distributors in the South buy from merchants in Queensland and do not put the produce through the market system but deliver to the retail stores or to packing houses. If those distributors get behind in payment, it is a long time before the whole chain of events catches up. In the long run the local merchant and the farmers from whom he has purchased produce are put at financial risk. Other honourable members have mentioned failures of the order of \$200,000 and \$300,000 that have occurred. When farmers who have dealt with somebody they have trusted for a number of years lose \$10,000, \$15,000 or \$20,000, they are unable to pay their bills, and that has a very bad effect on the community generally.

I draw the attention of the House to a problem to which I have no solution. It involves the discrepancy in the price that a farmer receives for his produce and the price that the housewife has to pay for the same produce. Recently I rang up some Coles New World Supermarkets to find out the prices of a couple of major items, that is, potatoes and onions. I was informed that at present brushed potatoes sell for 49c a kilogram. The presentation of brushed potatoes involves virtually no processing. Washed potatoes sold for 59c a kilogram. At present in the Lockyer Valley farmers are receiving from 6c to 7c a kilogram delivered to the local town.

The price of potatoes is \$60 to \$70 a tonne. I also point out that in any retail store in southern Queensland at present brown and white onions are selling for 49c a kg loose, and for not much more in 1 or 2 kg bags. Farmers are receiving 12c a kg for brown onions and 15c a kg for white onions, and 16c for choice onions, in some cases. That is the price when the onions are landed in town.

If this legislation helps to facilitate the quick exchange of money between consumer and farmer, it will be a boon. Competition should develop in the industry if the rules are the same for all farm produce commercial sellers. I believe that sufficient competition will be generated to force the price down. I admit that there is a glut at present, and consumers are unable to consume any more produce. I realise that that is a marketing problem.

We all know that the consumption of fast foods is on the increase, just as we have all seen the blitzkrieg advertising campaign being conducted by fast foods outlets such as McDonalds and Kentucky Fried Chicken, although I do not wish to denigrate the chicken industry. McDonalds and the Pizza Huts are blitzkrieging the community with their advertisements. A recent survey carried out in America showed that more children knew Ronald McDonald than knew Santa Claus, which absolutely amazed me. It certainly shows the power of advertising.

The marketing of perishables has always been a contentious issue. I am not advocating, as would some members of the Opposition, the setting up of marketing boards for perishable products. I have seen such boards come and go, and they have always left a very bad taste in the mouths of a lot of primary producers. The reason is that under section 92 of the Commonwealth Constitution a product can travel interstate without any restrictions whatsoever being placed on it. When one is dealing with perishable commodities and primary producers, who are very much individuals and who wish to go their own way, who believe that they can make an extra \$10 or \$20 a tonne, or believe that they can sell their product at an agreed price and dispose of it at that price during a glut, the temptation will always be there for them to do so. I believe that if the Minister tried to legislate to control the consumption, distribution or production of perishable heavy produce he would run into a heap of problems. It has been tried, and I do not think the Minister could take any confidence from what happened in the past. I know that the motives of people who suggest such legislation are idealistic, but in practical terms there will never be a satisfactory solution.

There is a trend in our society towards the increased consumption of fast foods, and a lot of people are worried about their nutritional value. I recently read an article by Dr Alan Blum, the editor of the Medical Journal of Australia. He said that fast foods are high in saturated fats, salts and cholesterol and low in carbohydrates.

It is very important to remember that although most of those foods are high in protein they are very short of the necessary carbohydrates. All fast foods need to be supplemented with fruit, vegetables and cereals—particularly wholemeal cereals—to achieve a balanced diet. The details of analysis in the article are drawn from the work of researchers in the University of New South Wales School of Food Technology, led by Professor Ron Wills and Dr Heather Greenfield. Their important research on Australian foods has been published in the past two years in "Food Technology Australia". Recently, I read the following interesting passage, which was published in the October 1982 edition of "Better Homes and Gardens", under the heading, "Nutrition Guidelines"—

"Unlike simple carbohydrates such as sugar, complex carbohydrates furnish nutrients, too. And these foods—fruits, vegetables, whole grain breads and cereals, beans, and nuts—also provide dietary fiber, something most American diets need more of."

We are starting to follow the American trend of using fast food outlets. Most of our children now eat an average of 1.3 meals each week at fast food outlets. That trend will become more pronounced. It should be noted that most of our American cousins suffer overweight problems because of their diet. For the good of the nation, children must be encouraged to eat more fresh fruit and vegetables. If they did so their medical bills would not be as high.

I support the legislation totally, although it is not the answer to all the ills in the industry. I hope primary producers do not gain the impression that, with the passage of this legislation, they can depend on fair dealing. If they make sure that they have an agreed basis for pricing their products they will receive protection under the legislation. Because of the inspection of the books of farm produce commercial sellers I believe that less damage will be done if any of them become bankrupt. An honest trader running a viable commercial enterprise will welcome inspection of his books. His suppliers can have every confidence in his meeting payments when they are due.

Dr LOCKWOOD (Toowoomba North) (5.37 p.m.): I am delighted to take part in this debate. I am sure that the Bill will go a long way towards ensuring fair play in our markets. At the same time, it will guarantee the best return for growers whether they sell on farm, on consignment or on commission. A single mark-up will be made when produce is handled by one of the new group of people who are to be called "farm produce commercial sellers". In the past, one of the problems has been that, within the one shop, produce is purchased by one person, sold to his brother, partner, or an employee, or sold outside the shop and bought back, with a subsequent mark-up. That practice will come to an abrupt end with the passage of this legislation. The legislation will also ensure the best deal for consumers because it removes the mark-up and unfair practices engaged in by middle men.

One of the problems was that goods could arrive at the markets in three different categories of possession. Goods owned by farmers could be sold by an agent on commission. Technically, they could be the property of a merchant who agreed to pay a price for them, or agreed to a pricing basis such as, "If the market hits \$10 I will give you \$8 for the average produce and \$10 for the best of it.", which would mean that the agent could sell the produce for a much higher price to his customers.

Massive on-farm purchases are made. Brokers purchase goods from the farmers in bulk in New South Wales, Victoria or Queensland. The broker is responsible for paying for those goods at the farm. They are his goods at all times during transit. He can sell them for whatever price he likes. Three or four years ago I reported to the then Minister for Primary Industries (Mr Sullivan) what was clearly a fraudulent practice. An agent had bought goods for himself, sold them to an employee, purchased the goods from his employee, marked up the price of the goods and sold them again in his own name. That practice was discovered following a chance meeting between the grower and the retailer who swapped notes about their payments and receipts. It was a clear case of fraud. Unfortunately, the documentation that was kept by the agents in those days did not provide sufficient evidence to prove a charge of fraud.

On the one hand, there was a return slip that was sent to the grower; on the other hand, there were receipts from the retailer. That was not a universal practice, but it was a common practice in the market. Anything that can be done to wipe out that practice will be welcomed by growers and consumers.

Control of the trust account is also necessary. I am sure that it is one problem that has caused a great deal of concern to the Minister and his department. It has been discovered that growers, having sent in their produce and having it sold at the markets for a fair price, after the passage of a month or more still have not received a cent from their agent. Agents have been gambling on the market by making huge on-farm purchases, perhaps in the South, when there have been local shortages. Two or three days later, when the produce arrives in Queensland, supplies have been received from local producers and the agents have been caught with a great deal of high-priced produce that could not be sold at a profit. The agents gambled with their trust accounts. They were unable to pay the ordinary farmer who sent in his produce on commission or consignment. If that happens again, those persons should be prosecuted. They are not playing a fair game with the other agents at the markets. The Minister is conferring with his advisers. I can assure him that that has occurred. Although I do not know the eventual outcome, I am sure that the Minister's advisers do. Anything that can be done to ensure the eradication of those practices should be welcomed by everyone in the State.

Hon. M. J. AHERN (Landsborough—Minister for Primary Industries) (5.44 p.m.), in reply: I thank all honourable members for their comments and support for the legislation. The debate has been helpful. It has allowed a proper assessment of the legislation to be made. Members have had an opportunity to debate matters concerning the fruit and vegetable markets throughout the State, which has been useful. I assure all honourable members that the points that have been made will be carefully assessed by my officers and, where possible, the suggestions implemented.

At the outset, I would make particular reference to special advice I have received from my parliamentary colleagues. The fruit and vegetable industry is not easy to

understand. I have received particular help from the honourable members for Carnarvon, Redlands, Gympie and Lockyer because of their particular association with the industry. They have helped me tremendously.

I now wish to make some general comments. First of all, the fruit and vegetable industry in Queensland has an extremely good record of achievement. Even though the Government is legislating to protect the rights of growers who consign produce to wholesalers, the growers can have confidence and trust in the fruit and vegetable wholesaling industry. In the 18 years in which this legislation has been in force, none of the major default problems that have caused concern in the interstate markets has arisen in Queensland.

I compliment all of those people who have been associated with this very difficult review of the legislation. It has gone on for some years. The growers and their organisation have approached the problem constructively, as has the Chamber of Fruit and Vegetable Industries, which represents the agents.

Indicative of the positive way in which these people approach their industry is the fact that many are in the public gallery listening to the debate. They have been constructive and helpful in the consultative process that has led to the formulation of this legislation. I recognise that. It has been a pleasure to deal with those people. They have been honourable in their commitments to me. I thank them for that, and I believe that as a result we have better legislation.

I now want to make special mention of the efforts of the Committee of Direction of Fruit Marketing and its general manager, Tony English. He is in the gallery at the present time. I make particular reference to him as someone who has been of great help to me during his long association with the industry. The COD is an effective force not only in Queensland but throughout Australia in representing growers' views and in marketing fruit and vegetables. I also make reference to the chamber, many of whose representatives are here. They are constructive and helpful people.

The honourable member for Murrumba, who led the debate for the Opposition, raised questions as to how merchant transactions will operate under the Bill. A grower and a merchant will now be able to agree on a pricing basis as well as having to agree to a price sight unseen. This basis could relate to an average of sales on a wholesaler's floor on the day of delivery or to the official market quote for that line. It is proposed to encourage growers and wholesalers to have agreements, preferably in writing, that will clearly lay down the agreed basis, what consideration if any would apply to fruit and vegetables returned by retailers or other buyers, and how disputes will be settled.

The Bill clearly lays down the procedure for a farm produce commercial seller who is acting as an agent and who wants to make deductions from a grower's return, and that is that a certificate must be attached if the grower asks for it. This matter has been raised by a number of honourable members who were concerned about condemnation of produce. The legislation provides for a certification process, and that is the protection given to the growers. We hope that it will overcome a lot of the difficulty that has existed up to the present.

In the case of a merchant, the position is different in that if produce is accepted on delivery, ownership passes to the merchant. It is then the merchant's responsibility to deal with any problems relating to subsequent sales. That matter was raised by honourable members. I think it was the honourable member for Gympie who asked when ownership passes from the grower to the agent or to the merchant. I think I have clarified that matter.

Several honourable members referred to the wording of clause 24, which amends section 32 (c) (9). I think the honourable member for Carnarvon raised this matter and asked me to make specific reference to it. Concern has been expressed about the provision that will allow the registrar to advise any person of the findings of an investigation. I can understand why the matter was raised, but I want to state categorically that under no circumstances will the registrar divulge information that would be prejudicial to the interests of the wholesaler concerned, unless there was a clear case of fraud. The registrar needs to be able to provide advice of findings to a complainant grower or to his solicitor or agent, or, in the case of suspected fraud, to the Fraud Squad or other specialists such as accountants or computer operators.

The registrar is bound by the laws of the Public Service and by common law not to prejudice the business interests of or to defame a person. There is no question in my mind that that particular power will be abused. It will be closely monitored.

Other members have referred to the provisions of proposed new section 30A, which provides that a licensed farm produce commercial seller must maintain certain levels of funds in his farm produce account so as to be able to meet all debts owing to growers who have consigned produce on an agency basis. The liquidity test provided for in this section, together with other safeguards, such as the order of payment of moneys from the trust account and the requirement to notify the registrar of likely defaults, combine to form a package of protection for grower funds. I think that is generally accepted.

The question that has arisen relates to the application of this section to the COD. The provision, in terms of clause 41, will apply to the COD. However, recognising that the COD is a body set up under an Act of Parliament that is subject to strict Government audit and that it operates only one account into which all moneys received are paid, the provision will have to be applied with modification. It will be the responsibility of the registrar to ensure that the spirit of the Act is observed. It is certainly the spirit of the Act, and the acceptance by the COD to act within the spirit of the Act, that will give equal treatment to agents and the COD. That is the spirit of the legislation, and that is the way in which the legislation will operate.

The honourable member for Redlands raised a question relating to fidelity bonds. He asked whether the provisions of the Act would be sufficient to cater for the situation if farm produce agents got together and formed a central fidelity or guarantee fund. The answer to that question is, "Yes". The definition of "fidelity bond" has been expanded to cater for other than policies of insurance.

The honourable member also asked whether a commercial seller who wanted to make a deduction for produce condemned should provide a certificate to the grower at the grower's request. The answer to that is certainly, "Yes". If, upon request, no certificate is supplied, there can be no deduction.

The honourable member for Redlands raised a question about commission rates. Commission rates will continue to be fixed, as now, by regulation. The power for a Minister to seek advice on any matters is there, should it ever be needed.

The honourable member for Redlands asked about the inclusion of the COD in the legislation. I have nothing but praise for the efforts of the COD. The inclusion of the COD in this legislation is simply to ensure a uniform approach for all sales to COD floors and other wholesalers. If different rules applied, it might create confusion in the minds of growers.

The honourable member for Carnarvon gave honourable members information about a survey that he conducted in his electorate so that he could present the views of his growers to the Parliament. I compliment him for his initiative. I found the information very interesting. I am sure that the industry will be interested in the results that he has obtained. The matters that he mentioned which relate not to this legislation but to other areas of my department will certainly receive consideration, as he has requested. The matters that he raised which relate to the Bill are certainly important and have, in the main, been satisfactorily covered by the Bill.

As to fidelity bonds and merchants—the position is that if a seller is operating exclusively as a merchant, he is relieved of the necessity to have a fidelity bond. If, however, after gaining exemption he trades as an agent, he is obliged to immediately take out a fidelity bond. The penalty for a merchant who abuses the concession is quite substantial, and I am sure that sellers operating as both agents and merchants will hold the bond.

As the honourable member indicated, there is considerable co-operation within the industry. The Bill is designed to foster co-operation.

The honourable member for Carnarvon raised also the matter of spot checks. Although the legislation is aimed at encouraging confidence and better forms of agreement between growers and wholesalers, there is provision for the registrar or the inspector to carry out spot checks to ensure that all procedures and bookkeeping are properly carried out. That will happen.

The honourable member for Mourilyan mentioned interstate trading. It is the intention to license persons who operate either as agents or as merchants in Queensland. It is essential that Queensland traders operate on terms as favourable as those under which interstate traders operate. Action will be taken to ensure that that happens.

The honourable member for Gympie spoke about liability for offences under section 49 of the Principal Act, which is not being amended by the Bill. However, as he rightly pointed out, that section will apply to the Committee of Direction of Fruit Marketing. It will now apply to all licensed farm produce commercial sellers.

However, it is worth stating that in most convictions monetary penalties will apply, and the application of the section would be a matter for the court. I draw the honourable member's attention to the specific provisions of subsection (3)—

"No person who is proceeded against pursuant to this section shall be convicted if he satisfies the court that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to all the circumstances."

There does not appear to have been any problem over the years in the application of that section of the Act to other commercial sellers in the market; so I would not expect any problem in its application to the COD.

The member for Toowoomba North raised several matters. I advise him that there is now a liquidity test for farm produce commercial sellers. They cannot withdraw from their trust accounts moneys that would prejudice their ability to pay agency transactions. Those, with other provisions already mentioned, offer the producer his best protection for a very long time.

The legislation has been co-operatively drafted in consultation with the industry, and that consultation has continued over a very long period. It is not designed to put anybody down in the market; it is not directed at any particular section. I assure all those who are involved in the very successful Brisbane Market and in other sections of the industry throughout the State that although the provisions of the Bill will be monitored closely, they are not intended to be punitive. The intention has been to update and upgrade and provide legislation more appropriate to the needs of the community in the '80s. If any problems arise in practice, I will certainly be ready to recommend to the Government that further reviews take place to include constructive suggestions that are made.

It is not intended to require unnecessary documentation where it is clearly not in the best interests of the industry. Therefore, I will be prepared to listen and to make the appropriate recommendations. I recognise that the Brisbane Market has done a very fine job for the industry in this State, and it is important that that fine performance continue in the future.

Motion (Mr Ahern) agreed to.

[Sitting suspended from 6.1 to 7.15 p.m.]

#### Committee

Mr Row (Hinchinbrook) in the chair; Hon. M. J. Ahern (Landsborough—Minister for Primary Industries) in charge of the Bill.

Clauses 1 to 13, as read, agreed to.

Clause 14—Repeal of s. 22 and new ss. 22-22C—

Mr KRUGER (7.16 p.m.): I ask the Minister for some clarification on this clause. The proposed section 22 deals with restriction on farm produce commercial seller purchasing consignments, and it deals with the purchasing of consignments from other organisations involved in the marketing structure. I realise the good intent of that. The proposed subsection (3) of section 22 reads—

"Notwithstanding the provisions of paragraph (a) of subsection (1) a farm produce commercial seller acting in the capacity of a farm produce agent may, in the circumstances prescribed (but only if such circumstances are prescribed), purchase from his principal—

(a) a large and unannounced consignment which due to its size would cause market disruption if offered for sale at that time "

It seems to me that that wording is contrary to the earlier wording of the clause, and I ask the Minister for clarification on the direction in which he intends the Bill to go.

I have discussed with various people the matter of oversupply in an effort to achieve some way to distribute such a crop in a way that is beneficial to the industry generally. I ask the Minister for clarification on that.

Mr AHERN: I am advised that the conditions in relation to this particular arrangement will be prescribed, and that is the operative question. A special provision has been incorporated in the Bill because these sorts of things do occur from time to time and they create special problems for agents, and so there had to be a recognition of that in the legislation. But there will be further consultation in relation to the prescribing of conditions in relation to that and as to how it will work. There will be consultation specifically with agents. That provision has to be in the Bill, and after there has been consultation the regulations will be laid down.

Mr KRUGER: I am sure the Minister appreciates that the way the Bill is worded it is a little bit hard to understand the actual intent. I am sure that when it comes forward in the prescribed form it will be acceptable.

Mr McKECHNIE: The proposed section 22B provides a requirement to register associated persons. I realise the register will be kept by the registrar but I want to know who will have access to it. Will growers have access to it?

Mr AHERN: The Bill incorporates a provision in respect of confidentiality of business generally. I am sure the honourable member appreciates the need for this. Because people are in business and are competing with each other, recognition has to be given to confidentiality. A grower will have access to that sort of information in regard to his own produce. There is recognition of the fact that he has an interest there. However, if a person was to go to the registrar to seek information on another grower's produce, that information would not be made available to him. A person will have access to information that concerns his own produce.

Mr McKECHNIE: I understand that a grower will be able to require that an agent not sell to someone with a beneficial interest, although that must be indicated in writing. How does the grower know whether he is selling to somebody with a beneficial interest so that he can send a debarring letter?

Mr AHERN: I think that a grower's concern will have been occasioned after some experience that he has had that he does not like. I think that that will be the practical application of the clause. I think that most growers now have agents. It is only after some bad experience or some area of conflict arises that a grower can go to the registrar and establish that sort of thing. The information will then be made available by the registrar rather than making available the full records held by him, because that would be divulging confidential matters which are of vital interest to the commercial sellers in the market. For obvious reasons that confidentiality must be maintained wherever possible. We have a duty to see that it is so maintained, and we will.

Mr KRUGER: The new section 22C relates to restriction on the use of premises. I am just wondering how this would affect the COD with its multi-floor situation. Will commercial sellers there be confined to a particular area? I believe that bean seeds are stored on the floor for sale, and I was just wondering how that tied in.

I also have a query in regard to selling from trailers. I understand that it is illegal to sell from trailers, but that format is still often used, particularly when a commercial seller goes to a farm. A commercial seller is now allowed to purchase, load the trailer and travel interstate. This activity could probably be quite easily controlled at Rocklea or any other major market, but how can inspectors police it on farms throughout the State?

Mr AHERN: I think selling from a trailer is controlled by local authority by-laws. I believe that people still have to obtain a police permit for hawking and activities of that nature. I am advised that there will be no problem in that regard.

Mr Kruger: What about the COD floor?

Mr AHERN: It will not affect COD at all.

Clause 14, as read, agreed to.

Clauses 15 and 16, as read, agreed to.

Clause 17—Amendment of s. 25; Account of moneys received and their application—

Mr KRUGER (7.24 p.m.): Reference is made to a prescribed period, and I understand from what I have heard that it could be 30 days. A number of people are interested to know whether the period will be 21 days or 30 days. Can the Minister give the Committee an indication of how long the period will be?

Mr AHERN: The honourable member would appreciate that there has been a tremendous amount of consultation in respect of all these matters, and it is with some pride that I can come to this Assembly with a very difficult piece of legislation like this and say, "There is substantive agreement among all the parties that compete in this area in regard to the proposition before us." There are a few matters outstanding, and they will be the subject of further consultation. It is certainly not a fait accompli, that the period will be 30 days. We want to have further consultations with people in the market, and with the growers, and there are meetings scheduled for next week. I hope that that matter will be determined at that time. It will be laid down in the regulations, which will be tabled in the House and subject to disallowance in an appropriate debate if they are not satisfactory.

Mr McKECHNIE: The growers in my area have discussed this matter. They are hoping that the period will be 14 days. I know that the Minister cannot make a commitment now, and I am not asking him to do so. I should like his officers to take into account the fact that that is what the growers in my electorate prefer.

Mr AHERN: The honourable member has gone to a great deal of trouble to establish what his growers want relative to this and other legislation. They appreciate that, and I certainly do. I do not see it as a fait accompli that it will be more or less than 14 days. I will certainly take into account the representations made by the honourable member for Carnarvon.

Clause 17, as read, agreed to.

Clauses 18 to 21, as read, agreed to.

Clause 22—Repeal of s. 30 and new ss. 30 and 30A—

Mr KRUGER (7.26 p.m.): Proposed section 30A has probably caused most of the discussion in this debate. I had lengthy discussions about it with people in the industry. I see both points of view as they relate to the COD and the chamber. I have weighed the matters that I think are in the best interests of the growers and the industry generally and have included some of the knowledge that I have gained over the years in dealing with the market as a producer. Clause 30A refers to the level of funds to be maintained. Subclause 1 (a) deals with money invested from a produce commercial seller's farm produce trust account pursuant to section 30, from which the COD was exempt, and subclause 1 (b) and (c) are in these terms—

"(b) moneys standing to the credit of his Farm Produce Trust Account in respect of farm produce sold on behalf of a principal; and

(c) the prescribed percentage of moneys payable to the farm produce commercial seller on account of farm produce sold or disposed of,"

That seems to be fair and reasonable. The problem is that certain sections in the industry believe that it is an undue, unnecessary provision. They believe that the COD should toe the line and be subject to the ordinary restrictions. In his earlier speech, the Minister indicated the great difference in the composition of the COD and how it operates because of the controls exercised by the Government representative and the various other people from the producing side who are associated with the COD.

This matter has caused me a deal of concern. I realise the needs and requirements of both sides. In weighing the matter up I must say that the industry is covered exceptionally well by the fact that the COD can be excluded from this part of the Bill and because of the scrutiny that it is subjected to by way of the Government representative and the fact that its books are examined. The Government will be well satisfied that the affairs of the COD are run properly.

Earlier this evening, the Minister said that certain people from the COD devoted a lot of work to this measure—and so did people from the chamber. Possibly the COD could be easily excused. Clause 41, which amends section 6A (1A) of the Fruit Marketing Organisation Act excludes the liquidity test. Because of the way that the COD has proved itself over the years and because of the Government connection, no real problem will arise in excluding the COD from this provision. That was not an easy decision to make. Apart from the fact that there is control, the COD was formed when private enterprise left a little to be desired in the market-place.

At present, those people realise that today they have more responsibility to the industry than they did in the days when the COD was formed. I read the Act that established the COD and examined it very closely. I checked some of the details and thought behind it. That organisation has worked successfully. It can only be as good as those representatives on the committee who make sure that that organisation works in the best interests of the industry, particularly the growers. I compliment the Minister for the decision that he has made and for the way in which the COD has worked.

Mr AHERN: I understand what the honourable member was trying to say. With this review of the legislation we have tried to introduce a whole new set of procedures into the market-place that will provide a better degree of traceability and accountability. When all of those new procedures were being presented to other operators in the market-place, it was not unreasonable to say to the COD, "You operate in this market situation. These procedures ought to apply to you, too." The COD readily accepted that. That is the spirit under which the review of this legislation has been entered into. The COD has indicated that it will accept whatever checks and balances are provided in respect of an agent inasmuch as they can be implemented by COD. That has been the spirit of the legislation. I think that it has been accepted as such by the industry.

I have a very high regard for the COD. It has done an excellent job on behalf of producers in this State.

Clause 22, as read, agreed to.

Clause 23, as read, agreed to.

Clause 24—Amendment of s. 32; Inspection, audit, &c., by registrar, &c.—

Mr KRUGER (7.32 p.m.): The proposed subsection (9) refers to the result of any inspection, examination or audit carried out pursuant to the section (including reports in relation to the price for which farm produce is sold). It states that the registrar may advise any person of the findings of any inspection, examination or audit as he sees fit. In the case of reports in relation to the price for which farm produce is sold, the registrar may publish any such report. I would like the Minister to clearly spell out the intent of the Bill. Possibly the registrar could report to anybody who was not responsible. Obviously the intent is that it must go to a responsible person. Perhaps the matter should go back to the Minister for whatever action is required. However, there may be reasons for that and perhaps the Minister could spell out the intent of that subsection.

Mr AHERN: As I indicated previously, the construction that is being put on this clause by the honourable member is not intended. It is quite clear in my mind how it will operate in practice. I categorically state that under no circumstances will the registrar divulge information that could be prejudicial to the interests of the wholesaler concerned unless there was a clear case of fraud. The registrar needs to be able to provide advice of findings to a complainant grower, to his solicitor, to his agent or, in the case of suspected fraud, to the Fraud Squad or other specialists, such as accountants and computer operators. The registrar is bound by the laws of the Public Service and by common law not to prejudice the business interests or to defame a person. It is well known, well understood and well established that the Government supports the need for confidentiality in the businessmen who operate in the market-place. They are in competition with each other. Only in those special circumstances will information be divulged.

There is no possibility of providing information to a competitor, to a union representative or to someone else who might come idly by and ask a question. That is not on. I have outlined the way in which the provision will operate, and the Government will ensure that it operates in that way.

Clause 24, as read, agreed to.

Clauses 25 to 34, as read, agreed to.

Clause 35—Amendment of s. 45; Destruction of farm produce—

Mr KRUGER (7.36 p.m.): The proposed subsection (2) provides that a farm produce commercial seller acting in the capacity of a farm produce agent shall, if so requested by the grower, supply a certificate in relation to the casting away of farm produce. I believe that the supply of a certificate should be mandatory in the event of the dumping or disposing of any material. Perhaps it can be claimed that some people would not want such a certificate. I can recall that some time ago I rang an agent to inquire what had happened to a consignment of produce from my farm. He told me that it had been dumped. When I asked for a certificate, he could not produce it. The law provided that he should produce it.

As I say, the supply of the certificate should be mandatory, particularly as the Bill will speed up procedures, which will mean that produce will not be lying around on the agent's floor for very long. If an article arrives on the agent's floor and he considers that it is not fit for sale and should be dumped, and if he calls in an inspector to knock the produce over, if I might put it that way, he should be required to issue a certificate.

Earlier I referred to the control exercised by inspectors in an instance in which a producer consigns produce to the market, where it is found to be unacceptable and consigned to another market or another selling point. Sufficient inspectors should be appointed to cover that eventuality. The grower should receive a condemnation note indicating quite clearly that the goods have been condemned and dumped. The inspector should have the power to act in another place. A mandatory provision would be of great advantage. I should like to hear the Minister's comments.

Mr AHERN: I do not quite agree with the honourable member that in all cases, whether or not a deduction takes place, it should be mandatory to issue a certificate and to append it to the account sales docket. A dispute arises only where a deduction takes place, where an agent or a commercial seller determines that he will make a deduction from an account sales. That is the point at which conflict can arise and has arisen in the past, albeit in only a few instances. Nevertheless, if the grower is affected it is of importance to him.

In future, where a deduction occurs, appropriate certification from the Department of Primary Industries or the Department of Health will need to be provided and appended. It may be that in some circumstances the agent decides not to bill the grower for it. It may be that the grower is a good customer of the agent and the agent is prepared to sustain the loss himself. He may decide not to issue the certificate. It seems to me that he should be able to arrive at that judgment. In future, he will be required to provide certification only when he decides to make a deduction from the account sales. That is the safeguard that the growers have sought, and it seems to me that that is all they require.

Mr McKECHNIE: Some growers in my electorate are not convinced that on some occasions fruit is actually dumped. Despite the condemnation certificate, I am wondering whether it would be possible for the Minister's department to institute procedures that would give growers greater confidence that produce has been dumped by the accountable officers.

Mr AHERN: The Government licenses inspectors. Where certification is provided, it is the responsibility of the inspector to see that the conditions are complied with. Once appropriate certification has been provided, that will happen. If we find that it is not happening, it will be a matter of our supervision, and the inspector concerned can be dealt with appropriately.

Mr McKECHNIE: What the growers are looking for is an education program relative to the procedures for dumping. If growers knew the procedure that took place, they might accept it more readily. I am really seeking an assurance.

Mr AHERN: That is reasonable, and I shall discuss with the honourable member later how that might best be done.

Mr McKECHNIE: There is one other matter on this clause. Is it possible to widen the inspector's territory, if I may put it that way, so that there could be greater policing of retail stores? Perhaps the fruit could be inspected before it is sent to the market, train or transport depot.

Mr AHERN: The problem is one of money, staff ceilings and so on. If a greater degree of inspection is required, and that can be demonstrated clearly, we will see what we can do about providing the extra staff. I am not aware of a substantial problem in that area at the moment. The number of inspectors is related directly to the money that is available to us. It is a question of how far we can go. I shall certainly investigate any complaints that the honourable member has.

Mr McKECHNIE: I am thinking of the export of seed. Sometimes the officers in the relevant section of the department delegate authority to people in the country who do not normally deal with such matters. I am wondering whether DPI officers who normally do other jobs could be given limited training in this area so that they may carry out the necessary duties in isolated areas.

Mr AHERN: That is a matter that I can take up privately with the honourable member. As far as I know, the delegation in that type of situation would be to standards officers who deal with seed matters on the domestic market. I give an undertaking to the honourable member that we will certainly endeavour to police the situation.

Clause 35, as read, agreed to.

Clauses 36 to 42, as read, agreed to.

Bill reported, without amendment.

#### Third Reading

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

### FISHERIES ACT AMENDMENT BILL

#### Second Reading—Resumption of Debate

Debate resumed from 16 November (see p. 2359) on Mr Ahern's motion—  
"That the Bill be now read a second time."

Mr KRUGER (Murrumba) (7.45 p.m.): Most of the proposed amendments are acceptable to the Opposition. I appreciate that the Minister has given us every opportunity, considering the way our Parliament operates, to study the provisions of the Bill.

As the Minister said in his second-reading speech, the Bill tidies up some of the things that ought to have been done when amendments were introduced earlier this year. Much of the material before the House tonight is based on suggestions made by the member for Bundaberg. It makes the Bill even more acceptable to the Opposition to see that some of his input has been accepted by the Government.

The Act was amended in 1981, then by the Marine Parks Act 1982 and later by the Fishing Industry Organization and Marketing Act 1982. Tonight I will direct a great deal of my contribution to the Minister's second-reading speech. The Bill in itself is a fairly simple one and we must take the content as the Minister interpreted the amendments.

The Fisheries Act and the Fishing Industry Organization and Marketing Act are the two Acts that form the new basis for the overall management of the fishing industry in Queensland. There has been a great need to improve the industry and its management in Queensland. As the fishing industry in Australia becomes tied in to the Federal field, more and more aspects will have to be considered. It is heartening that some of the problems that the Opposition foresaw some time ago are now being ironed out. The industry will be improved because of that.

It is hoped that the reorganisation of the fishing industry provided for in the Acts to which I have referred and on which the Minister has commented will cover all the problems that Opposition members foresaw. However, if there are any further problems, we will be looking to the Minister to do what he has promised to do on other occasions, that is, act as quickly as possible to iron them out. That is the only way to support this

industry, which often has its rough spots. When I say "rough", I am not referring to the height of the waves. From time to time it seems to run into economic problems. It eventually overcomes them, but then it runs into further problems.

I see the need for controls over and above those contained in the Bill to stabilise the industry. I refer particularly to the importation of New Zealand and other fish into this country. We are producing all the fish we need and trying to stabilise our industry by safeguarding the fish population through the regulation of the catches taken from our seas and estuaries. We should not have to compete with an industry that is subsidised to dump cheap fish on our markets. We have sufficient problems of our own without having to worry about such things. I hope that the Minister will continue to do what he said this morning he would do with the sugar industry and other industries, that is, make sure that he represents Queensland fishermen particularly well in the Federal arena, where restraints on imports might be imposed. If we receive such an assurance from the Minister, we will have advanced a further step in safeguarding the industry.

The Minister said that amendments to the Fishing Industry Organization and Marketing Act will probably be introduced later this session. Legislatively speaking, this year has had it; but the session will continue into next year. The Opposition has certain suggestions to make that it believes would, if incorporated into that Act, have beneficial results for the industry.

I have been told by some departmental officers that one of the first things that will be undertaken when these amendments are incorporated in the Act will be research into the prawning industry with the possible result that some areas in South-east Queensland will be closed. The closure of fishing and prawning grounds is nothing new. However, a great deal of research needs to be undertaken.

Recently I was told that many people do not realise how fast prawns grow. Some people have been taking undersized or very young prawns which, had they been left for another couple of weeks, would have grown to a size that would be more acceptable to the industry generally as well as to purchasers. That type of research will be conducted after the Bill is assented to.

The Bill has some provisions that relate to the management of fisheries and conservation. The Opposition welcomes the conservation of the wetland areas and general habitats of fish, prawns and crabs. For many years the Opposition, local authorities and others have challenged some of the developments that have destroyed those areas. The proposed Raby Bay development and the Iwasaki development at Corio Bay will have an effect on the breeding grounds of these species. The problems ought to be ironed out so that the Government has some control over the taking of any of those wetland or habitat areas. The Bill does seem to contain certain provisions that will make it harder for those areas to be developed, so that fish, prawns and crabs will be able to grow in their natural habitats. That will certainly be an advantage both to the community and the industry.

The Bill also defines the administrative areas of responsibility between the Fish Management Authority and the Department of Primary Industries. Some people in the industry with whom I have spoken are very pleased with the Bill. They understand what will happen in the future and that could possibly lead to a strengthening of the organisation. With the exception of licensing for oyster farming and pearling activities, licensing powers will be vested with the authority, and consequently reference to that is removed from the Fisheries Act. So that is making the thing clear so that everybody can understand it. Some doubt has been expressed about the composition of the authority, so perhaps the Minister could enlighten the House on that.

The Director of Dairying and Fisheries will be responsible for the research aspects of the fishing industry, together with the licensing aspects of the fishing industry and those relating to pearling and oyster farming, and the Chief Inspector of Fisheries will be vested with authority to administer the Fisheries Act. That is common sense; people in the industry like that idea and the Opposition does not oppose it.

I have mentioned the aspects of management and conservation; there is still room for improvement. The Bill also raises the status of fish habitat reserves, which I have also mentioned.

Probably one of the most important things in relation to this industry that has been debated in this place over the last few years is the crabbing industry and the taking of undersized and female crabs. The Bill certainly tries to control that. There may

be complaints from some people about the severity of penalties imposed on those who offend against the provisions of the Bill. Anybody who is honest has no need to fear the increased penalties. Many crabs have been taken from Queensland waters and transported interstate. Those who are doing the wrong thing to that extent will have to accept the increased penalties.

I am very happy that a specific offence and penalty for assault on fishing inspectors has been created. They do not have a very nice job, particularly when they have to deal with irate people who do not want them to have a look at the crabs and fish in their boats. But fishermen have to accept that, just as motorists have to accept the consequences if they are caught breaking the traffic laws. Fishing inspectors should be protected, although I have heard some stories recently about some of them. I will not mention names, but the Minister will be aware of the people I am talking about. It is an ongoing saga. Certain people may be receiving rough treatment following things that have been said. Apparently a problem has built up over a period.

But if inspectors are to be protected, the department has to be very sure that they conduct themselves in a proper fashion. The department should ensure that they perform in the best possible manner so as not to irritate or annoy anybody they pull up. It is not a one-sided deal.

Most inspectors do an honest job, although I have heard of an inspector who was shifted here from North Queensland because he was a bit suspect. I have not been able to prove that. I hope that my information is incorrect and that all inspectors are responsible people. If heavy penalties are to be imposed on people for breaking the law, the department has to ensure that the people enforcing the law conduct themselves in the best possible manner. If that is done, everybody will benefit from the legislation.

Special permission is to be given for the breeding of fish for certain purposes. Fish-breeding is increasing in importance, and any industry that is increasing in importance ought to be given the opportunity to perform. The Bill's provisions will be a great help to the industry.

Without going into details, I record that I am also happy about the provision relating to the return of equipment. In the past there have been problems about the return of equipment that has been seized. At present, where hardship can be shown, only nets are able to be returned. The Bill's provisions are a great improvement, and most people to whom I have spoken are fairly happy with them. The only people who will not be happy will be those who continue to offend. The Minister and his departmental officers will be very pleased to be able to return boats or nets if a person is entitled to them.

I also like the move to protect a boat that has been seized. The people familiar with handling a boat will be allowed to stay with it. Quite often a great deal of equipment is involved and it could be dangerous if it was used by somebody who did not fully understand its operation. Such a person could damage the boat or equipment. The people who generally operate the boat are entitled to that concession. At present it is just like a policeman ordering a car off the road. The owner has to leave the car with the police officer and can get it back only after certain repairs have been made.

My next point is not covered by the Bill. More positive action could have been taken to encourage fish-breeding hatcheries in order to improve existing species and encourage the development of new species. I am also pleased with the limit placed on the size of the gopher that can be taken. It seems to be a reasonable provision.

I have also been concerned about the content of some of the Press releases issued in the past couple of years. Every second day there seems to be something in the newspaper about the fishing industry. I want to quote a couple of articles to round off what I have been saying.

The first article to which I refer appeared in "The Sunday Mail", under the heading, "Fishermen hit by poor catches". Part of it reads—

"The multi-million dollar Queensland fishing industry has been caught in a net of economic recession that is threatening to squeeze the life out of it.

Scores of fishermen each month are becoming increasingly disillusioned with poor returns. Prawn boats on the north-east coast and in the Gulf are battling yet another year of poor catches."

I am referring to these Press articles to show that the industry is not as viable as it should be and to emphasise that restrictions should be imposed so that more fish, prawn and crabs will be available in the water. If that happens the industry will be viable. At the same time people who want to go fishing or crabbing will be catered for. If possible, good supplies of fish and crabs should be available for both the professional and part-time anglers. If more research is carried out, everyone will be much happier.

The next article I refer to is headed, "Prawners in trouble". Part of it is in these terms—

"Southport prawn fishermen are in the middle of their worst season since 1975, retail prices for prawns are high, and it is unlikely the situation will improve for some time, according to the fishermen's Gold Coast spokesman."

One week after another, fresh problems arise. I refer to another article headed, "Freshwater fish research paying early dividends". The first part of the article reads—

"The ever-increasing freshwater storages throughout Queensland may one day provide fine fishing due to the efforts of a fisheries research branch hatchery on the Atherton Tablelands west of Cairns."

I read that because I mentioned earlier the need to continue with research.

The Government could well say that its approach is realistic and that only lack of money prevents it from doing as much as it would wish. Any research in the fishing industry, be it into fresh or salt-water fish, will be advantageous. Fish is becoming more popular on the table and people are certainly enjoying fishing as a sport. Unfortunately crabs and prawns are being priced out of the reach of the average person. They make a much more expensive meal than fish.

I am not throwing flak at the Minister or his staff but, in the past, people have been allowed to take prawns and crabs illegally. I do not envisage many people objecting to the penalties in the Bill. If fishermen play the game and consider their sons and daughters as future fishermen, even if only on the sporting side, they should not object to the penalties. It is to be hoped that the inspectors do their job properly and do not bludgeon people in an attempt to raise revenue. Opposition members are looking for good, honest control of the industry. They trust that is how the Bill will work. If it does, it will certainly go a long way towards effecting improvement. Many of the provisions in the Bill were suggested by Opposition members when the legislation was last before us. This Bill tidies matters up. It seems to be good, sound legislation.

Mr TENNI (Barron River) (8.4 p.m.): I am very concerned about certain matters. One provision in the Bill proposes to raise the status of fish habitat reserves to that which presently applies to marine parks. In my mind that would cause considerable trouble in the far north coastal land of Queensland, particularly in the area that I represent. I think of the problems associated with fast development in that area and the requirements for sewerage schemes which, 9 times out of 10, are designed for low-lying areas. Even if that is not so, the sewerage lines more often than not have to be discharged into the sea. It is extremely important that this matter should be considered. It would be very stupid if all such matters had to come to Parliament because the development of a complete sewerage system could be held up by just one small problem.

Some of the so-called fish habitats that are located in areas along the coast of North Queensland are so dry that if I had a large bottle of Abbots lager, hung it out over the mangroves and tried all the tricks in the world to get fish there, it would not be possible to do so, because the water does not cover the area.

Mr Casey: If you used NQ lager, you might get them.

Mr TENNI: One might have a chance with NQ lager.

Some unusual areas are set aside for fish habitats. There are problems associated with the areas set aside for garbage disposal. The Mulgrave Shire Council obtained special permission to use a section of the fisheries habitat at Yorkeys Knob for that purpose. Alternatively, that section was taken out of the habitat.

I am worried about the proposals that provide for the same status as a marine park. Reasonable land that is set aside for fish habitats could not be reclaimed. Some of that land could be used by golf clubs and other sporting bodies. It should not be

necessary to come back to Parliament to have that changed. Within the next six to twelve months, when the Treasury comes good with a large subsidy for the Mulgrave Shire Council's sewerage scheme, a passage out to sea will be needed that passes through fish habitats and mangroves. Later I will comment on that in more detail.

The Minister stated that a provision has been inserted in the Bill to enable the establishment of wetland reserves. The Minister stated also that it is envisaged that those will be, in the main, in the area at the head of the fish habitat reserves. That would involve a similar problem. The Minister will have to be very careful if he includes such a clause in the Bill. Problems could be caused to rural industries; problems could arise with drainage boards and cane farmers.

I wonder what the Minister can do about the protection of groper. Apparently the legislation is designed to protect gopers following an incident in which a pet groper was shot. That has created such a hullabaloo that all gopers will now be protected. When I was a young man, people were more worried about gopers than sharks. They thought that, although it was possible to scare away a shark, a groper would swallow them whole.

In another part of the Bill, reference is made to the protection of female and undersized crabs. Once a year gopers leave the reef because barnacles have grown over their eyes. They go up the rivers into the fresh water, which kills the barnacles. When the barnacles fall off, eyesight returns to the gopers and on their way back to the reef they swallow every crab in sight. They do not take any notice of the laws; they eat female crabs and undersized crabs. I do think that protecting gopers will really affect the crab population in the creeks.

Over the years gopers have been caught at the mouth of the Mossman River. Each Christmas, four or five large gopers have been caught there.

Mr Casey: Some people have a larger appetite for seafood than Russ Hinze.

Mr TENNI: I do not want to be nasty. I have always thought that a little bit of dirt thrown is a lot of ground lost. I will not be in that at all.

The effect on the environment could be reversed, because groper have been caught in the Barron River, Thomatis Creek, the Mossman River and the Newell salt-water creek. They have been caught everywhere since man first set foot on the land. I do not know what the Minister will do about the Aborigines, because they have been catching groper for many years. They have been spearing them and catching them on large lines. I do not know how the Minister will stop them, because they seem to have all the power in the world anyway. They have more rights than a white man has. The Minister should consider taking that provision out of the Bill.

Spear fishing on the reef does not give the fish a fair go. I have never been a spear fisherman; I am a line fisherman. I do not like spear fishing, nor do I like net fishing. It is a different story, of course, with an organised club.

Mr Randell: Spear fishermen do take excessive quantities of groper.

Mr TENNI: In that case I am in favour of spear fishermen, because groper take excessive quantities of fish and crabs.

One point I should like to make is that I was not aware that a person was not allowed to pick a mangrove leaf. There are many times when a person fishing down on the river-bank is not near a toilet; he would need to pick a mangrove leaf. But that eventuality is not provided for in the Bill. It provides that mangrove leaves can be picked only by fishermen for the purpose of covering crabs. I have done that myself. The leaves keep the crabs alive and fresh.

People go out on rivers in small boats for a pleasant day out. They might happen to pull up under a mangrove tree to get a bit of shade. If a mangrove leaf happens to fall in their boat, and an inspector comes along and sees the leaf, they can be fined. That is the silliest provision I have ever seen.

Mr Moore: They may want to break a branch off to knock the mosquitoes out of the way.

Mr TENNI: That is right. They may also want to break a branch off so that they can light a smoke fire to keep the sandflies away. That eventuality is not covered by the Bill. Apparently the Bill is designed to keep the sandflies and mosquitoes alive. Some allowance has to be made for the circumstances that I have outlined.

Some time ago a silly provision was included in the Act, providing for a maximum of three funnel-type set crab-pots and six open-type drop pots. Each one had to have the person's name on the float, and so on. That provision is rubbish. We do not want to see such a silly provision in this legislation.

I go along with the provision that deals with an assault on a fisheries inspector. However, in years gone by some of those inspectors verbally assaulted people. I have not heard of any such incident recently. In the past they were completely over the fence in their attitude to fishermen in general. Their conduct left a lot to be desired. The Bill should protect people from officious fisheries inspectors, who can virtually create a situation in which a person who is verbally assaulted for long enough will do something. When he does that, he is in trouble; but the bloke who makes the verbal assault gets off scot-free. That provision, too, should be looked at.

As to female and undersized crabs—I go along with the undersized crab aspect, but at one time the Minister was looking at the possibility of allowing the catching and keeping of female crabs over a certain size. Apparently a female crab over five or six inches in length no longer breeds. If that has been proved, such a crab should be classified in the same way as a buck crab is classified; people should be allowed to catch it and eat it.

I ask the Minister to inform honourable members of the position relating to the introduction of Nile perch into this country. I am very keen to see Nile perch introduced into the Tinaroo Dam, for example, and other water-ways throughout Queensland. They are a wonderful sporting fish. A tremendous number of light-tackle sport fishermen in this State would love the opportunity to go to a dam, such as Tinaroo Dam, and use light tackle to fish for Nile perch.

I was hoping that the Bill would have contained a provision relating to the total destruction of salt-water crocodiles in Queensland. I believe that they are unnecessary. One day we will be sorry for what we are doing to protect them. Someone we know will be taken by a crocodile and we will say, "Oh, we should have done something about it." I was hoping that the Bill would have overridden the view of the National Parks and Wildlife Services and provided for the total destruction of salt-water crocodiles. If that was the case, many barrumundi and other fish would be saved. Perhaps the Minister might consider that matter in the future.

Mr CASEY (Mackay) (8.17 p.m.): I never cease to be amazed at the philosophy of some members of the National Party. If one followed through to the end the philosophy that the honourable member for Barron River has just espoused, one would say that the easy way to reduce the road toll would be to get rid of all the motor cars on the roads.

Mr Tenni: It would work.

Mr CASEY: Yes, it would work, but I am sure that the member for Barron River would be the first fellow to squeal his head off if he had to stand up on his big flat feet and walk.

I wish to raise a couple of matters relative to this Bill. The first relates to something that is happening tonight. I have seen it happen so often in this Chamber. I am not too old in years and I have not been a member of this Assembly for a long time, although I am one of the more senior members of it, but I suppose that if I had been given \$100 for every time that legislation has been introduced to amend other legislation that had been criticised only a matter of months before, I would not have to worry about my superannuation.

Just six months ago a Bill similar to the one that we are now discussing was introduced into this Chamber. I can recall the member for Bundaberg, who was then my shadow Minister for Primary Industries, pointing out a number of matters, which are now included in this Bill, and saying that they should be included in the Fisheries Act. I have spent nearly 14 years in this Parliament, and I have found that amending legislation has to be introduced simply because of the pig-headedness of the Government or because Ministers will not accept amendments moved by Opposition members.

Irrespective of how political we become from time to time, all the brains in this Assembly are not on one side of the Chamber. The brains are evenly shared among members on both sides of the Chamber. Opposition members have as much to contribute as Government members to the legislation that comes before this Chamber from time to time. It is a shame that we have to spend so much time amending legislation. If amendments had been accepted at the time of the original legislation, the amending legislation would not be necessary. I compliment the member for Bundaberg for the expert knowledge that he displayed about six months ago. As I say, many of the things that he said on that occasion are included in this legislation.

One thing has not been tidied up in this Bill. I have spoken about it previously, and I will speak about it again now. I think that it is one of the most unfair aspects of the legislation in Queensland.

I hark back to questions that I have asked in the Parliament. In 1978 I thought that I was starting to get somewhere because of an answer that I received from the then Minister for Maritime Services, the member for Townsville West (Mr M. D. Hooper), who was in charge of fisheries. I refer to the taking of turtles and dugong by Aborigines and Torres Strait Islanders. Currently the legislation restricts the taking of turtles and dugong to those who are actually living on reserves or on Torres Strait Islands. Their take is restricted. We have a large Aboriginal and Torres Strait Island population throughout Queensland, but especially Torres Strait Islanders. They are completely prohibited from taking turtles and dugong and have actually been fined for being found in possession of turtle meat or dugong meat, which to them is as natural as a feed of steak and eggs is to the average Caucasian member of this Assembly. That provision is most unfair.

In 1978, the then Minister said that he was prepared to give some consideration to the granting of permits to nominated Aborigines and Islanders living outside reserves for the taking of those animals on a limited basis for communal celebration of traditional feast days. I again ask the Minister and the Parliament to take that into consideration.

Mr Moore: There are no dugong left.

Mr CASEY: That is not correct at all. There are plenty of dugong available. What happens at the moment is that there is an unnecessary slaughter from time to time. There are plenty available that could be taken as I have suggested.

I have raised the matter time and time again. It is traditional food to those people. Taking it away from them is akin to telling a Pommie that he should not eat plum pudding at Christmas time. That is how traditional it is for them. It is part of their island heritage and part of the heritage of Aboriginal tribes that live close to the coast. If they could take a dugong or capture a turtle, they would all have a feast. I make a plea, especially on behalf of the Torres Strait Islanders who are living in various coastal areas of Queensland. It is traditional to them and something they enjoy. It is as natural to them as is ham to us at Christmas time. We would not appreciate legislation forbidding ham to be eaten at Christmas time. That is as traditional for Australians as dugong is for those people on the special occasions when the island people have their feasts. We would not dare to say to all the Irishmen in the community—or, for that matter, to those of Irish descent—that they should not celebrate St Patrick's Day in a traditional Irish way. Not on your Nellie! There is no way in the world that we would be prepared to do that or to tell a Scotsman that he could not celebrate St Andrew's Day. In exactly the same way, Torres Strait Islanders should be able to celebrate their traditional days and their special feast days in the special way to which they have been accustomed—by being able to take and taste dugong and turtle meat.

We are quite happy to bring those people out of the Torres Strait area to do the dirty jobs and the hard work in the sun, as fettlers on our railways or labourers building our new railway lines. But, when it comes to their having a feast or a special day, we say to them, "No. You cannot have your traditional food. You cannot be allowed to take it. You cannot celebrate the day with those of your ilk in Queensland." For several generations their families have lived in our provincial coastal cities, especially in North Queensland. The Aboriginal people on Palm Island are similarly denied such access. The Aboriginal people at Yarrabah, who are in close contact with turtles, can launch their boats and take them; but the Aboriginal and Torres Strait Islanders in Cairns, which is across the bay, cannot, simply because they do not live on a reserve.

Mr Blake: Do you think that the Government may outlaw the meat pie in the future?

Mr CASEY: That would be as traditional to us as dugong and turtle are to Aborigines and Islanders. But even that is not quite right; dugong and turtle meat has special significance for Torres Strait Islanders.

The legislation denies to Aborigines and Torres Strait Islanders who do not live on reserves the right to eat one of their staple foods, even on the special occasions of feasts. I have been present as an invited guest of Torres Strait Island people in my electorate who celebrated on turtle. I do not know whether it was legal or illegal; I did not partake of it myself. Those people ate the turtle meat and followed the special ceremony that is involved. Dancers surrounded the carving of the turtle meat. The women also have a special way to act in relation to the whole ceremony.

Mr Yewdale interjected.

Mr CASEY: I have never tasted turtle; I have never tasted dugong. As I have said, I like the taste of the traditional foods of my ancestors. I hope that the Minister has legally tasted turtle.

Mr Ahern: I have tasted it legally on the reserves of North Queensland.

Mr CASEY: That is all right. I guarantee that if the Minister was present when the reserve people followed through the traditional ceremonies, it would have been a most enjoyable occasion.

However, I ask the Minister: Why deny that right to those who do not live on reserves? Why should that right be denied to those who are earning a living in Australia? I have heard National Party members of this House criticise Aboriginal and Islander people and speak about them as being "black people who sit on their bums and do nothing and put their hands out to take money from the Government." Yet those who are working in Australia are denied their traditional foods. I again make that plea. There is a case for a special take on special occasions for Aboriginal and Islander people, and I want the Department of Primary Industries through its Division of Dairying and Fisheries to give great consideration to this matter so that those people have that opportunity.

Mr Ahern: I am afraid I do not have the palate for sop-sop. I do not know whether you have.

Mr CASEY: Many people have different preferences for food. There are some fruits that I would not eat that perhaps the Minister would eat, although I am not a bad tooth man; I will eat almost anything at all, as the members for Rockhampton North and Lytton will probably certify.

However, Aboriginal and Torres Strait Islander people also like their traditional foods as much as I like a feed of steak and eggs or a bit of silverside and boiled spuds. I think they should be given the opportunity of partaking of their traditional foods on those special occasions. I ask the Minister to consider that so that Aborigines and Torres Strait Islanders will be able to receive special permits to enable them to partake of turtle and dugong.

Hon. M. J. AHERN (Landsborough—Minister for Primary Industries) (8.28 p.m.), in reply: The legislation that is before the House at the moment is part of a package of legislation that is designed to give effect to the Government's present policy to generally relate the fisheries resource throughout the State to the capacity of the fleet to exploit it. That is the overall policy of the department at present and it is the policy that I wholeheartedly endorse.

The word is "management". Whether it be the barramundi resource, the east coast prawn fishery resource or whatever, there is a certain biological resource and the department's overall philosophy is to try to relate the capacity of the fleet to exploit that resource to the capacity of the resource to sustain it. That means management!

It is a philosophy that has been implemented in other States of Australia; it is the way that most countries have gone in the management of their fishing resources. I am sure most honourable members support that approach. But when one gets down to

the tin-tacks and practicalities of it, it is not as easy to do because it means regulations; it means policing; it means establishing entitlements to certain fisheries to the exclusion of others and an immense amount of regulation and legislation. So it is not easy. But it is a philosophy that I whole-heartedly endorse, and I believe it is vital to the future of the fishing industry in this State.

There is an impression around that we have an abundant fishery in this State, but that is simply not the case. The situation is that we do have, in world terms, a very limited fishing resource, and there is now developing, both in the commercial area, and in the amateur area, a tremendous capacity to exploit those resources, and to over-exploit them to the stage where the resources are under threat, and some are gone. The history of fisheries around the world shows that there are many fish resources which did exist but, due to over-exploitation, they are now gone forever. We do not want that to happen here, and through management we want to see our fishing industry continue in perpetuity so that our sons will have a fishing industry. That is the reason why we are bringing forward these amendments, and others. That is the general philosophy of the department, and I believe it to be right.

The honourable member for Murrumba generally supported the Bill, but he asked for a special comment in relation to imports of New Zealand fish. Commonwealth and State authorities have visited New Zealand for bilateral discussions. I have had discussions here with New Zealand fishing authorities as well as discussions in New Zealand about this problem. The closer economic relations policy with New Zealand addressed itself to the question of fish imports. However, there is a demand for this type of sea perch and fish distributors are only attempting to supply the demand that is there.

The honourable member also asked for a comment in relation to the development of aquaculture in this State. That is something which we whole-heartedly support and are trying to encourage. The department operates a successful freshwater breeding fishery at Walkamin on the Atherton Tableland. We recently sent an officer to Thailand to examine the breeding of barramundi, and he has returned and presented a report. He will be presenting a further report shortly, which I hope to make public in an endeavour to make this sort of information available to the industry in the State in the hope that it will result in the long-term aquaculture of this very valuable species.

One of our officers, Mr. Haysom, is presently in Africa looking into the importation of Nile perch. The honourable member for Barron River asked me how this is proceeding, because it has his whole-hearted support. Other members have very strongly supported the proposal the Government is embarking upon. It is a long-term project. Importation guide-lines have been laid down by the Federal authorities, and they will make it extremely difficult for us to do it, but we are determined. We have made the investment in relation to facilities on the Atherton Tableland, and their construction is proceeding. We will undertake the necessary procedures that are required to bring in this fish, and I hope that in the very long term it will live up to expectations and that we will have a fish which is the equivalent of the barramundi but can breed in freshwater impoundments. I hope that we will see an excellent sporting fishery develop in the warm waters of northern Australia. The possibilities are immense. I have been very pleased to be associated with this visionary project. It has not been easy, but we are proceeding. The department is also planning a two-day seminar on aquaculture in March next year to advance local knowledge, and members will be advised of that. Those who are interested will be invited to attend, and at that time we will endeavour to impart whatever information we have to the general public. We will assist those people who are interested.

The honourable member for Barron River referred to marine parks, fish habitat reserves and wetland reserves and the proposal in the legislation to have three types of reserves. First is the fish habitat reserve, which will be the equivalent of the marine park. It will be revocable only by the Parliament. Next is the wetland reserve, and third is the fish sanctuary. These categories will be introduced only after full consultation with the industry and local groups. It is extremely difficult to satisfy all parties, but I assure the honourable member for Barron River that full consultation will take place. If he cares to discuss particular matters immediately—for example, the fish habitat reserves in which he cannot see any fish because the area is bone dry—I will be interested in hearing his representations. I consider the matter to be so serious that the House must be consulted before any withdrawal is undertaken. I repeat that if he has certain representations to make, I will certainly listen to them.

As to the wetland reserves—there will be a capability to introduce drainage. After the passing of this legislation, the areas about which he spoke will not be as unassailable as the fish habitat reserves will be. The new status of reserves is being provided in this legislation in an attempt to conserve the resource while still providing an element of flexibility in its use. Consultations will be entered into. I invite the honourable member to make personal representations about his area.

The honourable member for Barron River also referred to the protection of mangroves and suggested that the Government might be overreacting. It is liberalising the current provision. The Act covers mangroves to protect foreshores and fish-breeding grounds and to prevent erosion. A permit is required to destroy mangroves. That provision was inserted for good, valid reasons.

Mr Casey: I would not use the word "liberalise" when the Premier returns to the House.

Mr AHERN: The honourable member is being facetious.

Protection is needed on good, valid, biological grounds. Fish biologists all talk about the survival of a species in terms of its biology being related directly to the mangrove environment. It is a vitally important part of the chain; it is critical. The two substantial factors in establishing a fishery from year to year are the environmental or climatic factors that apply during the spawning period and the habitats. The habitats are critical. Although it is easy to see good reason for the destruction of the habitats, every biologist to whom I speak says that the high-priority habitats must be maintained or the resource will disappear. It is very difficult to argue against that. The fishermen's lobby, be it for commercial or amateur fishermen, is constantly drawing my attention to the need to protect the mangroves.

It is not well understood that a fair amount of re-establishment of mangroves is taking place. In many places, mangroves are re-establishing themselves readily. The amendment, which permits a person to use mangroves for a common purpose, is an improvement on the present legislation. I do not know whether we can cater for the other purposes referred to by the honourable member. Perhaps an exemption should be provided.

The honourable member referred to the provisions in relation to gropers. I respect his sincerity. Representations have been made by the Commercial Fishermen's Organisation and the Amateur Fishermen's Organisation in this State. They were consulted about the remedial measures that ought to be undertaken. They both supported the amendments. Knowing how the honourable member feels, I can only suggest that the gropers might eat the crocodiles for him and solve some of the problems in his area.

He also referred to belligerent inspectors. Inspectors come under the control of my colleague the Minister for Harbours and Marine. A very substantial effort is made to train those officers. I have no doubt that from time to time problems are encountered. However, with training, those problems are being overcome. Fishing inspectors operate constantly in my electorate. I can honestly say that a complaint has not been made against them for many years. They perform a very difficult job. They operate in remote areas without protection. I would not like to undertake their job. Because of the difficult duties that they undertake, protection should be given to them under the law.

The honourable member also referred to female crabs and suggested that there should be a review of the decision to completely ban the taking of female crabs. The question of dwindling crab supplies available to Queensland fisheries is of major concern to the Government. The present size of 15 cm has been determined to protect the breeding source. A crab research program is being undertaken by the fisheries research biologist, but the information is not yet available to enable a relaxation on the prohibition on the taking of female crabs. Beliefs about the lack of breeding ability of female crabs over a certain size have not been substantiated. Until such time that proof is available one way or the other, a relaxation of the present law would be inappropriate.

The honourable member for Mackay referred to the taking of dugong and turtles by people on reserves. A provision presently exists that applies to those persons who have lived there for a very long time. It is understood by the Government that on ceremonial occasions they should be permitted to take these particular species that are otherwise

protected. They are protected for very good reasons. The dugong is an endangered species. They are in very low numbers. There is a distinct possibility that they will disappear from our waters altogether if their exploitation is allowed to continue. That is a simple fact of life. The provision applies also to turtles. When people live away from reserves out of the indigenous situation, is it not reasonable that there should be one law for all of the citizens of our State? Is it reasonable that there should be one law for an Aborigine, a Torres Strait Islander, a Greek, or someone else? It is reasonable that where endangered species are currently protected by the law, that law should apply equally to everyone. We ought not to depart from this fundamental principle of equality in the law, regardless of colour, race or creed.

Mr Yewdale: You would have to be joking.

Mr AHERN: It is a reasonable proposition and one that most people would accept, particularly when a species is endangered. I strongly support that principle, the Government supports it, and there is an understanding in the general community about it. That is why it is not appropriate to depart from it, and it will not be departed from.

Mr Yewdale: Do you think there is equality in the law? I am talking about overall, with your Government.

Mr AHERN: Progressively the Government is implementing equality in the law, where there is not discrimination on the basis of race. If we discriminate, we will make trouble for our children. The situation that I have outlined is one in which there must be equality in the law.

As I have said, this legislation is part of the Government's management policy in respect of the fisheries of Queensland. It is supported by the Commercial Fishermens Organisation and the Amateur Fishing State Council, with whom the Government consults regularly.

Some other matters will arise during the Committee stage. The honourable member for Murrumba referred to the Fish Management Authority legislation.

Motion (Mr Ahern) agreed to.

#### Committee

Mr Powell (Isis) in the chair; Hon. M. J. Ahern (Landsborough—Minister for Primary Industries) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—Commencement—

Mr BLAKE (8.48 p.m.): Clause 2 deals with the commencement of the Act. I wish to refer to some matters that should be resolved before the Act commences.

Earlier this year, when the previous Bill was brought forward to amend the Act, the Opposition was pleased to find that the Minister accepted an amendment to the constitution of the Fish Board to provide for the appointment of three representatives of commercial fishermen. The Opposition was not successful in having the Government agree to an amendment to provide for an increase in the representation on the Fish Management Authority. We are hopeful that the Government, when reconsidering this Bill and before the commencement of the Act, will allow for greater representation on the Fish Management Authority.

A large number of people are engaged in the catching of fish and seafood products, many dangers are associated with the profession, and large amounts of capital are tied up in the industry. So it seems obvious that the representation on the Fish Management Authority should be increased. The Opposition has put forward such an argument on previous occasions. In many other primary industries—the Government accepts that fishing is a primary industry—greater representation is provided for on the management authorities of those industries. We feel that before the Act commences to operate, the Government should give thought to increasing the representation of the commercial producers within the industry.

There should be a greater realisation of the need for the conservation of the resource that is dealt with in the Bill. The Bill deals with the declaration of areas, wetlands and other areas for the preservation of fish and fish habitats. I think that the greatest worry

within the fishing industry, and perhaps in the management of the fishing industry, is the number of undersized products that are taken by people in the industry. Only this week the media carried reports about the taking of large quantities of small prawns in areas close to Brisbane. It was demonstrated that if only the undersized prawns had been allowed to mature for another three weeks, the available catch would have been greatly increased. I do not believe that any other natural resource is allowed to be destroyed or raped to the extent that fish are at the present time.

It is no good preaching conservation and declaring conservation areas if the Bill does not provide that the products in those areas are not to be harvested prematurely; in effect, destroyed, even though they are in habitat areas.

I have received depositions from people in the industry, with particular regard to beam trawling in what might be called the nursery areas within rivers. I doubt whether any honourable member in this Chamber has not received some complaints about the size of boats now operating in nursery areas. At one time a beam trawler was considered to be a small boat with a small catching ability. I believe that at present the law provides for boats up to in excess of 29 feet, or just under 30 feet, with tremendous catching ability provided by the trawling apparatus that is used. They are very efficient fishing machines and are playing havoc in the nursery areas at the mouths of rivers.

On another occasion I asked the Minister to explain the perverse logic within the fish management side of the industry whereby it is considered that the number of beam trawlers operating north of Noosa will decrease their fishing activities in the rivers because there is no control over licences. By the same perverse logic, beam trawlers have to be licensed to operate south of Noosa because it is claimed, in reverse, that licensing is necessary to reduce the number of trawlers operating south of Noosa. There is great concern in the industry about how this philosophy can apply in reverse north of Noosa and south of Noosa. Boats operating south of Noosa have to be licensed because the fisheries management claims that that will reduce the drain on the fishing resources within the rivers; yet the contrary argument is used for boats operating north of Noosa. They are not licensed or restricted, and it is said that that will reduce the fishing in the nursery areas.

Whatever the logic might be and whatever the result might be, we cannot overlook the type and size of beam trawler that is now in operation, the size of the catching trawl and the amount of water it fishes. It is high time—and people in the industry think so, too—that those responsible for industry management reconsidered the wisdom of allowing such large and efficient trawling operations to continue in what are referred to as nursery areas.

I now leave the subject of nursery areas within the rivers and deal with the aspect of conservation outside those areas as contained in the Bill. Similar remarks apply to otter trawling out at sea. On many scallop grounds, fishermen are allowed to catch scallops of an extremely small size. Were there some type of control and were scallops allowed to develop to a profitable, marketable size, the resource would increase to a great extent. The same applies to prawning areas. It is not now an offence to catch immature prawns. It makes one wonder what the point is in providing restricted areas for the breeding and growth of seafood if, the moment they move out of those areas, they are allowed to be caught before they mature. On the one hand, it seems to be a progressive step to be concerned about the growth of the product and the nursery areas; on the other hand, it seems to be absolutely self-defeating to allow the catching of the immature product the moment it moves from those areas.

It is no use saying that the problem cannot be overcome. It can be overcome by imposing restrictions on the sale of prawns below a certain size. It can be overcome by restricting the mesh of nets to a certain size in given areas. As has already been done, it can be done by restricting the times of the year when boats are allowed in given areas. Time limits are applied for barramundi, because the breeding period extends from 1 November until the end of January. There is a closed season for that period. I do not see why it has to be an operation restricted to calendar months. Marine biologists operate within the industry. If the sizes vary from year to year because of conditions, I do not see for a moment that it would not be possible to monitor the size of the prawn, scallop or whatever it might be each year and set the catching times and the catching areas so that seafood production is maximised. Until we consider that, we are not only being defeatist in our attitude but we are also nullifying many of the well-intended conservation measures provided in the Bill.

One of the provisions of the Bill deals with honorary rangers and penalties that are designed to protect them and inspectors. Admirable though the provision might be, it contains certain dangers. I could speak about the honorary rangers who have taken advantage of their position to exclude others from a protected area so they could harvest to their heart's content for their own benefit. I recall in earlier years one honorary ranger—no names, no pack-drill—who was very fond of duck-shooting. He was given control of a swampy area where ducks were quite plentiful. He carried out his duties as an honorary ranger very assiduously and conscientiously in respect of everybody else. Nobody else dared to go into that area to shoot ducks. However, as far as he was concerned, for his own benefit that area was open slather and open season. As I say, no names, no pack-drill, because that gentleman has gone to the happy hunting grounds in the sky, and I hope that the ducks that he took under those conditions will be glorified in their own way in that happy hunting ground in the sky.

Although it might be dangerous in a political sense, I approve of the increased penalties provided in the Bill because they will help to successfully enforce conservation measures. I am sure that those penalties will be effective in enforcing conservation measures. However, they also place a greater responsibility on the Fisheries Service to ensure that it engages the right types of inspectors and honorary rangers to enforce those rules and conditions. I take my hat off to fishing inspectors for 90 per cent of the work that they do. I know that because of the belligerence and the violence of some of the people they have to deal with, in many cases they have to work in pairs. However, as the honourable member for Murrumba says, there have also been occasions when inspectors and honorary rangers with quite belligerent attitudes have been employed.

Although I approve of greater penalties to conserve the resource and to stop people wrecking it, I realise that will probably have an effect on inspectors and rangers. For abusing an inspector a fine of \$400 can be imposed. It stands to reason that if the Government asks people to be responsible and conserve the resource, then the inspectors and honorary rangers must behave responsibly when enforcing the new provisions and imposing the higher penalties on those who transgress them.

The Minister spoke about the inconclusive result of the work into the size of crabs that are fertile and the effect of taking female crabs from certain areas. I do not argue with that in any specific way but the Minister is probably aware of work that has been done on crabs by marine biologists in New South Wales.

Marine biologists maintain that a crab over a certain size is very often infertile or cannot breed because the size of the shell or carapace militates against successful mating. I am not saying that that is the gospel truth, but it is such an important point that if the taking of female crabs above a certain size is to be denied, to no good effect whatever, it should be looked at very closely. The lifting of the restriction would open up a new local resource for fishermen, and amateurs.

A good deal has been said about the demand for uniform legislation on the size of crabs that can be taken in New South Wales and Queensland. The suggestion is that, if that uniformity is achieved, enforcement will be assured and it will stop any illegal traffic in female or undersized crabs to New South Wales. I have said before, but it bears repetition, that that is definitely not the case, because we in Queensland have the job of enforcing the rules and regulations governing the size of crabs that can be taken here in Queensland. It would not matter if there was uniformity because there is a big trade in crab meat between Queensland and New South Wales. Uniformity would simply mean that those who are catching undersized or female crabs and are sending them to New South Wales would, if they were not caught in the act and punished, still take the crabs but, instead of sending them as whole crabs, would send them as crab meat. Many are doing it now, anyway. It is obvious that it is the responsibility of the Queensland Government to look into the enforcement of our rules to conserve our product.

(Time expired.)

Mr AHERN: I have a personal rule that I should try to learn something new every day. Tonight I have; I have learnt all the things that relate to the commencement of an Act.

There are a couple of points that I would like to make. One relates to the question of taking small prawns in coastal regions. Firstly, a variety of prawns is harvested. In Queensland, the prawns harvested are banana, tiger and greasy prawns. They vary slightly in nature and size.

A study of beam-trawling operations in the Burnett River is under way in response to representations from both commercial and amateur fishermen and local authorities. Similar studies commenced in Moreton Bay this year. There is a freeze on the number of beam trawlers south of the Noosa River because of the pressure to which the honourable member refers. The closed restrictions are confined to nursery areas. The industry itself is proposing additional closures, and they are under consideration.

There are proposals to unitise the fishing effort which is being applied, and this will be an urgent priority for the new authority. However, it should be understood that the simple fact that a number of beam trawlers are operating in an area with a tremendous catch being taken does not necessarily mean that there will not be as many prawns next year. The question of the capacity of the resource to sustain exploitation is more directly related to environmental and climatic conditions, habitat, and so on, rather than the level of exploitation.

That relates also to the question that the honourable member raised in respect of the other trawl catch. The otter trawl fishery harvests a wide variety and size of prawns. Being an annual crop, prawns have a capacity to regenerate rapidly. The catch is largely determined by environmental and climatic conditions. To control the quantity of prawns taken, the department has imposed a freeze on the number of licences issued to otter trawlers. It has been in operation for several years and will be continued by the authorities.

In reply to the honourable member's observations about female crabs—as I indicated earlier, I am aware of the research claims made in the South. As the honourable member should know, considerable research is being undertaken into mudcrabs in Moreton Bay. So far the claim has not been proven here. We do not believe that we can take conservation measures without reasonable biological evidence.

Many people are interested in taking crabs. I am one of them because they are a delightful food that is fairly unique to our environment. We want to maintain the supply in perpetuity. People believe that the conservation of these species depends on the size taken and whether they are female or male. The overwhelming influences on the crab population from year to year are habitat and climatic factors at the time of spawning. They have more influence than other factors on the crab population that is available for harvesting each year.

Clause 2, as read, agreed to.

Clauses 3 and 4, as read, agreed to.

Clause 5—Amendment of s. 5; Non-application of Act—

Mr EATON (9.12 p.m.): The clause reads—

“Section 5 of the Principal Act is amended by in subsection (1), in sub-paragraph (d), omitting the words ‘and for purposes other than commercial purposes, of fish or marine products in Queensland waters (not being waters forming part of a wilderness area, scientific area or special feature area), and substituting the words ‘, of fish or marine products in Queensland waters for private purposes.’”

I am concerned about the ocean adjoining my electorate as it relates to the areas mentioned in that provision. I understand that it is hoped by 1983 to declare the Great Barrier Reef as a marine park. Many problems will have to be ironed out. I hope that the Minister, in his reply, will tell us where the State Government stands because it seems that in respect to joint areas the Government will have to enter into negotiations with the Greater Barrier Reef Marine Park Authority in Townsville through the James Cook University.

Last Friday night a meeting held at Kurrimine Beach was attended by one of the departmental officers, Miss Wendy Craig. At that meeting, strong concern was expressed by professional fishermen, local residents and many visitors about a certain classification being maintained. When the Greater Barrier Reef Marine Park is declared it will include two classifications, namely, general use, A zone and B zone, which will be open to amateur and commercial fishermen and marine national park, A zone and B zone, from which professionals will be excluded.

It should be borne in mind that in this area the British and Australian Governments have a joint tropical research establishment that is run by the Australian defence forces. Certain areas are excluded because of bombing trials and Army exercises. I understand that both amateurs and professionals are excluded from those areas. The Government has a responsibility to bat for the local people in these areas—the tourists and the amateur and professional fishermen who have to make a living. A commonsense arrangement, under which there is room for both people, must be entered into. The professionals depend on the area for a living.

Mr Tenni: Is this for surface fishing or reef fishing?

Mr EATON: For both. They troll for mackerel when the fish are running.

Mr Tenni: Trolling for mackerel will not hurt the reef.

Mr EATON: No, it will not.

I am being specific when I refer to Kurrimine Beach. The Government will have to work out the correct zoning. Clause 5 proposes to omit from section 5 the words—

“... (not being waters forming part of a wilderness area, scientific area or special feature area)”.

That applies now because of the joint tropical trials research establishment. The Great Barrier Reef Marine Park will also come into it. There will be classifications over which the State Government will have authority. Under the State Act, fishermen will be allowed to operate. However, commercial and amateur fishermen will be in contravention of the Federal Act.

As late as last Friday night, I was informed by Miss Wendy Craig at a public meeting that it was hoped to establish the Great Barrier Reef Marine Park by July 1983. It will have a very big effect on fishermen. I would like the Minister to indicate, in his reply, the stance that the Government will be taking and whether the Department of Primary Industries will be involved in negotiations with the people in Townsville. There will be a joint venture involving Federal and State bodies. The people of North Queensland and the professional fishermen will have to foot the bill.

Mr AHERN: I am afraid that the honourable member's comments do not relate to the clause. It relates to section 5, non-application of Act, of which paragraph (d) relates to the question with which I was in debate with the honourable member for Mackay, that is, the application of the general principles of the Fisheries Act in respect of people residing on Aboriginal and Islander reserves. Questions were raised by Government officers about whether that particular section of the Act actually achieved the Government's intentions. The clause provides that in respect of Aboriginal and Islander communities certain provisions of the Fisheries Act will not apply. It is a special consideration to people who reside on reserves.

The honourable member referred to the Great Barrier Reef Marine Park Authority, which is something completely different.

Mr Eaton: It refers to “scientific area”, and there are such areas in that marine park.

Mr AHERN: It is not related to this Bill. The Great Barrier Reef Marine Park Act is Commonwealth legislation. The Commonwealth has declared an area. It has jurisdiction within that area. A zoning plan has been developed. I understand that at present it is publicly displayed, although it has not been formally gazetted. Commonwealth officers are talking with officers of my department, the Commercial Fishermens Organisation and the Amateur Fishermens Organisation with a view to developing a final zoning plan. That Act has nothing to do with this clause, which relates entirely to reserves.

Mr EATON: I take it that, being a Federal matter, any decisions made by the Commonwealth will override the decision of the Minister, who is in charge of primary industries and fisheries?

Mr AHERN: Under the provisions of the Great Barrier Reef Marine Park Act the Commonwealth has jurisdiction, and it seems to be well settled that it has complete jurisdiction within the areas that it declares. Having declared an area, there is complete

Federal responsibility for what goes on within that area. But the Commonwealth officers have entered into consultation with our officers. They have said, "It is not our wish to be heavy-handed in this regard. We are hoping to develop the plans consultatively and co-operatively." Our officers are involved in that consultation.

Mr Eaton: Will you supply and pay for the necessary inspectors to police it?

Mr AHERN: No, the Federal Government will.

Clause 5, as read, agreed to.

Clause 6—Amendment of s. 6; Interpretation—

Mr BURNS (9.21 p.m.): This clause provides for the omission of the definitions "historic area", "natural environment area", "recreation area", "scientific area", "special feature area" and "wilderness area". I should like the Minister to explain why those definitions are being deleted.

The clause also provides that "Authority" means the Queensland Fish Management Authority constituted under the Fishing Industry Organization and Marketing Act 1982. I suggest that the Bill should contain a reference to amateur fishermen, because they constitute the biggest single fishing organisation in Queensland. They are entitled to representation on the management authority.

A document circulated by the Queensland Amateur Fishing Council claims that in the 1980s the capital investment in the fishing industry amounted to \$1,000m and it was spending \$300m per annum. Queensland has the potential to become one of the greatest tourist fishing areas in the world, not only for marlin but for other species of reef fish and estuary fish. That means that amateur fishermen will be making requests for fish attractors, artificial reefs and other facilities that will not be of great concern to commercial fishermen. When the management organisation is set up, amateur fishermen should be represented on it. I ask the Minister to consider that aspect.

Mr AHERN: Firstly, the honourable member asked why certain definitions are being deleted. The answer is that they are included in the marine parks legislation that was passed last session and is now administered by the Premier.

As to whether amateurs should be represented on the Fish Management Authority—that has nothing to do with this legislation and certainly not with this clause. The honourable member is talking about the rearrangement of staff and certain duties in respect of this legislation. The constitution of the authority is covered not by this Bill but by the Fishing Industry Organization and Marketing Act. I can only say that I will be amending the legislation in that regard. I maintain a very close dialogue with the amateur fishermen's organisations in this State. I recognise the tremendous interest that they have in fish management. I am doing all I can to consult with them and to recognise their interests.

Clause 6, as read, agreed to.

Clause 7—Amendment of s. 7; Fisheries Research Fund—

Mr EATON (9.24 p.m.): As the Minister is aware, early last year I had occasion to approach the Primary Industries Department on the matter of private research that was being conducted in North Queensland into barramundi. I was pleased to hear the Minister say that he had received certain information from Thailand. The first information I received was obtained long after I met with the Minister and the department regarding the research that was carried out in the area out from Babinda.

A good deal of private money has been put into research not only into barramundi in North Queensland but also into freshwater prawns. I do not know whether the Minister knows that a considerable amount of money was directed towards freshwater research in the area of the Atherton Tableland.

I am pleased to note that the money obtained by way of fines will be put into research. Assistance to private research is an area in which, from time to time, the Government has got a good kick, and has deserved it. It must recognise that private research involves a lot of time and money. On occasions the Government could have provided at least a biologist to help the person conducting the private research and to keep the Government informed of what was going on.

I realise that the Government cannot afford to provide funds for every little bit of research that is carried out, but I think that it will have to look at this area of fisheries in North Queensland. If proper research is carried out, that area will have a great future.

Mr AHERN: I agree with the honourable member that there is a tremendous capacity for increasing research into fisheries generally, and I would like to encourage such research in the future. That area deserves the great allocation of money that we have been able to provide for it to date. I am aware of the research in North Queensland to which the honourable member refers.

This is a machinery clause. In the past, money derived from fines was paid into the Consolidated Revenue Fund and the Fisheries Department carried out research. This clause is providing that the money derived from fines will be paid direct to the authority and used for research purposes. As I say, it is a machinery clause to enable monies to be appropriated properly under the supervision of the authority.

Clause 7, as read, agreed to.

Clause 8—Amendment of s. 12; Fish and marine products protected on account of size—

Mr BURNS (9.26 p.m.): On behalf of the Opposition, I congratulate the Minister and his department on doing something to protect the large groper. I can understand the views of the honourable member for Barron River, but I believe that the shooting of that large groper that inhabited the area adjacent to Dunk Island was a wasteful and stupid act.

When fish get to the age of that groper, they become major tourist attractions. Anyone who has ever caught a big cod or a big groper would know that there is not much fun in trying to eat them. They are not a saleable commodity. The Fish Board pays very little for groper. If we want to develop the tourist potential of the North, it is in our interests to protect some of those special attractions that are part of the reef and part of the North.

That groper had been hand fed for many years by thousands of tourists. It was a stupid act to shoot it, and we are being sensible in protecting these large fish in the future.

Clause 8, as read, agreed to.

Clauses 9 to 14, as read, agreed to.

Clause 15—Amendment of s. 25; Licensing of persons and vessels for oystering—

Mr EATON (9.28 p.m.): This clause more or less refers to research, which I referred to under a previous clause. It reads—

“Section 25 of the Principal Act is amended by in subsection (2) omitting the word ‘Director’ and substituting the words ‘Chief Inspector of Fisheries’.”

I realise that that is a machinery clause. I draw the attention of the Minister and the department to the fact that a lot of research has been carried out in this area of oystering. On two occasions, people have run foul of the department in seeking to carry out further research. However, I shall raise that matter under another clause of the Bill.

Clause 15, as read, agreed to.

Clause 16—Amendment of s. 27; Offences—

Mr BURNS (9.29 p.m.): The clause reads—

“Section 27 of the Principal Act is amended by in subsection (1), in subparagraph (b), omitting the words and expression ‘(not being a dinghy the overall length of which is less than 4 metres)’.”

That provision was included in the Act, particularly for oystering operations. Why is it being removed?

Mr AHERN: Previously, the Act provided an exclusion for a dinghy less than four metres to move freely around over the area of an oyster bed. In practice, it was found that persons falling within this exclusion category were making nuisances of themselves and, but for their exclusion size, would have been committing an offence against that section of the Act. The amendment will remove the exclusion category previously operating and will make everyone subject to the one set of rules.

Mr Burns: So no-one will be allowed to move over an oyster bed?

Mr AHERN: No.

Clause 16, as read, agreed to.

Clauses 17 to 24, as read, agreed to.

Clause 25—Amendment of s. 51: Power to set apart and declare land and waters as a reserve, sanctuary or ground—

Mr EATON (9.31 p.m.): Again I will be a little parochial and look at the clause as it concerns constituents in my electorate. The department will set apart and declare land and waters as a reserve, sanctuary or ground. In Mourilyan Harbour, cane is being grown on land right down to the water's edge. On many occasions departmental activities overlap. In the past there has been involvement by the Department of Harbours and Marine, the Lands Department and the Department of Water Resources. One department will overrule decisions made by officers from another department. After much groundwork has been done and negotiations and discussions have taken place, a person thinks that he has reached a settlement. He then finds that another Government department is involved and that the agreement made is rescinded, with discussions starting all over again. That is something that will have to be considered very closely in implementing the clause. As mentioned by the member for Barron River, on the coastal sugar belt in the North the lands are very low and very close to the water.

The clause refers to a fish habitat reserve. Again I refer to Mourilyan Harbour. Because that area has been declared a fish habitat, the application to conduct oyster experiments has been disallowed. The department will not allow floating pontoons or anything else necessary to set up the aquaculture needed for experimentation with oysters. I have seen quite good oysters there. I can understand the department's concern about not wanting to bring in spat because of the disease problems that have been mentioned. However, in some areas the department has been over-cautious. Once an area is declared as a wetland reserve or a fish sanctuary, the Government is off the hook to some extent. In some instances, the decision is one of convenience. In other instances, when a person attempts to negotiate for an area the Government seeks to declare it a research area. Again, that prevents private enterprise from carrying out research or gaining access to the area.

I draw the Minister's attention to that. As he knows only too well, I have approached him on the matter. It will have to be considered closely in the future. The whole of the State will end up being a fish habitat. Nobody will be able to move. No new licences or leases will be granted; no expansion will occur.

Mr KRUGER: I again record my pleasure that such a large area can be declared as Crown land for a fish habitat reserve, a wetland reserve, a fish sanctuary and so on. I am particularly pleased about the provision that says—

“... the declaration of tidal lands and the waters covering that land as a fish habitat reserve shall not be revoked—”

without certain things happening. It speaks about the Minister bringing the matter before the Legislative Assembly before it can be revoked. It is very important that, once the necessary step is taken to protect those areas, any revocation should come before the Legislative Assembly. That is a necessary safeguard, bearing in mind some of the comments that I made in my earlier speech about certain areas of the State. It is a positive step forward, and I should like to think that other pieces of legislation coming before the Parliament would include similar provisions. Instead of decisions being made elsewhere, the Legislative Assembly ought to be considering matters of this type.

Mr BURNS: This is probably the most important clause in the Bill, because the preservation of fish habitats and mangrove flats around rivers, streams and estuaries is very important for the future of the fishing industry. I recall the problems that were caused by the proposed development at Raby Bay, the development of the new Brisbane airport and the development of the new port of Brisbane at Fisherman Islands, at the mouth of the Brisbane River, and the destruction of the mangrove areas that they involved.

The honourable member for Barron River and also one of my northern colleagues spoke about fish habitat areas. People have to be convinced that if the community is to have fish in the future, those areas must be protected. Every research document that I

have seen makes it very clear that if something is not done about protecting the mangroves and the habitat areas and setting aside special areas that provide the material and food on which fish can feed and breed, we have a problem.

What perplexes me is that everybody assumes that the Queensland Fisheries Service has the primary responsibility for preserving mangroves and habitat areas; but many other Government instrumentalities have overlapping areas of interest that may conflict with that.

When I considered the legislation before the Committee, I noted that when fisheries habitat reserves were set up by regulation in 1968, the Parliament was told that it was the first attempt in Queensland to provide protection to more than the mangroves themselves and that the regulations were inspired by concern about the damage to traditional fishing grounds. Since that date, three separate Ministers—the Minister for Lands, the Minister for Primary Industries and the Minister for Maritime Services—have been given authority for the development of habitat areas. In addition to that, regional planning authorities and local authorities, such as the Gold Coast City Council, with its decision to pump sewage into Moreton Bay, and the Gold Coast Waterways Authority, with what it has done on Brown Island and places such as that, have moved right into habitat areas, the very areas that the Parliament believed would be protected when it passed that legislation in this Chamber. What is needed is some overriding authority to protect fisheries habitats.

Mr Underwood interjected.

Mr BURNS: That is right; Willawong is a classic example. Hazardous and noxious chemicals have been dumped there, and now the dump is overfull. Obviously there have been problems. Research has shown that the chemicals were leaching into the nearby creek; but the Government has now said that, on a temporary basis, those noxious chemicals will be treated at the sewerage treatment plant at the mouth of the Brisbane River. As is colloquially said, anybody who moves in and out of the river by boat goes through the motions. Noxious chemicals should not be taken to that plant and allowed to infiltrate the bay areas in which thousands of Brisbane people gain their enjoyment every week-end.

But that is only part of the scene. The Land Administration Commission should not be allowed to grant leases that result in the destruction of mangroves while we stand in this Chamber and say that legislation is being passed to protect the fisheries habitats. If this legislation seeks to protect fisheries habitats, the Land Administration Commission should have to seek the Minister's permission before granting such leases.

I will leave the matter of local councils, the Land Administration Commission and all the other authorities that have the so-called right to allow development to take place on the foreshores of Moreton Bay and rivers and streams and move on to the discharge of liquid wastes, over which the Water Quality Council has some control. Gaseous wastes are controlled by the Division of Air Pollution Control, solid wastes by the Department of Local Government, and radiological wastes by the Health Department. All of those bodies have varying permit requirements and are able to make final decisions without necessarily referring them to the Queensland Fisheries Service, which has the primary responsibility for the protection of mangroves and fishing. Obviously that means that the Minister for Primary Industries has the responsibility.

I turn now to what happened at Brown Island on the Gold Coast. I refer honourable members to page 99 of the "Official Tide Tables for Queensland with Notes on Boating—1982", part of which states—

"The purpose of Fish Habitat Reserves is to preserve in a relatively undisturbed state the shallow water sandbanks, marine weed beds and mangrove areas which are essential for the maintenance of fish and prawn stocks. The destruction or disturbance of plant life, sedimentary animals or shallow banks within these areas is prohibited.

Fish and crabs may be taken within Fish Habitat Reserves by lawful methods provided that no physical damage is done to the area."

In June 1982 Mr Pat Gray, a spokesman for the Gold Coast Waterways Authority, said in the "Gold Coast Bulletin" that a new shelter would be built for Broadwater sailors. He announced a \$23,000 dredging contract. The Press release went on to describe how this dredging would provide protection for craft and a sandy beach on the western side of South Stradbroke Island. It also spoke of an extra \$8,000 provided by the Gold

Coast Waterways Authority for a long pipeline to prevent dredge spoil damaging seagrass beds. A few days later the authority commenced dredging right in Fisheries Habitat Reserve No 13. A Queensland Fisheries Service spokesman, Mr Frank Olsen, said that Fisheries Habitat Reserve No 13—

“was set aside by Order in Council dated 10 June, 1971. A major aim of the declaration of the Reserve was to prevent disturbance of the estuarine landscape at a time when adjacent islands, eg. Griffin Island and Ephraim Island, were the subject of reclamation approvals for urban subdivision. Equally important from a fisheries viewpoint was the need to provide formal legislative protection for the fish hauling grounds and recreational fishing areas comprising the shoal waters between Crab and Brown Islands. The commercial and recreational fisheries dependent on this portion of the Southport Broadwater constitute an important natural resource both for the present and future use of the Gold Coast's permanent residents and tourists alike.”

That spokesman for the Queensland Fisheries Service said that about that fisheries habitat reserve and yet the Gold Coast Waterways Authority went ahead and started dredging right in the middle of the habitat. It pumped the spoil over the bottom of the mangroves and as a result they died. When the authority was asked for some reason why it was done, it said that the Fisheries Service agreed to it, that in fact the same man who made the statement in the newspaper went down there and said that dredging would not do any damage at all. The Australian Marine Science Association Guide-lines for the Protection and Management of Estuaries and Estuary Wetlands state that that sort of dredging, reclamation and foreshore reconstruction will consume the estuary's non-renewable resources. That principle is stated in the guide-lines. The coastal management report of Gutteridge Haskins & Davey for the Queensland Government said exactly the same thing. G. T. Harrison, a Queensland Fisheries Service biologist said exactly the same thing, but that dredging still went on.

If one goes up to the best bream-fishing area in Queensland in the Pumicestone Passage up towards Caloundra one finds the council and the Queensland Fisheries Service making decisions to dredge the flat areas there in the same way. Everbody knows that the silt and the muck from the dredging kills everything in the fish-breeding areas, the growing areas and the habitat reserves. How can anybody talk about setting habitat reserves aside and at the same time allow dredging of the type carried out at Brown Island?

Anyone who has taken a boat in behind Brown Island would know that that little protected water-way is chock-a-block with mullet and other fish that move into the seaweed in the area all year round. That area has been destroyed so that the Gold Coast Waterways Authority can provide a place in which yachts can anchor. Any member who has ever sailed a boat in The Broadwater will know that there are 101 places to anchor, including a few failed canal developments. Yet the authority still went in and dredged in the middle of Fisheries Habitat Reserve No. 13 about which all those reports have been written. If we believe in what we are saying, and we are talking about tourism and the largest participatory recreation pursuit in Queensland today, we have to give this legislation some teeth. We have a great opportunity here to develop our tourist industry and our fishing areas.

Mr INNES: I would very briefly like to commend the Minister for his initiative in expanding the areas which can be set aside. In his second-reading speech he mentioned particularly the matter of wetlands. All over the world people have realised the importance of these areas, not only because of the richness of the marine life that inhabits them but because the richness of that life depends on the tide and the occasional inundation that occurs in the wetlands.

Some areas of land are not dramatic in what they reveal about life. It is well known that both commercial and amateur fishermen frequently tell where their catch may be by watching the habits of sea-birds. Similarly, the activities of sea-birds and waders—they are the long-legged birds that poke around in the mud—indicate presence of crustaceans and worm life. Frequently, tens of thousands of birds form flocks that move around the areas constantly. They do so because the water that covers the area twice daily, and

the upper layers of the mud that are revealed when the water recedes are enormously rich in marine life.

As the honourable member for Lytton rightly pointed out, areas of mangrove are of the wetland type. Mangroves are a specialised form of vegetation with which we are favoured. They provide an enormously important fish habitat area—a very suitable area for marine and marginal-marine life.

Without trespassing on a certain trial that is taking place, I understand that oyster research in Moreton Bay has revealed a very significant change in the level of water in Moreton Bay in the last 100 years. The level of the water has risen by about 8 inches or, conversely, the bottom of Moreton Bay has receded. In geological terms that is an enormous change. I understand that Western Australia is moving out of the water and, relatively speaking, eastern Australia is sinking.

Mr Eaton: I think you have been listening to the Premier for too long; he reckons that all the people are coming from Western Australia to Queensland.

Mr INNES: That is right. It is part of the drift towards Queensland. To some extent, enough hot air is generated above to equalise it.

These changes lead to very important consequences. I am very concerned about the removal of mangroves in Moreton Bay to make way for canal developments, etc., but a check of aerial photographs taken about the time of World War II reveals that almost as many mangroves exist today as did at that time. Because the bottom of the sea is lower, more areas are serviced by the tidal fresh twice a day. The mangrove areas have expanded. Areas that were once covered by sea couch and the salt-immune vegetation are now covered by extensive tracks of mangroves. I am not saying that mangroves have not been destroyed. I remember going into the area behind the old Hornibrook Highway and seeing tidal creeks that were dammed deliberately, with the consequent destruction of acres and acres of mangroves. That was deliberate, unlawful reclamation by private landholders, with consequential destruction of mangrove habitat and all the other things that go with it. We must be vigilant to prevent such things. Any fair-minded person who is at all concerned about fish, crabs or the worms that go with these areas, must welcome an expansion of the areas that the Government is prepared to control for conservation purposes.

Mr AHERN: Mr Powell, seeing that you have been very kind to honourable members tonight, I would like to amplify a remark I made earlier about a previous clause relating to the exclusion of dinghies above oyster leases. I inform honourable members that the problem under consideration is theft. If a boat is over an oyster lease the suspicion of theft arises. Such action cannot really be policed other than by saying, "This is an oyster lease and no boats are allowed other than those owned by the man who has the oyster lease." That is the practical application of the amendment. Honourable members will see the sense in that. That is what happens interstate.

Mr Moore: It is stupid.

Mr AHERN: No, it is not. It is not unreasonable in terms of management.

Returning to clause 25—provision is made for three status levels of reserve. Surely it is reasonable to say—it is certainly true in biological terms—that there is a very high status reserve, a very biologically important reserve and a very important area that is absolutely critical to the fishing industry in a particular area. It might be an area of vital importance. That is a fisheries habitat reserve. It can be revoked only by the Parliament. If the Government of the day wants to revoke it for some developmental reason, that is a matter on which it will have to account to Parliament. There are a number of areas that are of lower priority but are still important for conservation purposes. We should try to maintain those areas. However, there ought to be some flexibility in their management. That is what we are trying to ensure.

Although the honourable member is having difficulty understanding how conflict is resolved, if he reads closely the document from which he quoted in respect to Brown Island on the coast, he will recall a reference to an Order in Council. When a particular development is proposed, it is considered by Cabinet. Not only the Fisheries Department might be

involved in that decision; there might be other conflicts. It might be subject to a mining lease or a requirement by the Main Roads Department. The resolution of that conflict is the responsibility of Cabinet. It has all of those reports before it. It decides either to proceed with the proposal, to amend it or to reject it. Its decision is based on all the evidence that it has before it. It was a matter that was considered by the State Government. It considered all the reports. That is the machinery involved.

Proposals are regularly put forward. There are some proposals before the Cabinet at the moment; indeed, there are always proposals before it. The report of the Fisheries Department officers is available and taken into consideration when the Government makes a decision. Different priority areas should be established. The highest priority areas should be given the protection of the Parliament.

Mr Burns: Will you be tabling or giving us the changed list? You already have a large number of habitat reserves. Would you list those reserves that are of high priority and those reserves that have been removed?

Mr AHERN: I am unsure how the machinery will work. If the reserves are going to be changed, in future we will be required to come to the Parliament.

Mr Burns: In the future, the existing ones will have to come before the Parliament?

Mr AHERN: I understand that that is right. We are elevating the status of these reserves but providing a requirement for a lower status reserve in future in areas that are biologically important. However, some flexibility is clearly indicated in respect to their management.

Clause 25, as read, agreed to.

Clause 26, as read, agreed to.

Clause 27—Repeal of and new s. 56; Taking protected species—

Mr BURNS (9.54 p.m.): The proposed new section 56 (d) (i) (A) states—

“where it is proved that the offender had taken, had in possession or sold a quantity of female mud crabs being a number in excess of the number prescribed, \$5 000 or six months imprisonment or both such fine and such imprisonment;”

I would like the Minister to indicate the number of female mud crabs that will be set and why anybody would be allowed to take any female mud crabs.

Mr AHERN: We are not allowing anybody to take female mud crabs. We are trying to segregate the offence in terms of saying that a little old lady who gets caught with a female crab will have a status different from the professional operator who is into it in a very big way. I do not think that it is an unreasonable provision.

Mr EATON: I want to mention barramundi and the future of that species. Earlier this year I made a tour into the Gulf country and spoke to professional fishermen in the area. I saw nets of legal size in the river. Although one of the fishermen had been there for weeks, there was hardly a barramundi on his boat. He was thinking of pulling out. I believe that the poor haul of barramundi was due to the cold winter.

Certain people in the fishing industry depend wholly and solely for their livelihood on the catching and sale of barramundi, which are regarded as a delicacy in all parts of Australia. The Gulf area has been the main source of supply for years, yet at present Queensland is importing barramundi from New Guinea. Years ago, barramundi were very prevalent.

At present it is a closed season for barramundi and a limit is placed on their size when the season is not closed. Because of the breeding habits of the barramundi and their size, the fishermen will have to use bigger nets. Alternatively, the Government will have to restrict the use of nets in the area from Townsville to Darwin, or at least to the Northern Territory border. In the near future there will be no barramundi left. Fishermen with a barramundi licence will not be able to maintain their quota. Barramundi, which are regarded as one of the best edible fish in the world, will disappear from the menu.

A further amendment will be necessary to deal with the situation, because under no circumstances can I see it getting better. I agree with the legislation and with the imposition of stiff penalties. However, further discussions with fishermen are needed, and the Government will have to come up with hard and fast rules.

Mr AHERN: I acknowledge that the barramundi season in the Gulf has not been a good one. A management program is operating there, and I thank the fishermen for their co-operation. That consultation in respect of the management program will continue.

Clause 27, as read, agreed to.

Clauses 28 to 44, as read, agreed to.

Bill reported, without amendment.

### Third Reading

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

### PAY-ROLL TAX ACT AMENDMENT BILL

Hon. C. A. WHARTON (Burnett—Leader of the House), by leave, without notice: I move—

“That leave be granted to bring in a Bill to amend the Pay-roll Tax Act 1971-1980 in certain particulars and for a related purpose.”

Motion agreed to.

### First Reading

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

### Second Reading

Hon. C. A. WHARTON (Burnett—Leader of the House) (10 p.m.): I move—

“That the Bill be now read a second time.”

Honourable members will recall that in his 1982-83 Budget Speech, the Treasurer announced that it was proposed to increase the maximum pay-roll tax exemption from \$180,000 to \$204,000.

In addition, the Treasurer announced that the present system whereby the maximum pay-roll tax exemption reduces by \$5 for every \$2 by which the annual pay-roll exceeds \$180,000 would be changed to a \$3 for \$2 reduction, so that the minimum exemption of \$36,000 would apply to annual pay-rolls above \$316,000 rather than \$237,600 as at present. This Bill provides for these concessions to apply from 1 January 1983.

The Bill is technical in nature and provides for nothing more than the Budget announcements.

The effects of the proposed amendments are that small businesses with annual pay-rolls between \$180,000 and \$204,000 will then pay no pay-roll tax at all and those within the range \$204,000 to \$316,000 will pay less pay-roll tax. Approximately 1 500 employers will benefit from these amendments.

These increased concessions will maintain Queensland's position as one of the States with the most generous pay-roll tax concessions.

Only Tasmania, with a maximum exemption level of \$250,000, is higher than the \$204,000 maximum exemption level to apply in Queensland from 1 January 1983. However, for pay-rolls above \$350,000, Tasmania does not have a minimum exemption, while Queensland has a minimum exemption of \$36,000, which will apply to all pay-rolls above \$316,000 per annum.

The maximum exemption in New South Wales is only \$120,000—well below the level of \$204,000 in Queensland. In addition, both New South Wales and Victoria impose a 1 per cent tax surcharge on annual pay-rolls in excess of \$1m.

I am sure that the proposed concessions will be of significant benefit to small businessmen. I commend the Bill to the House.

Debate, on motion of Mr Burns, adjourned.

The House adjourned at 10.2 p.m.