Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 21 DECEMBER 1983

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Mr SPEAKER (Hon. J. H. Warner, Toowoomba South) read prayers and took the chair at 11 a.m.

PAPERS

The following papers were laid on the table, and ordered to be printed—

Reports—

Nominal Defendant (Queensland) for the year ended 30 June 1983

Commissioner of Land Tax for the year ended 30 June 1983

Land Administration Commission for the year ended 30 June 1983

Griffith University for the year ended 31 December 1982 (Research)

Griffith University for the year ended 31 December 1982

Department of Primary Industries for the year ended 30 June 1983

Rural Reconstruction Board for the year ended 30 June 1983

Department of Employment and Labour Relations for the year ended 30 June 1983

Queensland Theatre Company for the year ended 30 June 1983

Library Board of Queensland for the year ended 30 June 1983.

The following papers were laid on the table—

Proclamation under the Forestry Act 1959-1982

Orders in Council under—

Forestry Act 1959-1982

Workers' Compensation Act 1916-1983

Regulations under—

Food Act 1981

Public Service Act 1922-1978.

PETITIONS

The Clerk announced the receipt of the following petitions—

Electricity Tariffs, Caravan Parks

From Mr Burns (56 signatories) praying that the Parliament of Queensland will ensure that residents of caravan parks do not pay higher electricity tariffs than other residents in that area.

Proposed Landing-strip, Gympie Area

From Mr Stephan (20 signatories) praying that the Parliament of Queensland will take steps to ensure that the proposed aircraft landing-strip be situated other than at Glastonbury.

Petitions received.

QUESTIONS WITHOUT NOTICE

Overtime Paid to Government Employees

Mr WRIGHT: In asking a question of the Minister for Employment and Industrial Affairs, I refer to the revelation that an amount of $71,637,017 was paid in overtime and meal allowances to persons employed by the Government in Queensland. Although I hold firmly to the view that employees should be paid additional remuneration for services rendered outside normal working hours, is it not correct that the expenditure on overtime payments clearly shows that there is a need for an increase in the number of persons employed by the Government, and that should this money be spent on employment rather than on overtime and meal allowances, hundreds of additional jobs could be created? If so, what measures has the Minister or the Government considered to reduce the amount of money paid in overtime with a view to employing more Queenslanders?

Mr LESTER: The correct people to ask are the officers of the Department of the Public Service Board. The question should be directed to the Premier.

Mr WRIGHT: I redirect my question to the Premier accordingly.

Reduction in Price of Petrol

Mr NEAL: I ask the Minister for Industry, Small Business and Technology: Has his attention been drawn to press reports indicating that oil companies throughout Australia are not prepared to pass on to the consumer the 1c per litre reduction in the price of domestic crude? Does the Minister agree that the attitude of the oil companies is disappointing, and, if so, does the Government have any plans to officially express its disappointment?

Mr AHERN: My attention has been drawn to the fact that, under its oil parity pricing arrangements, the Federal Government intends to decrease the price of crude oil by the equivalent of $1.85 a barrel as from 1 January next year, and that that should be reflected in the retail price of petrol by a decrease of at least 1c per litre. The publicly expressed reasons for the decision by the oil companies are simply stated to be the decisions of various State Governments to regulate the price of fuel below an economic level. I point out to the Federal Government and to those oil companies that the price of fuel is not regulated in Queensland and therefore I believe that the consumers are entitled to have passed on to them the decrease of 1c per litre. I express the hope that the Federal Government will take that matter up with the oil companies. I will certainly do so.

Commonwealth Government's Foreign Investment Policy

Mr FOURAS: In asking a question of the Premier and Treasurer, I refer to his statement on this morning's "AM" program in which, predictably, he strongly criticised the Federal Government's new foreign investment policy, which has been described by all sections of the media as being practicable and positive. Can the Premier inform the House of his objections to the changes in policy for rural and urban real estate, which have been made specifically to discourage land speculation by foreigners? For example, is it not a sensible change that second and subsequent acquisitions of real estate by foreign interests be subject to approval, even where the value is below the previous threshold of $350,000? What does the Premier find objectionable in the policy that proposals involving urban real estate will have to contain at least 50 per cent Australian equity, and offer economic benefits? What benefit does he see in allowing open-slather foreign land speculation, except for the obvious benefits to the real estate industry which often puts land out of the reach of many Queenslanders?

Mr BJELKE-PETERSEN: The honourable member has asked a rather lengthy question.

Mr Fouras: I will put it on notice if you like.

Mr BJELKE-PETERSEN: The honourable member was born in Greece. I thought he would be against it.

An Opposition Member: Where were you born?

Mr BJELKE-PETERSEN: I was born in New Zealand.

The honourable member for South Brisbane is a member of the Socialist Party in Australia. He is against private enterprise. He believes that the more restrictions and the more red tape and control, the better. On the other hand, the Government believes that there should be a certain degree of freedom and initiative. What can be bought for $300,000 today in the way of rural land? Nothing but a horse paddock! The main point is that foreign investment in this State and nation has been further restricted.

An Opposition Member interjected.

Mr BJELKE-PETERSEN: The honourable member is trying to support the negative policy of the people in Canberra. I have been a strong supporter and believer in private enterprise, what it achieves and what it means in employment and home-building. That is why we should have a greater understanding of the value and importance of bringing in money.

Mr Fouras: Do you support foreign land speculation?

Mr BJELKE-PETERSEN: It is not a matter of foreign land speculation. A man would need to have rocks in his head if he bought rural land thinking that he would make a lot of money out of it. That is not where money is made.

Mr Fouras: What about Stradbroke Island?

Mr BJELKE-PETERSEN: Stradbroke Island is an entirely different matter.

The honourable member has no cause for concern, because the matter he raised is very tightly controlled at this point in time by the Foreign Investment Review Board.

Compensation for Expo Sites

Mr FOURAS: I ask the Premier and Treasurer: Can he guarantee that not only land-holders but also those who are leasing business premises on the south bank Expo site will be fully compensated? Can he also guarantee that relocation costs will be included in the calculation of compensation payments?

Mr BJELKE-PETERSEN: I think I have a reputation in Queensland for being fair and just. I have even tried to be fair to honourable members opposite. Sometimes it is pretty hard to be fair to them considering the way their predecessors treated me when they were in Government. The honourable member can ask any business house that has been affected or any of the 240 primary producers adjacent to the Wivenhoe Dam how the Government treated them. Complete agreement was arrived at because of the fairness and justice in the Government's dealings with those people. The people on the south bank of the Brisbane River, where Expo is to be held, know the attitude and policy of the Government.

An Opposition Member interjected.

Mr BJELKE-PETERSEN: The whole proposition is being dealt with by the authority and it will be dealt with very fairly.

Mr Fouras: Will you give them relocation costs?

Mr BJELKE-PETERSEN: Again, the Government will deal fairly with them.

Weights and Measures Branch

Mr STEPHAN: I ask the Minister for Employment and Industrial Affairs: With reference to the very limited space available to the Weights and Measures Branch in its present venue, are arrangements being made to relocate the department in a new venue that will more adequately meet the need for more space and improve working conditions?

Mr LESTER: The space occupied by the Weights and Measures Branch is inadequate. Plans are in hand either to relocate the department or to erect a new building. In the meantime, I want to float the concept that I will try to have the new building planned so that the work of the branch can be inspected by schoolchildren as part of their very important education, which is not being looked after as fully as it might be. Only recently I presented a set of imperial weights and measures to the city of Warwick. At the time I found that a great deal of interest was displayed in them. If this project can be made to benefit all children and all Queenslanders, it will be of great advantage. That is what I will be striving to implement.

British Safety Council International Sword of Honour

Mr STEPHAN: I ask the Minister for Employment and Industrial Affairs: How does the safety record of industry in Queensland compare with that of other countries and how many times have Australian firms received the prestigious British Safety Council International Sword of Honour?

Opposition Members interjected.

Mr LESTER: It would seem that some members of the Opposition do not want to hear about something very good that has happened for Queensland.

Mr Burns: We feel threatened by what you are saying.

Mr LESTER: That comment would make the people of north Queensland feel threatened.

Queensland Nickel Pty Ltd has won one of 30 international awards for worker safety. Only two were awarded in Australia. Britain received 20. The award is called the International Sword of Honour. It is a magnificent achievement for Queensland. Because I thought that it was such a wonderful achievement, I went to Townsville to present the award personally. When something good like this happens to Queensland, everybody should be cognisant of it and feel terribly proud about it. Queensland's record in worker safety is as good as that of any other country; but still my department is striving to improve the record all the time.

Federal Assistance to Primary Industries

Mr CASEY: In directing a question to the Minister for Primary Industries, I refer to the constant bleatings of National Party Ministers, members and candidates during the State election campaign about insufficient funds coming from the Federal Government to Queensland's hard-pressed primary industries. I ask: How does he account for the fact that the Budget papers reveal that, as at 1 July this year, the Government had $8.4m in the Rural Reconstruction Fund, $7m for rural adjustment, $7.5m in the Drought Relief Fund and $7.2m in the Beef Cattle Industry Assistance Fund, a total of approximately $30m, most of which has come from Federal sources, and has been invested at high interest rates on the short-term money market instead of being used to support Queensland's primary industries?

Mr TURNER: The honourable member would be well aware that the Commonwealth and State Governments supply carry-on and other types of finance for rural industries. A lot of money has been carried over in some industries, such as the sugar industry, which has experienced an upturn. Action has been taken to ensure that money is carried over into the following financial year. The Government has acted responsibly in this area and cannot be condemned for the attitude that it has adopted in relation to carry-over funds for primary industries.

Mr CASEY: I ask a supplementary question of the Minister for Primary Industries: With reference to the carry-over funds and the fact that the assessments are taking so long, why did the Government start processing applications from people in the sugar industry only in September and October of this year, just before the State election, instead of over 12 months ago when the scheme came into operation, resulting in Federal money sitting in State coffers during that period?

Mr TURNER: The simple answer is that what the honourable member stated is incorrect.

Mr CASEY: I rise to a point of order. The Minister has claimed that what I said is incorrect. I find that personally offensive. What I stated is completely and utterly correct according to press publications and advertisements inserted by the Government in northern newspapers during the State election campaign. I ask that the offensive remarks be withdrawn.

Mr SPEAKER: Order! I did not quite get the honourable member's point of order, and I ask him to repeat it.

Mr CASEY: The Minister has personally reflected on my integrity by saying that the statement I made a moment ago is incorrect. I claim that the statement is completely correct. His reference is offensive to me, and I ask that it be withdrawn.

Mr SPEAKER: Order! I rule that there is no point of order.

Mr CASEY: I rise to a further point of order.

Mr SPEAKER: Order! I have made my decision. Is the honourable member rising to another point of order?

Mr CASEY: Yes. Three days ago, in this House, Mr Speaker, you made a statement in relation to points of order and offensive words. I completely obeyed your ruling, which was the subject of a debate in the House last night and which was supported by the House. I have followed that procedure this morning. Again I ask for the withdrawal of the offensive words that the Minister used in claiming that my statement in my question was incorrect.

Mr SPEAKER: Order! I also made a ruling that I would listen to points of order and would make my decision accordingly. I have made my decision that there is no point of order.

Mr CASEY: In rising to a further point of order, Mr Speaker, I seek an explanation from you. Are you stating that the words are not offensive? That can be the only basis on which your determination can be contrary to and different from the ruling that you gave approximately three days ago in the House.

Mr INNES: I rise to a point of order.

Mr SPEAKER: Order! I am dealing with the point of order taken by the honourable member for Mackay. In relation to his point of order, I give my ruling on the basis that it is a fraudulent point of order and I believe that it has been set up accordingly. I rule that there is no point of order.

Mr CASEY: In accordance with your ruling, Mr Speaker, I seek the leave of the House to make a personal explanation.

Government Members interjected.

Mr SPEAKER: Order! If the honourable member wishes to make a personal explanation, he must seek the leave of the House. Is leave granted?

Mr BJELKE-PETERSEN: I rise to a point of order. As to questions of that type, in which members——

Mr CASEY: Mr Speaker, Standing Orders show quite clearly that, once a question is put, the result of the vote must be declared by the Chair before any other matter can proceed.

Mr SPEAKER: Order! I inform the honourable member for Mackay that he is defying the Chair.

Honourable Members interjected.

Mr SPEAKER: Order! I will put the question. Is leave granted?

(Leave granted.)

PERSONAL EXPLANATION

Mr CASEY (Mackay) (11.23 a.m.): My personal explanation is as follows: During September and October, this Government advertised in northern newspapers that it was seeking from within the sugar industry applicants for rural adjustment funds. Approximately 12 months previously, the former Minister for Primary Industries clearly indicated in the House that the sugar industry qualified for those funds. The applications were received through the office of the Mackay District Canegrowers Executive and, I understand, through the office of the Burdekin executive as well. That occurred in September and October this year.

In my question this morning to the Minister for Primary Industries I referred to that matter, and the Minister alleged that I was incorrect.

Following upon the Minister's comments I sought, by way of the normal procedures of the House—that is, by way of points of order—a correction from the Minister. Because of rulings that you gave against me, Mr Speaker, which were contrary to rulings that you gave only a few days ago, that did not occur.

By way of this personal explanation, I inform the House that in September and October this year the Government did advertise that funds were available and that it was seeking applicants from within the sugar industry—despite the fact that for 12 months the Government had more than $30m available to it, mostly from Federal funds.

Mr INNES: I rise to a point of order. Mr Speaker, it seems that your general ruling on this issue yesterday was totally correct. Nevertheless, it requires a little clarification. It seems to be perfectly clear that the words to which the point of order relates must be capable of giving offence. A member can then rely upon those words as giving offence. If the member is offended, those words are withdrawn. However, the words must be capable of giving offence. For instance, the word "incorrect" is nothing more than the

legitimate sort of criticism that a member takes in this House. To say that something is untruthful is a different matter. It can certainly give rise to personal offence and should be withdrawn. There is a need to clarify that the words must be capable of giving some offence before objection can be taken to them. With respect, Mr Speaker, I would ask you to take those comments on board. In the future you might see fit to make a further statement.

Queensland Electoral Roll

Mr YEWDALE: In directing a question to the Minister for Justice and Attorney-General, I refer to his reply to a question that was asked last week in regard to the removal of persons from the electoral roll, wherein he outlined the specific methods available for such removal. I now ask: Is a doctor's certificate required to have a person or persons suffering from a mental or medical disorder removed from the roll? Can any individual contact the State Electoral Office and request that a person or persons be removed from the roll? If not, can he elaborate on the procedures?

Mr HARPER: I shall deal with the second part of the honourable member's question first. There have been instances of persons being removed from the electoral roll under circumstances that I believe were not justified or should not have been justified. I have instructed my officers to examine that matter. Those officers will report back to me. I will deal with both parts of the question asked by the honourable member when that advice is available. Steps will be taken to ensure that people are not removed unjustifiably from the electoral roll even though there is good intent on the part of the persons referring the matter to the electoral office.

Redrafting of Electoral Objection Notices

Mr YEWDALE: In directing a further question to the Minister for Justice and Attorney-General, I refer to the volume of objection notices that have been forwarded to electors from the State Electoral Office since the last State election wherein it is stated, referring to the content of the objection, that the recipient did not vote on 22 October and that many of the voters exercised a vote in the normal fashion. Because the State Electoral Office is incorrect in accusing the voter of not casting a vote in those circumstances, will the Minister take steps to have the objection notice redrafted along the lines that the elector is asked whether he did or did not vote in the last election; and, if he did not, why not?

Mr HARPER: If the honourable member cares to compare the question sent to electors by the State Electoral Office with the demanding threats in the form used by the Commonwealth Electoral Office, he would find that the State Electoral Office compares more than favourably. However, in regard to notices that have been sent to people who did in fact vote, I would bring to the attention of the House that I am aware that in a number of cases errors in transposition occurred between the presiding officers and the returning officers. I could cite examples that have been examined. Approximately 70 notices were sent to people who did in fact vote at one particular voting centre. Obviously, the officer there, in preparing his return, probably missed one or two pages in his roll. It is a human error. Where human beings are involved, those things happen. However, they should not happen. Again, I have issued instructions with a view to tightening up that type of thing in the future to avoid a recurrence of that situation. It is not satisfactory to anyone, least of all to the Government. I intend to ensure that steps are taken before the next State election to ensure that remedies are found for those errors that occur as the result of human error.

Priority Country Area Program

Mr MENZEL: I ask the Minister for Education: What new services are proposed for the Priority Country Area Program and, in particular, the new northern Priority Country Area Program for 1984?

Mr POWELL: Some members may be aware that PCAP has now been operating for some time. In 1984 the program is being extended into the northern areas of the State. As a result, some new initiatives will be taken that I will detail to the House. I remind

honourable members that the aim of PCAP is to support the provision of educational services and resources both for students enrolled through remote schools in Queensland—of course, the northern area has quite a few of those—and for those children, both primary and secondary, enrolled through the correspondence school.

There are three major initiatives for the northern area in 1984. The first is the establishment of an itinerant teaching team based at Charters Towers. Already the northern area has two State-funded itinerant teaching teams. PCAP, of course, is partially federally funded. The additional team will be operating with children in the primary correspondence school and will provide services for approximately 70 families with children enrolled with that school.

The second initiative is in the computer field. An itinerant computer education officer will provide computer education services at four clusters of primary schools in the northern area. Those four clusters are based at Dimbulah, Mt Garnet, Charters Towers and Bowen. A total of 32 Government and non-Government schools will be serviced by that itinerant computer teaching program.

The third initiative is a primary itinerant remedial resource teacher, who will be based at Weipa and will provide special education services to schools at Weipa, Bamaga, Kowanyama, Pormpuraaw and Aurukun.

I add that, as well as the initiatives that I have already mentioned, the Priority Country Area Program is able to support innovative educational projects and to meet the perceived needs of a particular area through the disbursement of each regional allocation of approximately $55,000. The funds are allocated throughout the year on the basis of submissions that are judged by each regional PCAP committee. The initiative of taking PCAP into the far northern areas of the State will close a gap that presently exists in the service offered.

Sugar Industry Assistance

Mr MENZEL: I ask the Minister for Primary Industries: Will he continue to make representations to the Hawke Labor Government to give such aid to the sugar industry as a price support scheme and also to increase the home-consumption price of sugar to an economic level? Is he aware of the promises made by the Labor Party before the Federal election? Will he try to make the Federal Government live up to its promises and help the sugar industry?

Mr TURNER: I am well aware of the serious problems presently confronting the sugar industry. They have been compounded in recent weeks by actions of the International Monetary Fund and the Federal Government's failure to support the Queensland Government's application for concessional interest rates for the sugar industry. Because of current interest rates, the industry will face an additional cost estimated at between $3m and $8m. The Government will continue to press for an underwriting scheme for the sugar industry and for a domestic consumption price that will guarantee a fair return to sugar producers.

The draft IAC report was handed down on 9 September. As the honourable member would be well aware, it was rejected by this Government, the industry and the Federal Government. The official IAC report was released on 4 December. Since then I have met with Queensland sugar industry leaders who have expressed grave concern at certain aspects of that report, particularly in relation to the removal of the embargo and the introduction of a tariff scheme.

The underwriting scheme that the IAC has reluctantly introduced falls far short of what was promised by the Federal Government. All honourable members would be aware that initiatives taken by the Queensland Government have introduced into the industry an initial scheme of carry-on finance of approximately $20m funded on a dollar-for-dollar basis by the State and Federal Governments. The level of assistance required by the industry will depend on negotiations on an international sugar agreement for the world market price for sugar.

In answer to the honourable member: Yes, the Government will continue to press for assistance to the industry and to see that the Federal Government honours its promises.

Transport of Blair Athol Coal for Export

Mr RANDELL: I ask the Minister for Transport: In view of the importance of the coal industry to the State and its dependence on the efficient and proven rail transport to coastal port facilities, can he advise the House of the program for commencement of the export of coal from Blair Athol?

Mr LANE: The first train conveying coal from the new Blair Athol mine to the export terminal at Dalrymple Bay left the mine on Thursday of last week. Two more trains were scheduled to run on 19 and 20 December. Commencing in January next year railings will be at an annual rate of 420 000 tonnes, rising to 2.1 million tonnes by the end of the first quarter.

Lower Mary River Irrigation Scheme

Mr ALISON: I ask the Minister for Water Resources and Maritime Services: In relation to the Lower Mary River Irrigation Scheme, can he advise whether the consultants have completed their studies into ways and means of stabilising the banks of the Mary River below the barrage and, if so, what is the result? What progress has been made on the installation of the pipes along either side of the river below the barrage? What progress has been made on the next stage of this project and when will construction begin?

Mr GOLEBY: In 1981 a barrage across the Mary River was completed. Following the construction of that barrage, the flooding that occurred this year caused a considerable amount of erosion along the lower banks. That has now been repaired at a cost of $397,000. I have inspected the area and I assure the honourable member that my department will closely monitor any other subsidence in the banks in that area.

In accordance with the promise made by my predecessor (Mr Tomkins), following the erection of that barrage, work has almost been completed to take water on both sides of the river down to Copenhagen Bend. Work on the pipeline to Tinana Creek is planned to commence early in 1984, and will be completed in that year. The pump station will be completed in 1985.

Deputy Premier and Minister Assisting the Treasurer

Mr COMBEN: In asking a question of the Deputy Premier and Minister Assisting the Treasurer, I refer to the Premier and Treasurer's answer to a question on 15 December 1983 that revealed that he, the Deputy Premier, is the only Minister who does not administer any Acts of this Parliament. I now ask: Is he aware of any other State Government Minister in Australia who does not administer any Acts and has he made representations to the Premier and Treasurer to have some minor Acts, such as the Golden Casket Art Union Act or the Lotto Act, administered by him so that this State is not embarrassed by having a Deputy Premier who administers no Acts and could unfortunately become known as the "Minister for Nothing"?

Mr GUNN: The honourable member is very new and green, but I assure him that I work 10 times harder than he will ever work and achieve 10 times more than he will ever achieve. There is plenty of work in the Treasury to keep me going, and I am very happy and satisfied with what I am doing.

Class Sizes

Mr BORBIDGE: I ask the Minister for Education: Is he aware of claims by the Queensland Teachers Union that 4 000 additional secondary school teachers will be required next year in order to reduce class sizes? Is that consistent with the class-size recommendations of the select committee of inquiry, and are the claims true?

Mr POWELL: I have seen the claims in the media that there is a need for an additional 4 000 secondary teachers to be appointed for next year in order to reduce class sizes. Of course, the appointment of 4 000 extra teachers would automatically reduce class sizes; but it is fairly clear to anybody who has any brains that the work done on class sizes in the past year by this Government has been exemplary.

The Queensland Teachers Union has no basis for the claims that it makes. It is the Government, through the Education Department, that decides how many teachers will be required to meet the need in State schools in 1984. The department's predictions have not been wrong in the past, and I have every reason to expect that they will be right in the future.

The other thing that ought to be said is that, in the past two or three years, the Queensland Teachers Union has seemed to agree that the recommendations on class sizes made by the Select Committee on Education were in fact wise. I remind honourable members that those figures were 25 in Years 1 and 2 and 11 and 12, and 30 for all the others.

Last Friday, in this Chamber, the Estimates of the Education Department were debated. During that debate, very clear evidence was given that, despite the comments in the media, the Government has moved forward very quickly in relation to class sizes. It seems that the Queensland Teachers Union is annoyed that the Government is meeting its aims, and I suggest that the union is now shifting its ground. In fact, the average size of classes in secondary schools in 1983 was 24.9, which is lower than the recommendations of the select committee. There would therefore seem to be no urgent need to drastically increase the number of teachers in secondary schools in order to reduce class sizes in accordance with the recommendation of the select committee. That is what this Government has always said it will do, and that is what it will do.

I suspect that the Queensland Teachers Union will again shift its ground as time goes by, because it has seen that the Government has met that challenge, and met it effectively. Next it will be talking about reducing class sizes, but not by any particular number or for any particular reason, except that it is trying to increase its membership, and it needs to do that by showing teachers that it is worth while rather than by any display of force.

The findings in a report prepared in California by two academics named Smith and Glass are fairly adequately recorded in "Hansard" of 29 November 1981. In the "Hansard" of that date, the honourable member for Surfers Paradise will see a graph indicating the value of class sizes to the student. In all the arguments about class sizes, honourable members should have in mind the value of class sizes to students, not how they will benefit teachers. It is very important that the argument be put back on that plain. Quite clearly, the press report emanating from the Queensland Teachers Union was concerned about the number of teachers, not about the worth of education to the children.

Women's Refuges

Mr JENNINGS: I ask the Minister for Welfare Services and Ethnic Affairs: Is he aware of a statement made by the member for South Brisbane on a television program last night, in which he alleged that the attitude of the Government towards the funding of women's refuges is macabre and ridiculous? If the Minister is aware of that statement, will he advise the House of the true situation? What concern does the Government have for the plight of women needing refuges?

Mr MUNTZ: I am aware of the points made by the member for South Brisbane. It seems that, as usual, the Labor Party is endeavouring to mislead. As time goes on, the Labor Party's credibility will slip lower. It is obvious that Labor members are not convincing the public by their misleading statements.

The member for South Brisbane completely ignored two points. The first was that the allocation this year for women's refuges was increased by 28 per cent on last year's allocation. That is a considerable increase in anyone's language. The other point that he missed was that two new refuges are to be established in Queensland this year.

I point out to honourable members that the Queensland Government provides more assistance for refuges than any other State Government. In fact, it is now funding 23 refuges. On the other hand, the Labor Government in Victoria funds only 18 refuges, and the Labor Government in South Australia funds only 11 refuges.

Water Cross Advertisement

Mr VEIVERS: I ask the Minister for Employment and Industrial Affairs: Is he aware of an advertisement that appeared in the magazine "Brisbane Living", which is the official organ of the Queensland Housewives Association, promoting what is claimed to be a miraculous Water Cross, containing, as the advertisement says, the most powerful substance in the world? As that is an amazing advertisement to be published in the magazine of the Queensland Housewives Association, in the light of that organisation's often-stated standards and its alleged support for consumers, will he, firstly, immediately investigate the legality of such an advertisement appearing, in view of the outlandish claims being made, and, secondly, make an urgent ministerial statement warning people against such products? Will he also act to prevent such advertisements appearing in magazines that are supposed to be pro-consumer?

Mr LESTER: As I understand it, the miraculous Water Cross is imported from France and is supposed to be full of holy water from Lourdes. If a person is lucky, a miracle may be performed.

An Opposition Member interjected.

Mr LESTER: It is an important issue.

No official complaints are before the Consumer Affairs Bureau at the moment, but a member of the clergy has raised certain points. It is said also that if people who buy Water Cross are not cured, they will get their money back. The cost is $19.95, plus postage of $1.05.

Other misleading statements are made in the advertisement. It says that it can make a person a real winner in life. It is amazing how gullible some people are. Anybody who goes to church knows that if one buys holy water, or pays a price for it, it loses its blessing.

People would be most unwise to send money in with that coupon to the suppliers in the God-given belief—I use that expression for want of a better one—that they will be cured. My advice would be to leave the offer completely alone. There is no guarantee; it has nothing to do with the church.

The Consumer Affairs Bureau is preparing a detailed report on that offer. I warn people very clearly: do not do it; it is a waste of money.

Employment Opportunities in the Jewellery Industry

Mr FITZGERALD: In directing a question to the Minister for Industry, Small Business and Technology, I refer to a recent article that stated that there has been a decline of over 30 per cent in three years in employment opportunities in the jewellery industry. I believe that that decline is because of the proliferation of duty free shops. I ask: Is he aware of that situation, and will he take the matter up with the relevant Federal Minister to have it rectified?

Mr AHERN: I am aware of the serious decline in employment opportunities in the Australian jewellery industry. Over the last three years, employment has declined from 32 000 to 21 000, or by 30 per cent. The increasing number of duty free or sales tax free shops is to blame for that decline. The number of apprentices in the industry is the lowest on record, and unless some action is taken, eventually there will be no employment opportunities in the industry.

Over the last four years, the number of duty free shops in Australia has risen by a factor of 30. Australians now spend $200m a year on duty free jewellery. Duty free jewellery is, by definition, of foreign manufacture. The Australian jewellery industry has approached both State and Federal Governments to ask for equal footing in duty free shops for jewellery of Australian manufacture. Those in the industry say that if that happens the number of people employed will increase by 4 000 over the next three years. I agree with those comments.

Action should be taken in this important small business area, which has an intensive labour component. I will be taking the matter up with my Federal counterpart with a view to improving the employment opportunities in the industry.

Emergency Relief for Persons in Receipt of Social Security Benefits

Mr LITTLEPROUD: I ask the Minister for Welfare Services and Ethnic Affairs: Is he aware of the Opposition's claim last night during the debate on his Estimates that the Department of Children's Services does not provide emergency relief to persons receiving Commonwealth social security benefits? Is the Opposition's claim accurate?

Mr MUNTZ: Once again, the Opposition misled honourable members. Last night the Opposition misled the Committee on so many occasions that I did not have time to answer all its claims.

The Children's Services Department does make such direct emergency relief payments, and this year they will amount to $120,000. Of the persons who will receive those payments, 80 per cent are receiving social security benefits.

The inadequacy of the Commonwealth Government's income maintenance programs must put great pressure on this Government and the voluntary sector to supplement inadequate levels of assistance. The Victorian Labor Government, in a December 1982 report entitled "Income Security for Victorians", was highly critical of the inadequacy of Commonwealth social security benefits and urged that substantial increases be made in order to take pressures off State Governments.

Suttons/Kemp Foundries

Mr INNES: I ask the Minister for Industry, Small Business and Technology: What is the present position in relation to the Government's involvement in Suttons/Kemp Foundries? Approximately how much has the Government paid out or guaranteed to date? In respect of what transactions and to whom were the payments made? How much is expected to be paid out or guaranteed in future?

Mr AHERN: The board of Suttons Foundry Pty Ltd is chaired by the Director of Industrial Development. All the relevant papers have been signed and I expect that today the final cheques will be passed as a result of the completion of the documentation.

From memory, the figures are as follows: the Government has made an investment of $1.25m in the equity of the company, which represents approximately 40 per cent of the capital of the company. As well, a Government guarantee of a loan of $1.35m has been made to the company to enable it to continue. Those are the arrangements.

The Government has a 40 per cent interest in the company and on the board it has asserted a presence that is commensurate with the Government's investment and interest in the board. That was done with a view to protecting the tax-payers. I expect and hope that the company will operate successfully, and I hope also that at an early date the Government will be able to withdraw its investment in this company so that it can revert to a fully commercial enterprise.

At present, all procedures are in place and by this afternoon the matter will be completely settled.

Mr INNES: I have a supplementary question.

Mr SPEAKER: Order! The honourable member has given notice of a question and has asked a question without notice.

Mr INNES: The rules are quiet on this issue, Mr Speaker.

Mr SPEAKER: Order!

Penalty Rates

Mr McLEAN: In directing a question to the Minister for Employment and Industrial Affairs, I refer to an answer that he gave last week concerning penalty rates. I ask: Will he now inform me exactly what he meant when he said—

(1) The Government is trying to establish the true position in regard to penalty rates;

(2) That some discrepancies have been found in the previous inquiry; and

(3) That the unions boycotted the last inquiry even though some 32 unions participated?

Mr LESTER: Obviously my honourable friend opposite has not read the Industrial Gazette dated Saturday, 31 October 1981, indicating that 19 unions voiced their disapproval and did not take part.

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

MATTERS OF PUBLIC INTEREST

Sugar Industry

Mr RANDELL (Mirani) (12.1 p.m.): I rise to speak on a matter of particular interest to the sugar industry, which is one of Queensland's greatest industries. I speak on behalf of the thousands of people who depend for their livelihood on the sugar industry. From figures quoted to me, I believe that approximately 20 000 persons are directly involved and over 100 000 persons indirectly associated with that great Queensland industry. Those figures could be much higher if the business people and other persons indirectly relying on the sugar industry for their livelihood were taken into account.

The problem that is being experienced probably developed in 1982 because of a free-market price collapse, rapidly escalating interest rates coupled with inflation, and cane-growers being caught with high levels of debt following the buoyant 1980-81 season. Many honourable members would know that they were years in which many farmers had high taxation bills to pay. The farmers went into those bad years with those debts hanging over their heads.

In addition, a fairly serious drought has occurred in most areas of the sugar industry. If that is coupled with the inroads of problems such Fiji disease, particularly in the cane-growing area of the Mackay region, the predicament in which the cane-growers are placed can be appreciated.

The domestic sugar agreement comes up for renewal on 1 July 1984. As a result of the earlier agreement, the Federal Government of the time decided, in the face of opposition from the industry, to combine in the one reference to the IAC the two issues: (1) the Commonwealth/State Sugar Agreement; and (2) the problems of the industry both short term and long term. The main objective of that action was, and still is, the confusing of problems of need and the underwriting of the negotiations for a long-term (five year) commercial contract for the sale of Australian sugar. There is no way that those issues should be locked together. As I see the matter, the only criteria should be: (1) a term of five years; (2) retention of the embargo; (3) an administered price principally reflecting costs; and, more importantly, (4) an effective formula for review of the price each six months to bring the sugar industry into line with other industries.

There is no doubt in my mind that the matter of commercial, long-term arrangements for the sale of refined sugar throughout Australia is an entirely different issue from the matters of need and a scheme of underwriting at times of income collapse. I call upon the Federal Government to finalise domestic sugar arrangements. I completely reject the concept that outside issues that are completely unacceptable to the industry should be brought into negotiations.

The matter of concern to growers and millers is the IAC report on sugar. If ever a report was designed to dismantle the main elements of industry production control, it is that report. The structure of the Queensland sugar industry was introduced by a Queensland Government. Before the member for Mackay interjects, I will recognise that it was a Labor Government. It has been adhered to and improved by all subsequent State Governments and has stood the test of time. Until now, the Federal Government has always supported the concepts to which the structure is dedicated, and that is the maintenance of the family farm. I do not know where the sugar industry would be without the family farm. I do not know to what level costs would soar without it.

The family structure is the very basis of our society. If it breaks down, our whole society breaks down. It seems to me that the bureaucrats responsible for the report have completely ignored the human factor. Thousands of people depend on the sugar industry for their livelihood.

My motto—and the Federal Government should adopt it—is that bureaucrats should be on tap, not on top. They should be there to give advice and guidance. There is no doubt that much of their advice ought to be vetted by practical men and women. My real fear is that the recommendations are basically the submissions of the BAE, where I understand the Federal Minister for Primary Industry (Mr Kerin) was previously employed. To my knowledge, that is the limit of his practical agriculture.

Mr Casey: Be fair. Mr Kerin and the Prime Minister both completely rejected the initial draft.

Mr RANDELL: I will come to that shortly. When did they reject it?

Mr Casey: Day one.

Mr RANDELL: It is marvellous how a person's thinking changes when he has to depend on the weather and on political decisions for the pay coming in. That is what farmers have to do. They do not receive their pay every week, as Mr Kerin did. Let us adopt a set of practical, well-thought-out guide-lines.

Until the State and Federal Governments decide to eliminate the family farm, the structure that I spoke about previously will be necessary. Heaven knows what the ALP will do if it gets into power in Queensland!

Mr Casey: It set up the family farm.

Mr RANDELL: That is right.

Mr Casey: Your family got its run in the sugar industry through Labor legislation.

Mr RANDELL: That is right, but you are now getting entirely different politicians in your party.

Mr DEPUTY SPEAKER (Mr Booth): Order! The honourable member for Mirani will address the Chair and not carry on a series of exchanges with the interjector.

Mr RANDELL: As I pointed out to the member for Mackay, his party is now comprised of theorists who do not understand the practical side of farming.

Doubtless, the structures about which I have spoken will be improved and streamlined as the sugar industry grows, but they should not unreasonably constrain the movement of resources into and out of the industry in response to market signals. In general, the IAC wanted to remove the concept of assignment, make farm peaks purchasable commodities, remove the embargo—has anyone ever heard such rot?—allow imports if they are competitive and remove control over production and marketing except for ISA requirements. The IAC wanted to introduce a form of underwriting that would eliminate the best two years from the previous five years to set the price level to be underwritten.

Mr Davis: What are you crying about?

Mr RANDELL: We know what the member for Brisbane Central is thinking about. It is a pity that he did not have to get out amongst it. However, my time is limited and I will not waste any of it on him.

Honourable members should know that underwriting is a measure calculated to inject funds into an industry over the short term to cushion the impact of income collapse. The member for Mackay should be supporting me on some of these proposals, not interjecting.

Mr Casey: I will not support you unless you are constructive in what you are saying.

Mr RANDELL: The industry has asked for a guaranteed minimum price of 95 per cent of the average surplus price in the immediately preceding five seasons. That is what the member for Mackay should be looking for.

Mr Casey: That is the basis of expansion within the industry.

Mr RANDELL: I ask the member for Mackay to listen to the IAC recommendation, which is to take the worst three years of the previous five years. Little or no assistance would be given to growers if the price were based on only 95 per cent of that figure.

One of the greatest dangers to the industry is the recommendation to lift the embargo on sugar imports. I contend that the embargo is fundamental to the marketing arrangement for refined sugar. In the past it has given consumers a reliable, high-quality product at a reasonable price. If I had my way, the embargo would be not only retained but also enlarged—to cover the imports of all artificial sweeteners which may be substituted for sugar.

The interesting thing about the IAC report is the attitude of the Federal ALP Government to it. Honourable members may remember that prior to the State elections on 22 October, Mr Kerin and Mr Hawke travelled right along the coast of Queensland campaigning in sugar towns for the State ALP. They promised help to the sugar industry. They promised an underwriting scheme. They promised anything that might get them votes. It was the biggest public relations exercise to keep farmers and workers pacified and happy that I have ever seen. Then out came the draft report of the Industries Assistance Commission, right on the eve of the State election, and—surprise, surprise!—what was the reaction of the Prime Minister and the Minister for Primary Industry?

Replying to a question from Mr Gayler in the Federal Parliament, as reported in "Hansard" on 13 September, Mr Hawke said—

> "I can assure the honourable member for Leichhardt that the Government has no intention whatsoever of implementing the commendations of the draft report.
>
> . . .
>
> My colleague the Minister for Primary Industry has already stated quite clearly that these recommendations would be utterly disastrous for the sugar industry. Their acceptance could destroy all that has been built in the last 70 years. No responsible government could possibly allow that to happen.
>
> . . .
>
> I conclude by saying that the IAC report is totally unacceptable to this Government."

Mr Kerin said—

> " . . . the IAC's draft recommendations on the sugar industry were disastrous. The IAC has delivered yet another set of impractical recommendations to the Government.
>
> While this is not their final report, to present a list of options which would effectively destroy all that has been built up over 70 years is ridiculous."

But what is now to happen to the final report of the IAC? All Mr Kerin is saying is that the report warrants careful consideration. That report varies very little from the draft report rejected by Mr Hawke and Mr Kerin just before the Queensland election. I call on the Federal Government to completely reject the report. If it does not, it has completely misled the sugar industry and those who rely on it.

I also ask the Federal Government to get on with the job of completing the Commonwealth/State sugar agreement free of any constraints, on the recommendation of the Queensland industry, and of implementing a separate underwriting scheme that will give some relief to an industry that has made such an enormous contribution to the economy and well-being of this State and nation.

Election of Officers of the Amalgamated Metals, Foundry & Shipwrights Union

Mr R. J. GIBBS (Wolston) (12.11 p.m.): I propose to set the record straight on certain comments made in Parliament about the Amalgamated Metals, Foundry & Shipwrights Union and its dealings with a company known as Skilled Engineering (Contract Labour) Pty Ltd.

Firstly, I refer to the minutes of a Trades and Labor Council meeting on 21 April 1981, and I quote from part of them—

> "That having considered the correspondence from Skilled Engineering and reports from Executive members closely involved with the problem of body hire, that Council should unequivocally condemn the practice of body hire in whatever its form and ask affiliates to resist to the utmost its extension in this State. Body hire does nothing to help the unemployment situation, in fact it allows employers the opportunity to avoid the employment of their own full-time staff. It aggravates the shortage of skilled workers and because of its nature it denies training opportunities to young workers."

The date of 21 April 1981 is significant, because that is two and a half years ago, two and a half years prior to the problems that have recently arisen in that union concerning a number of personalities to whom I shall shortly refer.

I shall now quote from a press release of Mr Austin Vaughan, the State secretary of that union, which states—

> "The Union, in line with Trades and Labor Council Policy determined in April 1981, opposes the labour hire only operation of Skilled Engineering and similar companies, which has the effect of reducing permanent employment within companies."

He also referred to the fact that a certain gentleman by the name of Patrick J. Hennessy of 6 Macaranga Street, Marsden, had nominated against Brian Burns to contest the position of State president of the union. I draw to the attention of the House that at no time was Mr Hennessy's nomination ruled ineligible by the Amalgamated Metals, Foundry & Shipwrights Union. In the first instance, it was ruled out of order by the Australian Electoral Office, a completely impartial body, on the basis that Mr Hennessy did not have continuity of financial membership with the union.

I have here a copy of Mr Hennessy's financial standing with that union between 31 March 1976 and 25 August 1983. I am prepared to table that document for the benefit of honourable members. It shows that on numerous occasions he was unfinancial.

Following the decision of the Australian Electoral Office, Mr Hennessy appealed to a Federal Court. On Monday of last week, Mr Justice Evatt upheld the ruling of the Australian Electoral Office. In short, that means that a justice in one of the courts of Australia has ruled that Mr Hennessy has no right to nominate for that position with the union, and rightfully so. I say that on the basis of his lack of continuity of membership and, although one speaks about the necessity of people being members of trade unions, this same gentleman who poses before the public as a person badly done by, was sacked only a few month ago from General Motors-Holden for stealing.

I now turn to a transcript of an interview between Red Harrison and Gerald Mercer, a former member of the National Civic Council. It begins—

> "Red Harrison: The National Civic Council was founded back in the late 1950's by Mr Bob Santamaria to lead the fight against Communism in Australia."

It refers to internal struggles within the council, and then continues—

> "Red Harrison (cont): unions. Now the Council is bitterley divided and the parting of the ways has involved the formation of a new group, called the Industrial Action Fund and the dismissal of five senior Council officials. One of them is the former Council Secretary, Mr Gerald Mercer, and he talked to Richard Synnott about the split.
>
> Richard Synnott: How much money went to the NCC? Your document that you put out last week said that the NCC very recently, since you left it, spent $140,000 on the metal workers election?
>
> Mr Mercer: I think that was a rather special event. It was most unusual in my experience and I think that money was raised separate to the NCC's budget, but our budget in the past was something in excess of a million dollars a year."

There it is in black and white from a former member of the National Civil Council that money was spent in order to cause disruption in the federal elections of the Amalgamated Metals Foundry and Shipwrights Union last year.

I sound a note of warning to members of that union in Queensland—I hope the press will run this—that at present there is an insidious infiltration of that union—a deliberate campaign of disruption—by, I believe, members of the National Civic Council and by members of the break-away group calling itself the Industrial Action Fund.

I will further prove my point by quoting from correspondence involving a man named Rodney Kelly. I have a letter from him, which I am prepared to table, to the joint national secretary, Mr J. Kidd, on 4 May 1982. Kelly refers to "my good friend and colleague, Brian Burns, the State president of the Amalgamated Metals Foundry and Shipwrights Union" and makes certain allegations against him in relation to the operations of Skilled Engineering (Contract Labour) Pty Ltd. He also makes accusations in relation to the activities of the same company in Victoria when it was working on the site of

the Kraft factory at Port Melbourne. It is signed by "R. Kelly" Strangely enough, the same R. Kelly was the person who ran for the federal presidency of the union against Mr Dick Scott.

I now want to refer to a document published late last year by the National Civic Council. It refers to how the council has to infiltrate the trade union movement in order to enable its groups to manipuate union affairs. It states—

> "In the event, Carmichael won and his opponent Kelly subsequently repudiated the National Civic Council. He was backed by the National Civic Council to the tune of $140,000."

After he was defeated handsomely by the rank and file members of the AMFSU, he repudiated the financial support he had received from the council. But I have already shown members the very close connection between Kelly and Hennessy, the gentleman whom I mentioned previously, who is employed by Skilled Engineering. Only a few months ago Hennessy approached Mr Brian Burns and, at a meeting held at the Caxton Hotel at Paddington, gave Burns an undertaking that he would withdraw from the race for the presidency of the Queensland branch on the condition that Burns used his influence to reverse the decision made by the Trades and Labor Council in 1981. Burns made it very clear to him that he was not prepared to forgo his principles and cut down the conditions imposed by the Trades and Labor Council in 1981.

Another insidious side to this story needs to be revealed. An article in the "Sunday Press" of 11 December 1983 could virtually be called "Heartbreak Corner". It contains a photograph of the same Rod Kelly and his wife and children. It is headed, "Banned for life: union rebels", and reads, in part—

> "It will not be a merry Christmas for Rod Kelly and his family. There will be no turkey on the table and his young children will not fare as well as other years."

I feel sincerely sorry for people who are genuinely in such a situation. Kelly was sacked from his job by a southern company last year for doing foreign orders on the job. He appealed to the court against his sacking. The case was presented in court for two weeks by barristers assisted by junior counsel. Who knows who financed that appeal which ran for two weeks? The company finally decided it was time to end the case. I am reliably informed that it settled with Kelly, out of court, for a lump sum of $52,000. That happened less than 12 months ago, and Kelly is depicted in the press article screaming poor-house and that he has no money for turkey or Christmas gifts for his children. Quite clearly it is a fraud and a set-up.

(Time expired.)

Government Commitment to Free Enterprise; Suttons Foundry

Mr INNES (Sherwood) (12.21 p.m.): My matter of public interest today concerns the Government's commitment to free enterprise and the importance of free enterprise in the fabric of Queensland. I intend to put that matter in the context of the Suttons Foundry involvement by the Queensland Government that I have previously referred to in questions.

It is interesting to note that the present Minister for Industry, Small Business and Technology, very early in his Ministry, issued documents indicating the policies that would apply to assistance for small business. In part, the document relating to industry assistance measures reads—

> "A recent examination of assistance measures revealed that approximately 30 per cent of clients receiving assistance from the Department defaulted within the first five years due in part to inadequate analysis of the financial affairs and productive potential of companies, firms and businesses applying for assistance."

Later, the following appears—

> "... more stringent eligibility criteria will apply to all applicants for financial assistance."

Reference was made to the matters that will be taken into account, such as potential viability, management ability, expansion and increased employment potential and the financial strength of the company.

Quite properly, we in the Liberal Party support free enterprise because it is productive, because it motivates and because it ensures efficiency. Without efficiency business cannot remain in business, it cannot provide jobs and it cannot produce goods. Any enterprise

based on less than commercial business efficiency is usually on a one-way course to trouble and potential liability to the public purse. We are the guardians of the public purse. The Liberal Party and, I understand, the National Party support with great vigour the free enterprise ethic.

I turn to Suttons and a brief history of this matter. In December 1981, according to information that I have received, Suttons borrowed $750,000 from Citicorp. In May 1983, against the recommendations of various financial advisers, even, I believe, a Government department, it contracted to purchase the Currumbin Foundry from Wormalds International for an undisclosed amount which might have been about $2.6m. Suttons approached the Minister's department, as the present Minister indicated—though he was not the relevant Minister at the time—and it was declined assistance until two weeks before the recent State election.

In August 1983, after experiencing liquidity problems for about two years, Suttons factored their debts to AGC Factors Limited. Citicorp, having lost a substantial portion of its security, foreclosed on the loan. That happened about one month before the Government entered into an arrangement with Suttons to provide financial assistance. In making that decision, the Government ignored the advice of its department, the rules of its present policy, and the principles of free enterprise.

If the foundry industry was vital to the economy of Queensland and if Suttons was the only company, it would be reasonable to expect some overwhelming public interest in the financial difficulties of the company. Indeed, jobs are important and we have great sympathy for people out of work in these difficult times.

However, considering the free enterprise ethic, the consequence of the Government's assistance to Suttons is important. Other companies within the foundry industry may suffer as a consequence of the Government's action.

In October 1983 representatives of seven other foundries met at MTIA House. Those foundries represented approximately 90 per cent of the iron foundries of Queensland. Almost 400 people—in fact, 398—are employed in the industry. The total turnover per annum in the foundry industry is approximately $15,750,000. Funds invested by these companies amount to approximately $15m. Annual output is approximately 9 300 tonnes.

All representatives at that meeting indicated that Suttons Foundry had created problems for its operations, especially with price-cutting. For example, for the annual supply contract of the Brisbane City Council of 7 October, Suttons Currumbin foundry quoted 21 per cent to 28 per cent under the quotes of its competitors. Its prices were 25 per cent to 45 per cent cheaper than the prices quoted to the Brisbane City Council two years ago. If that represented efficiency, it would be commendable. But those prices were being offered by a company in great financial difficulties, which was trying to buy time.

I tried to ask a supplementary question of the Minister for Industry, Small Business and Technology this morning about some of these matters but I was not allowed to do so. I would like to know whether it is true that the company into which the Government has now bought owes almost $480,000 in taxation, approximately $78,000 in workers' compensation premiums, and $700,000 to Citicorp Aust. Was it further obliged to pay Wormald International almost $2.6m to complete the purchase of the Currumbin foundry? If half of those figures are correct, the company is in a grave financial crisis.

Mr Underwood: Are you against assistance?

Mr INNES: I am against any assistance that will jeopardise the efficiency and competitiveness of foundries that are self-reliant and can increase their capacity to take up the slack.

What happens if a wild card undercuts everybody else and forces them on a one-way track downhill into liquidation? It jeopardises the future of companies that have been efficient in their operations and have not sought Government assistance. The Minister admitted that three foundries in Innisfail, Bundaberg and Maroochydore produce the same type of cast-iron valve fittings for sewerage and water works that Suttons do. They have done it efficiently.

I am not against the possibility of Government support for a business with short-term liquidity problems, especially if it is the only company operating in an industry. But Suttons Foundry is not the only company. The mismanagement and inefficiency at Suttons has jeopardised the liquidity of viable companies that have not yet approached the Government for assistance.

Mr Davis: Has it paid the bread bill yet?

Mr INNES: That is another matter.

The foundry industry produces approximately 9 000 tonnes per year. Its capacity is twice that, but present conditions are very difficult. The average price per kilo of cast iron is $2. Iron foundries work on a 10 per cent profit margin. Last year, Suttons produced about 3 000 tonnes. The company will have to lift its production by almost 60 per cent just to pay the interest of $1.25m on the direct loans and to cover the interest on further loans of $1.25m which were guaranteed by the Government. In other words, a massive increase in production will be required simply to pay the interest. And even that will not get the company out of its financial problems.

The Government should not be in the business of jeopardising public moneys for the purpose of propping up inefficient organisations. To make matters worse, in this instance the Government acted against the advice that was given by its expert department, which saw the problems, the inefficiency, the liquidity problems and the mismanagement.

The only explanation that can possibly be offered is that two weeks before the election the Government felt that the result in one electorate, namely, South Coast, which was held by a Minister, would be related in some way to the Currumbin foundry issue and that perhaps some expectation existed in relation to the facility at Ipswich.

I would ask the Minister for Industry, Small Business and Technology: Is the money that is being offered by the Government to be used for the purpose partly of paying Wormalds? Wormalds came into the Currumbin foundry on a 40 per cent basis, which is the same as that on which the Government is involved. So it is possible that the $1.25m will pay Wormalds for the land. If so, that will not help Suttons Currumbin foundry one whit.

The great danger is that the Government's action will jeopardise the small, competitive and efficient foundries in Queensland. I want an assurance from the Government that those foundries will not be jeopardised, that Suttons will not be bailed out further and the Suttons foundry at Currumbin has the capacity to stay in business on current demands.

The Government's obligation now is to ensure that not only Suttons Foundry stays in business but that the other foundries stay in business. It also has the obligation to ensure that the public money is repaid. On the facts that I have outlined, that is an absolute impossibility, and the Government has been negligent in its management of public money.

Breaches of Clean Waters Act

Mr VAUGHAN (Nudgee) (12.31 p.m.): I rise to speak about the illegal dumping of thousands of litres of toxic liquid caustic waste in my electorate and the failure of the Water Quality Council to prevent that dumping because of the lack of teeth in the Clean Waters Act.

In September last, I received information that an unmarked, unregistered road tanker was picking up toxic liquid caustic waste from the Alcan aluminium works at Eagle Farm late at night and was dumping that waste in the Eagle Farm and Nudgee areas.

I immediately passed the information on to the Brisbane City Council and was subsequently advised that dumping had taken place at Mundin Street, Pinkenba; Raubers Road, Banyo, and Queens Road, Nudgee.

An inspection of the dumping site at Queens Road, Nudgee, revealed that so much of the caustic liquid had been dumped there that it had carved a path about 15 metres wide through grass and trees and down a slope into a swamp area just below St Vincent's Home.

At the point of discharge there is a white crust on top of the ground about 1 cm thick (apparently some aluminium compound) and from there down the slope the ground is saturated with the liquid to such an extent that a brown oily liquid oozes up when the ground is walked on.

Trees have died or are dying and all grass in the path of the liquid as it flooded down the slope has been burnt. The liquid waste that has reached the bottom of the slope is floating on the surface of the swamp over a wide area.

I have since learned—the Minister for Local Government, Main Roads and Racing confirmed this in his answer to my question yesterday—that officers from both the Brisbane City Council and the Water Quality Council have staked out various areas where illegal dumping had taken place and have tried to tail the tanker on its late-night trips. However, I understand that, somehow or other, the police became aware of the stake-outs and surprised the people involved, demanding to know what they were up to.

Yesterday, in answer to my question, the Minister acknowledged that water quality inspectors had been questioned by police about their activities while carrying out their surveillance. However, he did not give me an answer as to the reason for such action by the police. In fact, the Minister skated round most of the specific questions on which I sought answers.

I am still intrigued as to what role the police were actually playing, and I am also now wondering why the Minister chose not to provide answers to the points raised in my question to him.

As I understand that the tanker truck involved is not registered and has to travel some distance to the Alcan aluminium works, I also find it hard to believe that it can do so with apparent impunity.

I am advised that, when attempts were made to tail the tanker to its dumping point, vehicles which were apparently riding shotgun for the tanker got between the pursuers and the tanker, and even tried to run them off the road. When the pursuers became concerned for their safety, they tried to break contact and were in fact chased.

The Minister has acknowledged that something along these lines happened and that the matter had been referred to the police, but he avoided answering my question as to whether the police were ever requested to assist in the surveillance and/or apprehension of the people dumping the waste.

I have since been advised that when the tanker left the Alcan works it was shepherded by vehicles, in front and behind, which kept close to the tanker. In addition, in another vehicle there was a "tail-end Charlie" who kept some distance behind the procession, apparently to watch out for any tails and radio such information to the vehicles in front.

The whole operation was carried out with military precision. And understandably so, as I informed that one of the vehicles involved belonged to a person in the army.

It may be difficult to understand why people would go to such lengths to illegally dump toxic liquid waste. However, thousands of litres of the waste has been dumped, for which large amounts of money have been paid. The question is: How are these people involved in this dumping able to go scot-free?

In an endeavour to find the answer, last week I directed a question to the Minister for Local Government, Main Roads and Racing. From the Minister's answer it appears that, although there has been a considerable number of alleged breaches of the Clean Waters Act since the Act was introduced in 1971, not one person or company has been prosecuted.

The fact is that inconsiderate, mercenary people can illegally dump thousands of litres of toxic liquid waste and cause severe pollution and nothing is done about it because the people responsible have to be caught in the act, and even then I understand that under the provisions of the Act as it is, the owner of the land on which the waste was dumped would be prosecuted and not the company producing the waste or the person doing the dumping.

The question I ask is: why cannot the people responsible for dumping toxic waste be prosecuted in the same way as people who commit any other offence? After all, a person does not have to be caught actually driving a vehicle to be charged with drink-driving.

If a bank-robber or a murderer had to be caught in the act of committing the offence, very few people would be convicted for those offences. Why is protection given to people who illegally dump waste? I will not accept that Alcan did not know that its toxic liquid waste was being disposed of illegally. It could not be so naive.

Again the Minister, in answer to my further question yesterday, neglected to state whether the toxic liquid waste came from the Alcan aluminium plant at Eagle Farm. Does he not want it to be known that thousands of litres of toxic liquid caustic waste from Alcan has been dumped round the countryside instead of being disposed of in the correct way?

In his brief reply to my further question yesterday, the Minister contended that the waste was dumped on land owned by the Brisbane City Council at Nudgee and therefore, since it was not dumped in a watercourse, it would not be likely to cause water pollution and thus no breach of the Clean Waters Act occurred. If I have ever heard of anyone trying to wriggle out of an issue, that is it.

The fact is that section 31 of the Clean Waters Act refers to any matter or thing being carried or washed or blown into any waters or by percolation of any part of such matter or thing into any waters. As I have earlier pointed out, the liquid waste dumped at Queens Road, Nudgee, flowed down a slope into a swampy area. In heavy rain this swamp fills up and overflows into the airport floodway or through into Nundah Creek and into Moreton Bay near Nudgee Beach.

Again, I would point out that in my question yesterday I referred to the dumping of toxic liquid waste in the Pinkenba and Nudgee areas. The Minister conveniently ignored the dumping of waste in the Pinkenba area to which I initially referred. Waste dumped in the Pinkenba area caused severe pollution in Boggy Creek, and I am told that the Water Quality Council and the Brisbane port authority were well aware of it. What is the Minister covering up?

If the dumping of the waste did not represent a breach of the Clean Waters Act, as the Minister contends, why did the Brisbane City Council bring the matter to the notice of the Department of Local Government, as the Minister has acknowledged? Why were water quality inspectors involved in late-night and early-morning surveillance to try to detect illegal dumping of toxic waste? What about pollution of Boggy Creek at Pinkenba?

I do not accept that there has been no breach of the Clean Waters Act. The Minister knows that the provisions of the Act are a joke. He and the Government do not really want the Act to have any real teeth as, if it did, it would be an embarrassment to them.

As the Minister has admitted, since the Clean Waters Act was introduced in 1971, there has been a large number of alleged breaches but not one prosecution. All that has occurred is that offenders have been spoken to and a supposedly satisfactory solution has been reached. Is it any wonder that people are continuing to pollute our land and our water with impunity?

It is time that the illegal dumping of toxic liquid waste was stopped. What has happened in my electorate must surely be only the tip of the iceberg.

Although the Minister has stated that he does not consider the provisions of the Clean Waters Act need tightening up, my information is that, because of anomalies in the Act, the firm, Crookes, Mitchell, Peacock, Stewart Pty Ltd, has been asked by the Premier's Department to prepare a report entitled "Study of Industrial Liquid Wastes and Hazardous and Toxic Wastes in South-east Queensland", and that report will be made public shortly.

I take this opportunity to call on the Government to take immediate action on this issue before a serious situation is caused by the illegal dumping of toxic liquid waste. I also call on the Government to make those people responsible for the mess that has been caused in my electorate by this illegal dumping clean up the area that has been severely polluted.

Nominations for Mansfield Electorate, State Election

Mr KAUS (Mansfield) (12.40 p.m.): I wish to put the record straight in relation to what happened to me 12 months ago, at a time when I was a member of a Government delegation to a conference of the Commonwealth Parliamentary Association held in the Bahamas.

Just prior to that, at a Queen's Medal shoot at Belmont, Dr Llew Edwards, who was then Leader of the Liberal Party, presented the trophies. Prior to his leaving for another function, I told him that I was putting in my nomination and asked if he would look after it while I was overseas. Dr Edwards said, "Right; don't worry about it. Get that nomination in. You'll be right." The following Sunday I left for London and the Bahamas.

Mr Davis: That's Noddy, you are referring to?

Mr KAUS: The member for Brisbane Central might refer to him as "Noddy"

Two nights prior to my leaving, the then private secretary to the Honourable Don Lane, Mr Goebel, rang to say that he wanted to see me. There was no need for me to see him, but I said that I would. We arranged to meet at the Criterion Hotel in the bottom bar, where barristers and solicitors meet for a drink after work.

At half past seven, when I walked into the bar, only two fellows were there. I did not know them from a bar of soap. One said, "How are you, Bill? You'd better come along and have a drink with us." I said, "Yes, I do not mind doing that". I do not mind a cold ale. He knew me, but I did not know him. After speaking to him, I found that he was the Labor candidate for Merthyr, and I was to meet the private secretary of the member for Merthyr!

When young Greg Goebel came into the bar, he stayed down at the bottom end. The fellow said to me, "Do you know him?" I said, "Yes, I think that is young Goebel". However, he did not come up and have a beer with us. Finally, Leon Pearce, who was the Labor candidate standing against Mr Lane in Merthyr, invited Mr Goebel up. We had a beer and a talk and then Mr Pearce left.

Mr Goebel and I then had a discussion, during which I said straight out to Mr Goebel that I was putting in a nomination and would be going overseas on the following Sunday. I said that I did not expect him to nominate for my seat.

My wife and I went to London and were looking at a few things there before we went to the Bahamas.

Mr Davis: Did you look at the Westminster system?

Mr KAUS: No. We went to the station out of which I was flying during the war.

When I was in London, late one night I received a telephone call from the member for Ithaca (Mr Miller). He said, "Your nomination has been put in". That was done by my secretary while I was overseas. The money was paid. He said, "Mr Goebel has lodged a nomination as well."

I must say at this point that 14 other people who had indicated a desire to nominate for the seat were told by me that I was nominating. They withdrew their nominations. One of them, a lady, intended to move into the electorate because she thought that I was not nominating. I said, "Do not do that. I will be nominating."

The delegation continued on its way and enjoyed 14 days of glorious weather while attending the CPA conference in the Bahamas, which is not a bad spot.

Mr Davis: What about your report?

Mr KAUS: The honourable member will be able to see the report. It has already been written. The conference was very productive.

Because I had to attend a pre-selection meeting, I returned to Australia eight days earlier than the other members of the delegation. I was still suffering from jet lag when, two days after returning, I attended the pre-selection meeting at which I was defeated.

Most honourable members know what happened after that. I would just like to set the record straight on one matter. On 27 July, Gary Neat—all honourable members know who he is—claimed that I had not done my job in the electorate and that I had broken an undertaking that I had given the Liberal Party. What he did not realise was that over a period I had conducted some surveys and the results had persuaded me to stand for election. I realised that I had to stand for a party, and on 13 July I joined the National Party.

Before joining the National Party on that day, I received a visit from the member for Sherwood (Mr Angus Innes) who asked me what I intended to do about the Liberal Party meeting on the following Monday. I told him that I would not embarrass him and that I would not attend the meeting.

The member for Sherwood then went to see the former member for Windsor (Bob Moore). At that very moment, both Bob Moore and I were waiting for a telephone call that would summon us to the National Party headquarters to join that party. Bob Moore also told the

member for Sherwood that he would not embarrass him by attending the Liberal Party meeting. Of course, the member for Sherwood did not know that we were about to join the National Party. It was one of the best moves I have made.

Mr Neat claimed that I had lost 14 per cent of the votes in Mansfield. He forgot to mention that a partial redistribution had taken 14 per cent of the votes in that electorate away from me and given them to Mr Scassola to give him what he thought would be a safe seat in Mt Gravatt.

Mr Mackenroth: Who is he?

Mr KAUS: He is one of the former members of this House.

In reply to Mr Neat's statements in the press, I wrote to the editor of a newspaper and said, in part—

> " . . I would point out that my first and foremost duty is to the electors of Mansfield, not the Liberal Party, and since the events of November 1982, when the Liberal Party chose to elect another candidate I have been approached by numerous constituents in my electorate asking whether I would not consider putting myself forward against the Liberal candidate."

I undertook some surveys that showed that I had a 90 per cent chance of retaining the seat. From the very day I joined the National Party, I knew that I could not lose the seat, that all I had to do was let that little fellow Goebel run around door-knocking, because he lost two votes at every house at which he called. In the end result, I gained 40 per cent of the vote. I did not expect to top the ALP on the primary vote.

Mr Mackenroth: Come to the punch.

Mr KAUS: I do not need any punch. The voters gave the punch on election day. The result for me was marvellous. I could have won the seat as an Independent, but I do not believe that there is any future in being an Independent. As I said, I did not change horses in midstream; I moved up from the rump to the neck of the horse and held one of the reins. I have never worked as hard as I did during the campaign.

(Time expired.)

Northern Freeway

Mr DAVIS (Brisbane Central) (12.50 p.m.): I do not intend to judge the member for Mansfield for changing from the Liberal Party to the National Party, nor will I attempt to judge the members for Merthyr and Wavell for their defection from the Liberal Party. That will be done by the electorate in the future. But perhaps it is timely to remind the House of a story about an earlier defector from various political parties named Billie Hughes. As members would well know, Billie Hughes was a Labor member of Parliament who eventually became Prime Minister of this great country. But he had an argument with the Labor Party and became a member of the United Australia Party. From there he went to the Nationalist Party. He had an argument with that party and moved to the Liberal Party. He had an argument with the Liberal Party and looked like getting the boot out of that party. Finally, somebody said to him, "Well, Billie, there is only one more party you can join, and that is the Country Party." Hughes replied, "What do you take me for, a rat?"

Members will recall the problems associated with the Northern Freeway that was announced by this Government about three weeks after the 1972 election. The member for Merthyr and I were on different sides of the dispute. I was, of course, supporting the people who would have been affected by the proposed freeway, and the member for Merthyr was supporting the Government's proposals. He was not too concerned about those people.

Mr Lane: I door-knocked them. You never did.

Mr DAVIS: The Minister did not do any door-knocking. He, Porter and Alex went to four houses, and then it was announced in a north side newspaper that they had door-knocked the whole area and that all the residents had agreed with the proposal.

Mr Lane: We didn't door-knock the whole area.

Mr DAVIS: The Minister said that he did. He took six people out there, they knocked on the doors of four houses and then went to the hotel. That was the extent of their community involvement.

An entire community was disrupted. Half of the houses acquired by the Mains Roads Department were acquired for far less than normal resumption prices. Community after community was destroyed. I give credit to the Main Roads Department for not going straight in and demolishing all the houses.

Mr Lane: They would have knocked yours over if they had known.

Mr DAVIS: They were very close to it. A lot of people whose properties were not acquired still suffered.

Mr Lane: You have a pecuniary interest in this.

Mr DAVIS: I have a great financial interest in it.

Mr Lane: It goes right through your back yard.

Mr DAVIS: That is right, and I was never offered any compensation for it.

Mr Lane: Does it go over the mango tree, or doesn't it?

Mr DAVIS: The Minister need not worry about that. He should worry about his involvement, because he did not support the people. They never forgave him for that. If that area ever becomes part of the electorate of Brisbane Central, they know who supported them during that very difficult time.

Mr Lane: You and Charlie Gifford.

Mr DAVIS: The Minister need not worry about him. A meeting was held at the K. M. Smith funeral parlour. On one side was the member for Merthyr——

Mr Lane: On his Pat Malone.

Mr DAVIS: No, the Minister had support. He dragged along some of his former Liberal colleagues to support him.

The other day I asked a question of the Minister for Local Government, Main Roads and Racing. This is important because the Minister misled the House in his answer to the third part of that question, in which I asked—

> "Have a number of residents recently been told to find alternative accommodation?"

The Minister's answer was, "No."

Mr Lane: The answer was "No."

Mr DAVIS: I am sorry that I did not bring the letters with me. Quite a number of residents have been told to find alternative accommodation.

Mr Lane: What a misleading statement! They have not.

Mr DAVIS: If I were to put my integrity against that of the Minister, I know who would win.

Mr Lane: I would.

Mr DAVIS: The Minister for Transport was completely wrong. A number of people in the area, in the Minister's electorate, have been told.

Mr Austin: Have you a list of the names?

Mr DAVIS: I have the list but I will not produce it.

Mr Lane: You will not produce it?

Mr DAVIS: If I put their names in "Hansard", on the record of the Minister, a former special branch investigator, what chance would they have?

The other day, the Minister for Health misled the House with information supplied to him by the member for Merthyr, which he had received from the special branch.

Government Members interjected.

Mr DAVIS: Quite a number of tenants are worried about what is to happen with this freeway.

Mr Lane: They have no reason to worry.

Mr DAVIS: They have reason to worry.

Mr Austin: With my experience in the Main Roads, I could have been quite helpful.

Mr DAVIS: The only thing that the Minister for Health has done for the freeway is divert the proposed road that should have gone through his electorate into the electorate of his former colleague the member for Nundah.

It is a fact of life that 204 properties were taken over by the Main Roads Department. What is to happen to the people living in them? The only organisation with the expertise to take them over is the Housing Commission.

The other day, I asked the Minister for Works and Housing a question in these terms—

> "Has the Housing Commission been approached to take over houses and flats that were acquired by the Department of Main Roads for the now abandoned northern freeway?"

In reply, the Minister said, "No." By way of interjection, I said, "You have been approached." The Minister has been approached by Bishop Gerry. The Minister may not have read the letters, but he has been approached by quite a number of welfare organisations to take over these properties.

What would it cost the Housing Commission to take the properties over? It would be only a matter of a book debt. It would be like Peter paying Paul. The properties were bought on the cheap. People were pushed out. As soon as the freeway was announced, people were approached and they got out.

Mr Lane: It was done at market value.

Mr DAVIS: Half the time it was not done at market value. I advised people to stop there and fight all the way. People who fought all the way are still there.

Mr Austin: You lost your seat because of the freeway.

Mr DAVIS: I did not lose my seat because of the freeway; it was because the Government got rid of 700 people in the Valley.

It is amazing that all the freeways run through Labor areas. In this instance, it runs through the electorate of Brisbane Central. The South-East Freeway ran through the old electorate of Norman and the electorate of South Brisbane. Freeways run through Labor electorates.

Mr Austin interjected.

Mr DAVIS: I lost my seat only because of rorting by certain people. I do not believe in living in the past. I know that, like General Macarthur, I return with a bigger majority than I have ever had.

The cold, simple facts of life are that 204 properties are involved, which means that over 500 people are concerned. Single mothers and welfare pensioners want something done. I would like the Housing Commission to take over the 204 properties. The properties that are not demolished can be used as accommodation for aged pensioners. A transfer from the Main Roads Department to the Housing Commission is all that is required. That is the correct and proper thing to do.

(Time expired.)

Mr LANE: I rise to a point of order. All of the tenants referred to by the honourable member have received written undertakings from the Main Roads Department.

Mr DEPUTY SPEAKER (Mr Booth): Order! The time allotted for the debate on matters of public interest has now expired.

[Sitting suspended from 1.1 to 2.15 p.m.]

VALUERS REGISTRATION ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 14 December (see p. 677) on Mr Tenni's motion—

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

Mr MILLINER (Everton) (2.15 p.m.): The Opposition does not oppose the amendments proposed in this Bill. They are commonsense amendments because they will allow valuers working for the Commonwealth Government to work in Queensland. One assumes that a valuer employed by the Commonwealth Government can perform his duty to a competent standard. Valuing is an interesting profession. Because so many factors must be considered when land is valued, it is not an exact science.

In his Opening Speech His Excellency the Governor indicated that, during this session, amendments would be introduced to the Valuation of Land Act. That is the legislation under which valuers operate.

I am concerned at the way in which a valuer determines how much a parcel of land is worth. In real estate, a purchaser and not the vendor sets the price of a property. Although the vendor may want to sell his property for $100,000 the price that the property is worth is determined by what the purchaser is prepared to pay for it. If a purchaser is only prepared to pay $50,000 for the property, that is its value.

Many times valuers will place a minimum value on a piece of land that has been resumed, particularly by a local authority. In some cases that amount can be as low as $100. The land-holders therefore receive very poor compensation. Many people borrow money in order to purchase a block of land. The local authority may wish to resume part of that parcel of land for a specific purpose, such as an easement. The local authority offers the land-holder a substantially lower value for that piece of land. As I said, in some cases it can be as low as $100.

People have the right to appeal against determinations made by valuers but it can be a very lengthy and costly process; most people simply accept the valuation. However, the land-holder remains responsible for the liability incurred in financing the purchase of the block of land.

Valuing is not an exact science and can be very difficult. I hope that, when the amendments to the Valuation of Land Act are introduced, some of these problems can be overcome.

The Opposition does not oppose the amendments.

Hon. M. J. TENNI (Barron River—Minister for Environment, Valuation and Administrative Services) (2.18 p.m.), in reply: Problems have been caused not by the Valuation of Land Act but by the changes in land values that have occurred since 1973-74.

Valuation is a very complex matter and it will be interesting to debate the proposals that I will be introducing in the very early part of next year. I feel sure that the honourable member for Everton will agree that the amendments to be introduced will be of great benefit to Queenslanders. I am confident that these proposals will be adopted by all other States. As a matter of fact, my department has already received inquiries from some of the other States about the proposals to be introduced.

The Valuer-General and his staff have played a very large part in formulating those proposals. It is now simply a matter of getting them together and putting them to the people of Queensland. I am sure that the problems that have arisen will be solved.

Although the Bill is a very simple one, it is vital in that it provides for the continuation of employment of people coming from the Commonwealth and those who transfer from one State to another. I hope that the other States follow the example set by the Bill. I do not see that any problems will arise as the result of this legislation.

I thank the honourable member for Everton for his comments.

Motion (Mr Tenni) agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

COAL AND OIL SHALE MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 15 December (see p. 808) on Mr I. J. Gibb's motion—

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

Mr VAUGHAN (Nudgee) (2.23 p.m.): The contents of this Bill will further improve the conditions of coal mine workers in this State.

The coal-mining industry has recently experienced a reduction in export tonnages. However, according to recent figures released by the Queensland Coal Board and recent statements and reports put out by the Government, things are improving and it should not be too long before the industry is back to full production.

According to the latest statistical report released by the Queensland Coal Board, as at 8 October this year, there were 8 944 persons, or 0.82 per cent of the State's work-force, employed in the coal-mining industry, an industry which in 1982-83 was responsible for 35 per cent of the State's exports.

As the Minister indicated, the Coal Mine Workers Pension Fund was established to provide pensions to coal mine workers and their dependants at an earlier age than community standards. That was done because of the arduous and unnatural aspects of their employment.

As I understand it, these amendments to the Coal and Oil Shale Mine Workers (Pensions) Act are, as in the past, the result of negotiations between representatives of the Combined Mining Unions and the Queensland Coal Owners Association, which in turn represent the contributors to the fund—the employees in the industry and the coal-mining companies.

Because any improvements to this pension scheme, which of course have to be actuarially sound, inevitably mean an increase in payments from the pension fund, it can of course be assumed that the contents of the Bill have been considered fully by all parties and are in order.

However, I have studied the Bill and in the usual way I have read the amendments in conjunction with the Act, which was last consolidated in September 1971 and has been amended four times since.

In conjunction with that, I have studied the explanation of the Bill in the Minister's second-reading speech. Unfortunately, the Minister's speech, as is common practice, did not follow the sequence of the Bill and did not give a full explanation of the clauses in the Bill. I do not know why the Minister cannot refer to each clause in turn and explain how that clause amends the Act, as many other Ministers do. Such a procedure would not only enable members to more effectively scrutinise the contents of legislation but also be most helpful to interested people outside the Parliament.

For example, the first clause in the Bill to which the Minister referred was clause 6, and possibly clause 4. He then went on to clause 2, then to clause 3, and finally to the second part of clause 7. I could find no reference by the Minister to the first part of clause 7, which inserts a new provision into the Act to provide for the payment of a lump-sum benefit into the estate of a deceased mine-worker where no benefit was payable to a widow or child.

As I have stated, this Bill is the result of negotiations between the Combined Mining Unions and the Queensland Coal Owners Association and will mean improved conditions for workers in the coal-mining industry. However, as I understand it, this Bill would have come before the Parliament earlier this year had the Parliament been sitting, and, as the delay has disadvantaged a number of mine-workers, I do feel that the date of commencement of the relevant amendments should be the date on which the parties agreed to the amendments to the pensions scheme, rather than 1 December 1983, as stated in the Bill.

Since the Bill was introduced, the report of the Mines Department for 1983 has been tabled in this House and is now available for public scrutiny. It is important that there should be included in "Hansard" some details about the state of the Coal Mine Workers

Pensions Fund. According to the latest report of the Mines Department, as at 30 June 1983, 8 771 mine-workers were contributors to the pensions scheme. For the year 1982-83, pension payments amounted to $988,146. Ninety-eight applications were made for lump-sum benefits. Lump-sum payments amounted to $6,804,689. As at 30 June 1983, the balance of the Coal Mine Workers Pensions Fund was $45,747,154.

In conclusion, I ask that the Minister give serious consideration to my comments when preparing legislation for presentation to the Parliament in the future.

I again ask that, for the convenience of members, Acts be printed in loose-leaf form so that amendments to clauses can be kept up to date.

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy) (2.28 p.m.), in reply: I thank the shadow Minister for Mines and Energy for his contribution. He has carried out a great deal of research into various matters. As the annual report of the Queensland Department of Mines was tabled yesterday, the member for Nudgee was provided with some further facts. He referred to the amount of money in the Coal Mine Workers Pension Fund. At present, the balance of the pensions fund is $45,747,154. A short time ago the Act was amended to introduce retirement at the age of 58 years. Since that time the fund has become more actuarially sound.

Since I took over responsibility for the Mines and Energy portfolio, the fund has shown a marked improvement. Complaints had been made that workers were being inadequately rewarded for the service that they had provided.

The fund has become very sound. Each year the Government has contributed $150,000, which is not a great sum of money—it is more of a token—but it has been consistently contributed and has helped to maintain the fund on a sounder footing than previously. The expansion of the mining industry has been another contributing factor to the fund's sound position.

I take on board the comments of the member for Nudgee about what he terms the lack of information about the Bill. The department administers the Act on behalf of other people, and it is those people who make the decisions. The department merely has the legislative responsibility. The Bill gives those people some room to move, now that it is actuarily sound, and that enables them to make their judgments without the need for the Government to legislate. That is only right and proper. However, I thank the honourable member for making that point.

This legislation is very satisfactory and has worked well. This Bill will assist those who wish to retire at a younger age on a lower pension. It will also assist families and widows who are receiving pensions. I commend it to the House. I am pleased that the Opposition has given its full support.

Motion (Mr I. J. Gibbs) agreed to.

Committee

Clauses 1 to 7, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr I. J. Gibbs, by leave, read a third time.

BREAD BILL

Hon. N. J. TURNER (Warrego—Minister for Primary Industries), by leave, without notice: I move—

"That leave be given to bring in a Bill to provide for the control of the marketing of bread in certain respects throughout the State and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. TURNER (Warrego—Minister for Primary Industries) (2.35 p.m.): I move—

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

Honourable members will recall that the Bread Industry Committee Act established the Bread Industry Committee. It was hoped at the time that the committee would be able to develop an acceptable code of trading practices which would stabilise the bread industry and amongst other things would protect small country bakeries from city-based plant bakeries.

However, the committee was not armed with powers of enforcement. Indeed, the Act was based on co-operation between all parties in the industry. Unfortunately, it appears that the provisions of that Act have not been sufficient to deter the city-based bakeries from attempting to extend their market areas at the expense of country bakeries.

I am sure that all honourable members, particularly those in rural areas, are aware that some city-based bakeries have been attempting to extend their traditional market areas by various trading practices involving price discounting. The Government wishes to stabilise the industry in the areas affected so that the local bakeries in those areas can effectively compete with city-based bakeries. I find it difficult to accept that in some instances the city bakeries can be making a fair profit from their country sales.

The stabilisation of the industry in country areas will achieve an all-round fair price for the consumers in these areas and a fair profit for both country and city-based bakeries that supply bread to these areas. It is incumbent upon the Government to ensure that small country businesses are not eliminated by major city-based concerns using unfair trading practices.

The Bill, which will replace the Bread Industry Committee Act, is designed to provide the Bread Industry Committee with effective powers for the implementation and enforcement in the public interest of orderly marketing arrangements for bread. The charter of the committee will be to ensure the development of an orderly and efficient system for the production, distribution and sale of bread.

It is now proposed that a zoning and franchise system be implemented to provide protection for country bakeries in those areas considered appropriate. The Bill provides that the Governor in Council may, upon the recommendation of the Minister after consideration by the committee, declare any part or parts of the State to be a zone. Once a zone is declared, only bakeries which hold a franchise for that zone will be allowed to sell bread in the zone.

The Bill also provides that any person or body may request that an area be declared a zone and the committee will consider such requests before recommending to the Minister on the establishment of such a zone. This will provide the mechanism whereby the owner or operator of a country bakery can initiate action towards the establishment of a zone.

Once a zone has been declared, any bread manufacturer who wishes to sell bread in a declared zone will be entitled to apply to the committee for the issue of a franchise to sell in that particular zone. The committee will consider each request and make a recommendation to the Minister who, after considering the matter, will make a recommendation to the Governor in Council. A franchise will not be freely transferable but will be transferable in genuine cases such as sale of the bakery concerned. Any bread manufacturer who has not paid the annual precept to the committee will not be entitled to a franchise. It will be an offence for any person without a franchise for a particular zone to sell bread in that zone. The penalty for such offence will be a set penalty of $5,000 plus an extra $200 for each day of the offence.

Apart from the requirement to observe the code of trading practices, no restrictions will be placed on the sale of bread in areas which are not covered by franchise zones. In other words, there will be free trade in non-zoned areas and regulated trade in zoned areas.

The Bill includes a review mechanism in regard to zoning that will enable the Governor in Council, upon recommendation of the Minister, to suspend or abolish any zone if the supply or quality of bread in the zone is inadequate, or if the price of bread is excessive, with respect to the public interest. The Bread Industry Committee will be

responsible for monitoring the situation. This mechanism will also allow the temporary suspension of a zone in an emergency; for example if normal bread supplies were disrupted by destruction of a local bakery by fire.

The Bill will also enable the Bread Industry Committee to enforce the code of trading practices, observance of which is purely voluntary at present.

There is provision for the code to cover such matters as minimum wholesale prices, returns of bread, forms of inducement connected with the sale of bread and maximum discounts allowed at the wholesale level. Proper trading practices are necessary in these areas to ensure a stable marketing pattern for this important household commodity.

The Bill will empower the committee to appoint officers necessary for the proper exercise of the provisions of the Act including the zone and franchise provisions. This head of power will enable the appointment of inspectors, if necessary, to enforce the zone and franchise provisions.

Any person or body who is aggrieved by any decision of the committee will have the normal right of appeal to the Supreme Court.

In accordance with established Government policy the committee will be subject to an appropriate accountability regimen including—

The preparation of an annual budget and submission of the budget to the Minister for Primary Industries for approval;

The keeping of accounts;

The preparation of annual statements of account and audit by the Auditor-General; and

The preparation of an annual report which will be laid before Parliament by the Minister.

The Government had always hoped that it would not be necessary to have to proceed to the stage of introducing enforcement provisions into the Bread Industry Committee Act. It was hoped that the industry would regulate itself in accordance with acceptable community standards with assistance from the Bread Industry Committee.

The interests of the community must take precedence over the desires of city-based bakeries to maximise their market shares and ultimately their profits by indulging in unfair trading practices. Bread is a staple household product and, as with other staples such as fruit and vegetables, milk and eggs, the Government must provide a framework in which the industry can operate efficiently and effectively in the public interest.

I commend the Bill to the House.

Debate, on motion of Mr Kruger, adjourned.

PRIMARY PRODUCERS' ORGANISATION AND MARKETING ACT AND OTHER ACTS AMENDMENT BILL

Hon. N. J. TURNER (Warrego—Minister for Primary Industries), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Primary Producers' Organisation and Marketing Act 1926-1983, the Primary Producers' Organisation and Marketing, Fruit Marketing Organisation, Wheat Pool, and Diseases in Plants Acts Amendment Act 1930-1973 and the Fruit Marketing Organisation Act 1923-1982 each in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. TURNER (Warrego—Minister for Primary Industries) (2.43 p.m.): I move—

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

This Bill contains amendments to three separate Acts and I propose to deal with each in turn.

First, and most significant, are the proposed amendments to the Primary Producers' Organisation and Marketing Act 1926-1983. Honourable members will recall that this Act was amended during the March session mainly to enable boards to operate payment schemes more beneficial to their growers. I am pleased to be able to report that these amendments have been acted upon and in the barley industry growers are now receiving the benefits of that change. Growers in the cotton, rice and navy bean industries are also considering utilising this scheme.

I now propose a number of further amendments which are designed to improve the accountability of marketing boards, not just to their growers but also to Parliament. Officers of my department have been developing concepts on enhanced accountability and reporting aspects of statutory marketing authorities with a view to preparing the necessary amendments to the legislation.

The proposed amendments have been discussed with the Auditor-General and I believe that these amendments reflect his recommendations in this area. In addition to the accounting changes proposed there are a number of other changes, which recent experience has shown are very necessary.

The problems with the Peanut Marketing Board and the subsequent special report by the Auditor-General relating to the operations of that board have made the changes more urgent. In accordance with my previous undertakings in this regard I now bring forward the necessary amendments.

At present, there is no single clearly defined mechanism in the Act to terminate the term of office of the members of a board in circumstances where a board has lost the confidence of its growers. I therefore propose to institute a procedure whereby the Governor in Council may, on the recommendation of a majority of growers of a commodity, determine the term of office of the members of a board.

As a prerequisite to such action being taken, and in order to gauge the concern of growers, it is proposed that 30 per cent of the growers of the particular commodity would need to sign a petition requesting such action.

An immediate consequence of the Governor in Council determining the term of office of members will be the calling of an election for new members of the board and the appointment of an administrator to operate in the interim period. Obviously this action would be taken only in extreme circumstances where the interests of the growers are clearly in jeopardy.

Another proposed area of change is where marketing boards are operated in conjunction with co-operative associations. A number of boards work in conjunction with a type of affiliated co-operative, that is, a co-operative which shares a common board of directors with the marketing board. These co-operatives or affiliated bodies operate under the umbrella of the board and, through the agency of the board, exercise the statutory powers under the Act. However such co-operatives, while exercising these powers, can also use other powers, which are denied to a board under the Act. In essence, this has the effect of allowing a board greater powers than those envisaged under the Act.

As a general rule marketing boards have not abused such powers. However such arrangements can present problems where a board attempts to bypass the provisions of the Primary Producers' Organisation and Marketing Act by working through an associated co-operative.

In the case of the Peanut Marketing Board such an arrangement was used to negate what amounted to a direction by the Minister in relation to superannuation. Under the new proposals a board-affiliated co-operative will not be able to exercise powers on behalf of a board which the parent board cannot exercise independently, unless the Minister for Primary Industries gives specific approval for the exercise of such powers. This provision will also apply to any affiliated companies which might be established under the joint-directorate concept. Affiliated bodies will also be subject to certain other provisions of the Act, notably the superannuation provisions and the requirement for obtaining prior ministerial approval for certain activities, for example, futures trading and the giving of guarantees and indemnities.

A number of specific amendments are proposed in the general areas of accounting, reporting and auditing. These amendments will require, amongst other things, the prepar-

ation of annual statements of account, the audit of such statements by the Auditor-General, the preparation and distribution of an annual report and the holding of an annual general meeting of growers.

At the present time, there are differences in standards of accounting and reporting by individual boards. It is proposed to establish appropriate standards in these areas and to update the audit and accounting provisions of the Act. The Minister for Primary Industries will be authorised to issue directions to boards requiring compliance with various matters, including principles to be used in the keeping of accounts, the format of the annual statements of accounts and the format of the annual report.

The annual report of the Director of Marketing will, in future, provide a means by which the Parliament may review the overall performance of boards both collectively and individually. Further it will be required that the annual report of a board be distributed to each grower who delivers his commodity to the board.

Certain of the above amendments will apply to the State Wheat Board, the Committee of Direction of Fruit Marketing and the Queensland Grain Handling Authority.

Honourable members will be aware that striking a reasonable balance between autonomy for growers organisations and protection for the growers themselves is a delicate business.

I believe, however, that the balance established by these amendments is as reasonable as is possible and I look forward to marketing boards providing services to their growers in the most efficient manner possible.

In addition to the proposed amendments that I have mentioned already, it is proposed to amend an Act called the Primary Producers' Organisation and Marketing, Fruit Marketing Organisation, Wheat Pool, and Diseases in Plants Act Amendment Act 1930-1973. That Act was introduced in 1930. It empowers the Minister for Primary Industries to call for the supply of information from marketing boards in regard to the general finances of the board or any matter connected with the administration or operations of the board.

The proposed amendments will extend that power to enable the Minister to call for similar information from the Queensland Grain Handling Authority and the affiliated bodies that I have described earlier. Those powers already extend to the State Wheat Board and to the Committee of Direction.

I turn now to the proposed amendments to the Fruit Marketing Organisation Act 1923-1982. There is only one proposed amendment to that Act, which, as honourable members are aware, is the principal Act under which the Committee of Direction of Fruit Marketing operates.

With the passage of the Primary Producers' Organisation and Marketing Act Amendment Act of 1983, the Committee of Direction is now effectively subject to the superannuation provisions of the Primary Producers' Organisation and Marketing Act and, hence, the superannuation provisions in the Fruit Marketing Organisation Act are superfluous. As a consequence, the provisions under the Fruit Marketing Organisation Act will be repealed.

I commend the Bill to the House.

Debate, on motion of Mr Kruger, adjourned.

POLICE ACT AMENDMENT BILL

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Police Act 1937-1980 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (2.53 p.m.): I move—

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

This Bill contains 10 clauses, the first two of which are machinery clauses. The remaining eight clauses contain provisions to amend the Police Act in certain particulars.

The rank of Chief Superintendent no longer exists within the Queensland Police Force and all reference to that rank is deleted from the Act. Clauses 4, 5 and 8 of the Bill contain references to the deletion of the rank of Chief Superintendent.

Clause 5, which amends section 8 of the original Act, also makes provision for the Commissioner of Police to assign commissioned officers to various establishments such as mobile patrols. Presently, apart from a few designated areas, all commissioned officers have to be assigned to the Commissioner's Office.

Clause 6 amends section 10 of the principal Act. Two subclauses are to be inserted. The insertion of these subclauses will enable the appointment (subject to certain requirements being complied with) of persons from outside professions to be members of the police force and to carry out the duties of scientific or technical officers. The appointment would be only in special cases and would also have to be approved by the Minister for Police.

The proposed amendment is necessary to overcome an immediate problem, namely, the appointment of a handwriting expert, and to accommodate any future contingency of a similar nature requiring the appointment of a lateral entrant possessing expertise in the specialised fields outlined in the draft, when there is no serving member of the police force capable of performing the required duty.

It is not proposed to make any such lateral appointment that would be detrimental to a serving member of the police force, such members being afforded the necessary protection within the proposed legislation in that the commissioner must call for and consider applications from such members before entertaining an appointment from outside the police force.

Clause 7 amends section 12 of the principal Act. The upper entry age of persons desiring to join the police force is to be reduced from 40 years to 35 years. This reduction is consistent with the voluntary retiring age, which is 55 years. Compulsory retiring age for police is 60 years. A person who joins at 40 years of age could be expected to give only 20 years or 15 years of service, as compared with a person joining at 35 years of age, who would be expected to give 25 years' or 20 years' service. With the cost of training and equipping a member of the police force, it is only realistic that the Government would expect to get a reasonable return for its outlay.

Clause 7 will come into operation on a date to be fixed by proclamation. This will allow time for any persons over 35 years of age presently in training to finish their training and be sworn in as members of the Queensland Police Force.

In subsection (3) of section 12 the words "forty years but under the age of forty-five years" are to be omitted and the expression "35 years" will be inserted in lieu. Subsection (3) presently allows the appointment of over-age persons in special circumstances. That is to be continued. That provision does not cover the necessity to provide for the appointment of technical or scientific officers, as outlined in the above paragraph.

Clause 9 amends section 64 of the principal Act by repealing the present section 64 and replacing it with a new section 64, which has been redrafted on a modern footing with other Acts, such as the Racing and Betting Act and the Firearms and Offensive Weapons Act. The present section 64 provides for the arrest and fingerprinting of offenders against certain provisions of the Act, namely, those contained in sections 34, 59 and 62.

In the redrafted section 64, these sections are retained and two new sections are inserted. These two sections are sections 59A and 60A. Section 59A relates to the failure (without reasonable excuse) of a person to give assistance to a member of the police force where such member is carrying out an arrest for one of the offences in the sections mentioned and has called upon the person to assist. Section 60A relates to the offence of corrupting a member of the police force.

The fingerprinting provision has also been redrafted on a modern footing as contained in similar provisions of the Racing and Betting Act and the Firearms and Offensive Weapons Act. It is proposed that all Acts containing fingerprinting provisions will gradually be modernised as the Acts in question are amended.

Clause 10 amends section 67 of the principal Act. Section 67 provides for the disposal of unclaimed property in the possession of police and indicates that disposal may be by way of public auction. It has been found in some areas that the services of a licensed auctioneer have been difficult to obtain. To overcome this problem, provision is made in the amendment to section 67 to allow a person other than a licensed auctioneer to conduct the auction.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

PAWNBROKERS BILL

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police), by leave, without notice: I move—

"That leave be given to bring in a Bill to regulate the activities of pawnbrokers and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (3.2 p.m.): I move—

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

In presenting this Bill, I draw attention to the fact that the Bill to be repealed is now some 133 years old. The Pawnbrokers Act of 1849 was a New South Wales Act retained by Queensland when this State separated from New South Wales in 1859. Since that date there has been very little alteration to the legislation. Consequently, this Act has become outdated in its application in this State and requires modernising. For this purpose, it was considered necessary to completely review the legislation relating to pawnbrokers and to have new legislation prepared to apply to these modern times.

The new Act, as indicated by clause 1, will be known as the Pawnbrokers Act 1983. Clause 2 makes provision for the date of commencement of the Bill, whilst clause 3 indicates that the contents of the Bill have been divided into six parts for convenience of administration.

Under clause 4, the New South Wales Act will be terminated and the only amendment made to the Act, which amendment was made in 1971, will be repealed.

Clause 5 provides that licences currently in force under the present Act will continue until date of expiry before being renewed under the provisions of the new Act.

Clause 6 is an interpretation section giving meaning to certain words which appear frequently throughout the Act.

Under clause 7, the Bill will not apply to bankers, brokers, commission agents, licensed auctioneers or merchants in the ordinary course of banking or mercantile transactions.

Clause 8 makes provision for the appointment of an authorised officer. This officer will be responsible for the issue of the initial or original licence. It is intended to centralise the issue of licences under this Bill, the new Hawkers Act 1982 and the new Second-hand Dealers and Collectors Act. By having a centralised location, the checking of applicants for criminal convictions should be generally speeded up, thus leading to quicker issue of licences. As mentioned previously and as provided under clause 9, the authorised officer will be responsible for the issue of the initial licence.

Clause 10 places restrictions on who shall or shall not be issued with licences. A licence will not be issued to a person under the age of 18 years, to a person who is suffering from a mental infirmity or to a person who is considered otherwise unfit to hold a licence. A licensed collector will not be issued with a pawnbroker's licence. No more than one licence will be issued in respect of any premises. Also, a licence will not be issued in the name of a body corporate unless there is endorsed on it as representative of the body corporate the name of a natural person.

Clauses 11, 12 and 13 are procedural clauses concerning the procedure to be followed where a person applies for a licence, what inquiries are to be made by the local officer in charge of police and that the authorised officer is to approve or refuse the issue of a licence in the first instance.

Clause 14 provides that renewal may be carried out by the local officer in charge of police unless for some reason he refuses to renew the licence. In such a case he is to forward the application for renewal to the authorised officer to make a decision.

Clause 15 specifies that unless a licence is sooner surrendered or cancelled it will remain in force for a period of 12 months.

Clause 16 places an obligation on the authorised officer to advise an applicant by way of notice of his refusal to grant or renew a licence. In such instances the applicant has a right of appeal to the Minister.

Clause 17 simply states that licences issued under this Act will not be transferable.

Clause 18 stipulates that only the authorised officer or the officer in charge of a police station will be able to make endorsements on licences.

Clause 19 requires the licensee to advise the nearest officer in charge of police of the loss, theft or destruction of his licence and to make application for a replacement licence as provided under clause 20. A replacement licence when issued will be for the unexpired portion of the lost licence.

Clause 21 allows the authorised officer to revoke a licence. A person whose licence is revoked will have a right of appeal to the Minister.

Clause 22 provides that, where a pawnbroker is convicted of the offence of dealing in goods dishonestly obtained by him, his licence will be cancelled for a period of five years. Where he is convicted of an offence under this Act, details of such conviction will be endorsed on his licence but may be removed after a period of five years.

Under clause 23, where a licence is revoked or cancelled, a surrender notice will be served on the licensee indicating thereon the time, date, place and person to whom the licence is to be surrendered.

Under clause 24, when a licensed pawnbroker changes his place of residence, he will be required to advise such change of address.

Under clause 25, a licensee will be restricted to the premises specified in the licence, which will not be transferable.

Clause 26 requires the pawnbroker to keep his licence on his premises when they are open.

Where under clause 27 a licence is issued in the name of a body corporate the name of a person eligible to hold a licence will be endorsed on the licence as a representative of the body corporate.

Clause 28 creates the offence of conducting the business of pawnbroking whilst not holding a licence.

Clause 29 requires all pawnbrokers' premises to be clearly identified as such.

Clause 30 specifies that a pawnbroker will only carry on his business in premises specified in his licence.

Clause 31 regulates the hours of business to those set out under the Factories and Shops Act and the Industrial Conciliation and Arbitration Act.

Clause 32 places a requirement on the pawnbroker to maintain a register of transactions, showing the name of the person he took a pledge from, a description of the pledge, the amount of money advanced and the rate of interest to be charged.

Where an article is taken in pawn, the pawnbroker is required under clause 33 to issue a receipt.

Under clause 34, the period of redemption for a pledge will be three months, unless otherwise agreed between parties.

Clause 35 directs the manner in which pledges will be disposed of unless they are redeemed by the owner. Where there is a sale, notice of such sale will be placed in local newspapers immediately prior to the sale. The pawnbroker will be required to maintain a trust account into which he will place the proceeds of the sale, less his costs involved with regard to each article. If the surplus is not claimed within 12 months by the original owner of the article, such surplus will be paid to the Public Trustee and placed into the Unclaimed Moneys Fund.

Clause 36 makes provision that, where a pawnbroker has wrongfully disposed of the pledge, the person lawfully entitled to the pledge can recover a sum for the value of the article. The pawnbroker may also be proceeded against as for an offence in wrongfully disposing of the property.

Clause 37 prohibits a pawnbroker from taking articles in pawn from children and persons under the influence of liquor or a drug.

Under clause 38, replacement pawn tickets may be issued where the original ticket is lost.

Clause 39 prohibits a pawnbroker from employing children in his business.

Clause 40 requires a pawnproker to inform police if any property comes into his possession which has been described as being stolen in any notice given to him by a police officer.

Clause 41 gives authority to a pawnbroker to require information from any person who pledges articles with him. The information will pertain to the person's name, address, whether he is the owner of the article or not and, if not, how he came by the article. Authority will also be given to the pawnbroker to seize the article and deliver same to a police officer for it to be dealt with according to law. The pawnbroker may also detain the person concerned who offers the goods and hand him over to a police officer.

Clause 42 outlines the procedure to be followed when a pawnbroker ceases to be licensed, and disposal of the articles taken in pawn by him is sought. A Magistrates Court may make any order it considers necessary for the disposal of the articles.

Clause 43 creates provision for a general penalty for offences unless the particular offence has a specific penalty allotted to it.

Clause 44 creates a number of offences involving licences. They include obtaining or attempting to obtain a licence by fraud or misrepresentation, lending or hiring licences, possessing a licence which has been cancelled or making unauthorised endorsements.

Clause 45 provides that licensed pawnbrokers who make false entries in registers of transactions will commit offences.

Clause 46 makes it an offence for a person, not being licensed under this Act, to erect signs on or near premises which indicate he is a licensed pawnbroker.

Clause 47 provides that where a person attempts to contravene any of the provisions of this Act he commits an offence.

Clause 48 gives authority to police officers to demand the name and address of any person they find committing offences. Where a person fails to supply his name and address the police officer is to caution him and if he still fails to supply his name and address the officer may then arrest the person concerned.

Clause 49 requires production of licences or registers under this Act.

Under clause 50 police will have authority to enter licensed pawnbrokers premises, inspect registers and inspect articles taken by way of pawn.

Clause 51 authorises the issue of a search warrant under this Act to search for goods suspected of being stolen and in the possesion of a pawnbroker.

Clause 52 authorises police to seize articles found in the possession of pawnbrokers, which are suspected of being stolen. They may also search the pawnbroker and his vehicle.

Clause 53 is a machinery section providing for the taking of fingerprints of offenders under this Act. Where the offender is found not guilty of an offence his fingerprints may be destroyed at his request.

Clause 54 gives police the authority to appear in Magistrates Courts as prosecutors of offences under this Act.

Clause 55 provides that where a person produces to a pawnbroker a receipt issued by the pawnbroker it shall be deemed that the person is entitled to redeem the pledge referred to in the receipt unless the pawnbroker has been otherwise advised.

Clause 56 allows for inspection of the register of transactions by a person who pledges an article. The inspection shall only relate to that person's article.

Clause 57 outlines the procedure to be followed when prosecuting offences under this Act.

Clause 58 is a machinery measure providing that all fees and penalties recovered will be paid into the Consolidated Revenue Fund.

Clause 59 indicates that where an offence is committed by a body corporate the directors or members of the governing body may also be proceeded against. However there is a defence provision available to the employee to satisfy a court that the offence was committed by him under the direction of, and in the presence of, his employer.

Clause 60 directs that notices issued under this Act will be served either personally or by registered post.

Clause 61 directs the manner in which appeals will be heard under this Act. Where a person is aggrieved by the refusal of the authorised officer to issue or renew a licence or the imposition of conditions, revocation of licences, or the failure to issue a licence within a set period, such person may appeal to the Minister. Any appeal is to be made in writing setting out in full the grounds of appeal. The Minister's decision will be final.

Clause 62 gives a liability protection to the Crown, Minister, authorised officer or a member of the police force for anything done in good faith for the administration of the Act. Under clause 63, a pawnbroker will be deemed to be in possession of an article if it is found in premises occupied by him other than his licensed premises.

Clause 64 contains evidentiary provisions, among them provsions making it unnecessary to prove the appointment of the Minister, authorised officer, commissioner or their signatures. Also, a certificate may be used to establish whether or not a licence is in force under the Act.

Clause 65 is a machinery clause indicating the method to be followed when tabling regulations under the Act.

Clause 66 makes provision for the creating of regulations for the better administration of the Act, prescribing the forms to be used and prescribing penalties not to exceed $400 for a breach of the regulations.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

SECOND-HAND DEALERS AND COLLECTORS BILL

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police), by leave, without notice: I move—

> "That leave be given to bring in a Bill to regulate the activities of dealers and collectors of second-hand goods and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (3.18 p.m.): I move—

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

In presenting this Bill, I draw attention to the fact that it is 61 years since the present Second-hand Wares Act was enacted. Consequently, some of its provisions are no longer suitable for this day and age. The issue of licences requires streamlining. Certain classes of second-hand goods available today were not generally available when the present Act was first enacted. Because of matters of that nature, it was considered necessary to review and modernise the legislation.

As part of the modernisation, it is intended that the original licence will be issued from a central licence-issuing area and that renewals will be carried out by local officers in charge of police. By having a central issuing centre, it should be much easier to check the credentials of each applicant.

In introducing the various clauses of the Bill, I point out that clause 1 indicates the name of the Act, clause 2 provides for the date of commencement, and clauses 3 and 4 are machinery sections.

Clause 5 is a transitional clause providing that licences issued under the present Act will continue under the new Act until they reach the expiry date shown on the licence in question.

Clause 6 is an interpretation clause explaining the meaning given to a number of words that appear frequently throughout the Bill.

By virtue of clause 7, the Bill will not apply to the collecting, buying or selling of second-hand goods on behalf of charities registered under the Collections Act 1966.

Clause 8 and clause 9 make provision for the appointment of an authorised officer. That person will have responsibility for the issue of original licences. Where a local officer in charge of police does not for some reason renew a licence, the authorised officer will make a decision on the matter.

Clause 10 restricts the persons to whom a licence will be issued. A licence will not be issued to a person under 18 years of age, or to a person suffering from mental infirmity. A collector's licence will not be issued in the name of a body corporate, to the holder of a dealer's licence under this Act or to the holder of a pawnbroker's licence under the Pawnbrokers Act.

Clauses 11, 12 and 13 deal with the procedure to be followed for the application for, and issue of, licences. Briefly, the applicant makes an application to the local officer in charge of police who makes certain inquiries and then forwards the application and his report to the authorised officer, who then will either approve or refuse the application. The authorised officer will issue the initial licence, or, if he refuses to issue a licence, he is to advise the applicant in writing.

Clause 14 allows licensees to make application for renewal of their licences up to 60 days before expiry date. Clause 15 provides that a licence unless sooner surrendered or revoked will remain in force for a period of 12 months from date of issue.

Clause 16 provides that where the issue of a licence is refused, a notice of refusal is to be given to the applicant. The applicant will have the right to pursue the matter further by way of appeal to the Minister. Clause 17 provides that a licence will not be transferable.

Clause 18, which allows endorsements to be made on licences, intends that such endorsements will be made only by the authorised officer or, where prescribed, by the officer in charge.

Clauses 19 and 20 relate to the loss, theft or destruction of licences. Where a licensee finds that he has lost his licence or has had it stolen or destroyed, he is to advise the nearest officer in charge of police of the fact and to make application for the issue of a replacement licence, which will be issued as provided under clause 20.

Clause 21 gives the authorised officer the authority to revoke a licence issued under this Act. A person whose licence has been revoked will have right of appeal to the Minister.

Clause 22 provides that where a licensee is convicted of dealing in goods fraudulently or otherwise obtained by him, his licence is to be revoked for a period of five years. For a breach of this Act, on conviction, his licence is to be endorsed with the conviction, but it can be removed after five years.

Under clause 23, where a licence is to be surrendered, a notice of surrender is to be served on the licensee showing the time, date, place and to whom the licence is to be surrendered.

Clause 24 places a requirement on a licensed collector to notify any change of address he may have from time to time. Clause 25 provides that he may carry on his business of collecting throughout the State or in a restricted area.

Under clause 26, a dealer's licence will be restricted to the premises specified in the licence and cannot be transferred to other premises. However, provision is made for an endorsement to allow the dealer to conduct his business at certain other places, such as for example, an antique fair.

Where a licence is issued under clause 27 to a body corporate as a dealer, the name of a natural person must be endorsed on the licence as a representative of the body corporate.

Clause 28 makes it an offence for a person to act as a collector unless he first obtains a licence. Clause 29 places a requirement on a collector to carry his licence with him whilst he is acting as a collector.

The hours of business of a collector will be controlled by the Factories and Shops Act 1960 and the Industrial Conciliation and Arbitration Act. That is indicated in clause 30. Also, a collector will be further restricted to operating between the hours of 7 a.m. and 6 p.m. A number of complaints have been received concerning the behaviour of persons, not necessarily collectors, knocking on peoples' doors late at night trying to sell goods.

Clause 31 requires the licensed collector to display the words "licensed collector" on any vehicle that he uses in his business.

Clause 32 provides for the issue of collectors' badges and for the surrender of these badges when the collector is no longer licensed.

Clause 33 requires that he will wear his badge whilst acting as a collector.

Clause 34 requires a collector to maintain a register of transactions showing details of his collections and disposals. Collectors should be required to keep records because of the possibility of stolen goods coming into their possession whether innocently or otherwise.

Under clause 35 it will be an offence for a collector to collect goods from a person under 17 years of age. A defence provision is provided for the offender to show that he reasonably believed the child was over 17 years of age.

Clause 36 makes it an offence for a collector to enter or remain on premises without the permission of the owner.

Under clause 37 a collector may, within 24 hours of collecting goods, be required by the person from whom he purchased goods to produce his licence to that person.

Clause 38 requires a collector to keep any goods collected by him in the same state in which he collected them for a period of seven days from the date of collection. This requirement will not apply if he sells them within seven days to a licensed dealer.

Clause 39 requires a licensed collector to dispose of goods he collects to a licensed dealer only.

Clause 40 requires that all persons who conduct the business of dealing in second-hand goods shall first obtain a licence.

Under clause 41 premises are to be clearly identified as second-hand dealer shops.

A dealer, under clause 42, will only be allowed to sell second-hand goods at his shop or such other place as may be endorsed on his licence.

Clause 43 provides that his hours of business will also be controlled by the Factories and Shops Act and the Industrial Conciliation and Arbitration Act.

Under clause 44 a dealer will be required, as at present, to keep a register of transactions showing therein the name of the person from whom he received goods, a description of the goods and to whom they are sold. The keeping of such a register will assist police who check dealers' premises when looking for stolen goods.

Clause 45 restricts the age of employees to 17 years or above. Because of the nature of the business and the possibility of stolen goods, it is considered that a child should not be employed in a shop of this nature.

Clause 45 prevents a dealer or collector from accepting second-hand goods from a person under the age of 17 years. This is an area that has been causing concern for some time. Children have been committing house-breaking offences and in some instances selling the goods to a dealer.

Clause 47 will require a dealer to keep goods acquired by him in the same condition as he received them for a period of seven days. This will allow police time for checking when looking for stolen goods.

Clause 48 will require that a dealer advise police if any second-hand goods offered to him answer to the description of stolen goods.

Clause 49 gives a dealer authority to require the supply of the name and address of a person who offers second-hand goods to him. A person who fails to supply the information will commit an offence against the Bill. The dealer will have authority under this Bill to detain any goods offered to him that he suspects are stolen, to detain the person involved, and to deliver the goods and person, where involved, to a police officer to be dealt with according to law.

Clause 50 creates a general offence situation where any person who contravenes any provision of the legislation will be liable for a penalty ranging from $400 or three months' imprisonment for a first offence to $800 or six months' imprisonment unless the particular offence has a specific penalty provided.

Clause 51 creates various offences involving licences. Among these are obtaining licences by fraud or misrepresentation, lending a licence, possession of a cancelled licence or making unauthorised endorsements.

Clause 52 creates the offence of making false entries in registers of transactions.

Under clause 53 only a dealer (or in the case of bottles, the owner) will be allowed to acquire goods from a licensed collector.

Clause 54 makes it an offence for a collector to use insulting language or behave in an insulting manner while he is conducting his business as a collector.

Clause 55 makes it an offence for any person to attempt to contravene any provision of the legislation.

Clause 56 gives authority to police officers to require the name and address of persons they find committing offences.

Clause 57 also gives police authority to demand the production for inspection of any licence issued under this legislation.

Clause 58 gives authority to police to enter dealers' premises and inspect the registers of transactions and the goods listed in such registers. This is an important phase of police work, as it assists in the recovery of stolen goods.

Clause 59 provides for the issue of search-warrants to police to enable them to search for second-hand goods which are suspected of being stolen and which may be found on the premises or in the possession of dealers.

Clause 60 gives police authority to seize goods that they find in the possession of dealers and which goods they suspect are stolen goods.

Under clause 61 police will have authority to take fingerprints of offenders convicted under the legislation.

Clause 62, a machinery provision, authorises police to appear and prosecute offences under this legislation.

Clause 63, also a machinery provision, indicates the method by which proceedings will be conducted under this legislation.

Clause 64, once again a machinery provision, directs that all fees and penalties recovered will be paid to the Consolidated Revenue Fund.

Clause 65 provides that, where offences are committed by bodies corporate, the members of the governing body will be liable for the offence.

Clause 66 sets out the procedure to be followed when serving notices or other documents under the legislation. They must be served either personally or by registered mail.

Clause 67 is an appeal provision. Where a person is aggrieved by a decision of the authorised officer, such person may appeal to the Minister in writing setting out in full his grounds of appeal. The Minister's decision on the matter will be final.

Clause 68 is a liability protection clause giving protection to the Crown, the Minister, members of the police force and the authorised officer for things done by them in good faith for the administration of the legislation.

Clause 69 deems that, if second-hand goods are found in a house or premises occupied by the dealer, they are in the possession of the dealer. The same applies if, without having sold them, he removes them to some other place.

Clause 70 is an evidentiary provision designed to assist during court proceedings. Under this clause, it shall not be necessary to prove the appointment of an authorised officer, a member of the police force, for example, or of the Minister or commissioner. The signature of the commissioner, the Minister, the authorised officer or members of the police force shall be taken to be the signature it purports to be, unless the contrary is proved. Certificates may be used in court proceedings to establish that there was or was not a licence in force at a particular time.

Clause 71 is a machinery provision common to all Acts, providing that section 28A of the Acts Interpretation Acts 1954 shall apply with regard to Orders in Council made for the purposes of this legislation.

Clause 72 gives the Governor in Council the authority to make regulations, prescribe the keeping of registers and other books under this legislation and any other regulation considered necessary for the effective carrying out of the various provisions of the legislation.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

HAWKERS BILL

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police), by leave, without notice: I move—

> "That leave be given to bring in a Bill to regulate the activities of hawkers and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (3.35 p.m.): I move—

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

In presenting this Bill, I draw attention to the fact that the legislation being repealed was first introduced by New South Wales approximately 132 years ago. Originally introduced in 1849, it was adopted by Queensland when Queensland became a separate colony in 1859. Apart from a few minor amendments over the years, it has seen little change, and consequently it has become very outdated. In fact, there was, until repealed in 1973, a requirement from the Hawkers Acts Amendment Act of 1905 for applications to be referred to the Home Secretary by the court together with its own report. Because of such procedures, the issue of licences became slow and cumbersome. The Bill now being presented seeks to modernise such matters by way of repeal of the outdated Act and its replacement with the Hawkers Act 1983.

One of the principal areas to be considered in this new legislation is the streamlining of the issue of licences to applicants. For the purpose of this Bill and similar legislation, it is proposed to form a central licence-issuing bureau. All applications for the initial licence, whether it be a hawker's licence, a collector's licence, a second-hand dealer's licence, a pawnbroker's licence or a hide, skin and wool dealer's licence, will be directed to this central point where the application can be more speedily processed. Naturally some licensees will not be able to hold a licence under more than one Act at the same

time, while in other cases they will be able to hold more than one licence. For example, a person who holds a pawnbroker's licence and seeks a second-hand dealer's licence should not have to be checked in detail a second time. Because his previous history will already be on file for the issue of the pawnbroker's licence, there should only be a need basically for completion of the second application form.

Turning now to explain the provisions of this Bill—clauses 1 to 5 are machinery clauses providing for the name of the Bill, when it is to commence and what Acts will be repealed by it, and clause 5 provides for the continuation of licences already in force under the Acts being repealed until they expire by time.

Clause 6 is an interpretation clause giving meaning to words which frequently will appear in parts of the Bill. One which should be noted in particular is that "goods" does not include newspapers, books, periodicals, pamphlets, fish, fruit, water, fuel, milk, vegetables or victuals or agricultural produce.

Under clause 7, the provisions of the Bill shall not apply to the sale or offering of goods on behalf of a charity registered under the Collections Act 1966 or to the actual maker of the goods, his servants or employees. This last-mentioned clause would relate to the travelling salesman who calls on various business houses.

Clause 8 makes provision for the appointment of an authorised officer who will be responsible for the initial issue of licences under this Act. Clause 9 relates to the issue of licences and provides also for renewals to be carried out by the local officer in charge of police where the licensee resides.

Clause 10 places a limitation on the issue of licences to certain persons. A licence shall not be issued to a person under 18 years of age, or to a person who is suffering from any mental infirmity or to a person who is considered unfit to hold a licence. A licence will not be issued in the name of a body corporate. In recent times many complaints have been received concerning the activities of certain individuals who have used children as young as 10 and 12 years to hawk door-to-door, leading people to believe that portion of the proceeds were going to charity. It is intended that this Act will curtail the activities of such persons. But by the same token, it will not prevent the newspaper boy who sells newspapers after school from continuing to do so.

Clause 11 sets out the manner in which an application for a licence will be made. In this case the application is first made to the officer in charge of police where the applicant is residing, together with a certificate from the local authority to the effect that such authority has no objection to the applicant hawking in the area.

Under clause 12, the police officer makes any inquiries that may be considered necessary and, on completion of those inquiries, forwards his report to the authorised officer, who, by virtue of the provisions of clause 13, either approves and issues the initial licence or refuses same.

Clause 14 makes provision for the renewal of licences by the authorised officer or by the officer in charge of police where the applicant resides. If the officer in charge does not renew the licence for some reason, he is required to forward the matter to the authorised officer for a decision. Once again with renewal, a requirement will be a certificate from the local authority to the effect that it has no objection to the issue of a licence.

Clause 15 provides that licences issued under this Act shall be in force for a period of 12 months unless sooner surrendered or cancelled.

Clause 16 indicates that, when the authorised officer refuses to issue or renew a licence, he must notify the applicant in writing by way of a notice of refusal.

Clause 17 provides that licences will not be transferable under this Act.

Clause 18 provides that only the authorised officer or an officer in charge of police will be authorised to make endorsements on licences. Any other person who makes an endorsement will commit an offence.

Clause 19 requires a licensee to notify in writing his change of address and to produce his licence for the change of address to be endorsed.

Clause 20 places a requirement on a licensee to report the loss, theft or destruction of any licence issued to him.

Under clause 21, a replacement licence may be issued in lieu of one which has been lost, stolen or destroyed. Such a licence will continue in force for the unexpired portion of the licence it replaces.

Clause 22 gives authority to the authorised person to revoke licences issued under the Act.

Under clause 23, where a licensee is convicted of any offence involving the dealing in or selling of goods dishonestly obtained by him, any licence issued to him under this Act will become null and void. He will not be able to obtain a further licence for a period of five years. Where he is convicted of an offence under this Act, such conviction shall be endorsed on his licence but such endorsement may be removed after a period of five years.

Clause 24 provides that, where a licence is to be surrendered, a notice must be served on the licensee showing in such notice the time, date and person to whom it is to be surrendered.

Clause 25 makes provision for appeals to the Minister by persons who have been refused the issue of a licence under this Act or the imposition of conditions on a licence. Any such appeal is to be in writing and the Minister's decision will be final.

Clause 26 provides that a person shall not conduct the business of hawker unless he holds a licence.

Clause 27 requires a licensed hawker to carry the licence issued to him at all times whilst he is conducting his business.

Under clause 28, the hours of business for a hawker will be restricted to between 7 a.m. and 6 p.m. Complaints have been received, particularly from country areas such as Chinchilla, of persons knocking on people's doors up to 10 p.m. at night trying to sell goods.

Clause 29 requires a hawker to display his name and the fact that he is a licensed hawker on any vehicle he is using for the purpose of conducting his business.

Under clause 30, a hawker having entered on premises will be required to leave same if requested to do so by the owner or occupier.

Clause 31 creates an offence on the part of a hawker if during the course of carrying on his business he behaves in an insulting manner or uses insulting or offensive language.

Clause 32 is a general offence provision providing the penalty to be imposed for breaches of this Act unless a specific penalty is provided in the particular section. The general penalty shall be, for a first offence, a fine not exceeding $400 or imprisonment for a term not exceeding two months and, in the case of a second or subsequent offence, a fine not exceeding $800 or imprisonment for six months.

Clause 33 creates various offences relating to the possession of licenses. A person commits an offence where he obtains or attempts to obtain a licence by any misrepresentation, lends his licence, permits any other person to use his licence, has in possession without reasonable excuse a licence not issued to him or makes endorsements on licences issued to him. In these last-mentioned matters any such licence becomes null and void.

Clause 34 makes it an offence for an unlicensed person to hawk goods in a vehicle which bears on it the words "licensed hawker" or similar words.

Under clause 35 any person who attempts to commit any of the offences outlined in this Act commits an offence and will be liable to a penalty.

Clause 36 gives authority to police officers, who find persons committing offences against this Act, to demand the names and addresses of the persons concerned. If a person fails or refuses to supply his name and address the police officer will be required to caution the offender first and, if he still fails to supply his name, he may then arrest such person.

Clause 37 gives authority to demand production of licences issued under the Act. It will also be an offence to fail to produce a licence.

Clause 38 gives a police officer authority to seize articles he finds in the possession of a hawker where such police officer has reasonable grounds to suspect that the articles have been stolen or otherwise unlawfully obtained. For that purpose he may also search a vehicle in the possession of a hawker or the hawker himself.

Clause 39 gives police power of arrest in a very restricted area under this Act. Other than for failing to give name and address, the only power to arrest where proceedings by way of summons would not be effective will be under section 26, which deals with unlicensed hawkers; section 33, Fraud and unlawful possession of licence, etc; and section 34, Use of vehicle by unlicensed hawker.

Clause 40 provides for the taking of fingerprints of offenders under this legislation. Where a person is found not guilty the fingerprints are to be destroyed at his request.

Clause 41, a machinery clause, authorises police to appear as prosecutors in court proceedings for offences under this legislation.

Clause 42 indicates the method by which offences will be prosecuted under this legislation.

Under the provisions of clause 43, fees and penalties recovered or received will be paid into the Consolidated Revenue Fund.

Clause 44, a machinery provision, directs what method is to be followed for service of orders and notices.

Clause 45 is a liability protection clause giving protection to the Crown, Minister, authorised officers and members of the police force for any thing done by them in good faith for the purposes of carrying out the provisions of this Act.

Clause 46 makes provision for certain evidentiary matters under the Act. In proceedings it shall not be necessary to prove the appointment of the Minister, authorised officer, commissioner, a member of the police force or their signatures. Documents certifying that there was or was not a licence in force under the Act at a particular time will be evidence of such fact unless the contrary is proved. Proof of exemption from the provisions of the legislation will be on any person who claims same.

Clause 47 provides authority for the Governor in Council to make regulations as necessary for the administration of the legislation. Schedules A and B indicate which Acts are to be repealed or terminated by this legislation.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

LOTTO ACT AMENDMENT BILL

Suspension of Standing Orders

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer), by leave, without notice: I move—

> "That so much of the Standing Orders be suspended as would otherwise prevent the immediate bringing in of a Bill intituled, 'A Bill to amend the Lotto Act 1981 in certain particulars', and the passing of such Bill through all the stages in one day."

Mr WARBURTON (Sandgate) (3.51 p.m.): I do not pretend that the Opposition is not tremendously concerned that the Government is endeavouring on this, the second-last day of the sitting, to push through a number of Bills which the Minister will no doubt say result from Budget decisions. He will not be able to give such a clear indication about them all, but that is certainly the case in respect of some of them. The position is clearly that the Minister is endeavouring to set aside Standing Order No. 241 (d) which states—

> "Further debate on the Question 'That the Bill be now read a Second Time' shall be adjourned for a period of at least two whole sitting days."

I point out to honourable members that on numerous occasions over the past couple of years Opposition members have moved, sometimes successfully, that very important Bills lie on the table for a period of seven days. That move has received general support from those people interested in the contents of the Bill who have appreciated that it is almost impossible for members to apply themselves to the provisions of Bills in the time that was sometimes allowed by the Government.

When the report of the Standing Orders Committee was being debated and finally decided upon, one of the few provisions agreed to wholeheartedly by National Party members was that a Bill be not debated until two whole days had elapsed after its introduction.

Today, on the second-last day of the sitting, the Minister Assisting the Treasurer wants to pass four Bills through all stages. One of those Bills has nothing whatsoever to do with the Budget papers. When Government members have the opportunity to see the other three Bills, if they have not seen them already, they will understand my complete opposition to this move.

Mr Borbidge: Are you saying that the Budget-associated Bills should be deferred?

Mr WARBURTON: One expects that sort of reaction from the honourable member. The position is that I, as the Opposition spokesman, am expected, without having a Bill before me, to agree to the Government's request that it be debated. I have not even seen the Bill. If the honourable member for Surfers Paradise thinks that that is fair, I must query his attitude——

Mr Borbidge: What about the Bills the provision for which has already been announced in the Budget?

Mr WARBURTON: From my knowledge of what is contained in the Bills, I am surprised at the extent to which they go. If they contained only a simple change of language, this process would be fair enough. I am not suggesting at this stage that I will have any disagreement with the basic principles of some of the Bills that are to come before the Chamber. I am stating to honourable members my strong objection to the Government's steam-rolling Bills through the House, a process that we have all become used to at this time of the year. The passage of legislation has now reached the sausage-machine stage. It is traditional; the Government is notorious for it.

It may be said that the Bills arise from the Budget papers. Members can decide whether that is so when they see the Bills. No member has seen them. We are being asked to agree to the suspension of a Standing Order, to which even members of the National Party agreed, giving members two clear days in which to study a Bill.

I regard myself as being a reasonable person with a reasonable amount of common sense, but I have had no opportunity to make a proper assessment of whether the provisions of the Bills are appropriate. In leading for the Opposition in the debate, I expect to at least have something constructive to say. I am in an impossible position, and I am not prepared to cop it at this late stage of the sitting.

Parliament is now faced with a highly improper situation for no reason other than the sheer incompetence of the Government. There is no earthly reason why Bills having a direct relationship to the promises outlined in the Budget papers—I raise this point for the benefit of the honourable member for Surfers Paradise in particular—should not have been ready for introduction in the early days of this session.

The Budget was introduced very late. Prior to its introduction by the Premier and Treasurer, the Government knew what the situation would be. In spite of that the Bills became available no more than half an hour ago. It is not good enough for the Government to expect members of the Opposition to now debate them properly in the interests of the people of Queensland.

As I said, in some instances the Opposition might not express any general disagreement with the principles or intent of the Bills that are to come before the House. We can forecast what some of the provisions will be, but we have no idea what other provisions the Bills may contain. On numerous occasions the Opposition has found it necessary to move amendments or use other procedures in order to have legislation read the way it was intended to read.

The Government is in the habit of making nasty mistakes in preparing Bills. I am in no position to say that four of the Bills that are to be pushed through Parliament rapidly, if the Government has its way, are couched in terms with which the Opposition will be entirely happy. It will be impossible for my colleagues or me to make an assessment in the time available to us. I forecast that members of the Opposition and members of the Liberal Party, who have not had an opportunity to see the Bills, will be quite surprised at the way in which they are written.

As I said, it is impossible to assess the Bills with any degree of responsibility. I make it clear, and place it on the record, that I and other Opposition members are not prepared to accept the course that the Government proposes to take on this occasion.

The Land Tax (Adjustment) Bill will be of a reasonably complex nature. In the Budget papers, the Premier and Treasurer referred to the proposed discretionary powers to be given to the Commissioner of Land Tax. Discretionary powers have been debated in this Chamber before, and most honourable members are concerned about the discretionary powers that are given to certain people. I am sure that on many occasions that concern has arisen because the Government has not had the opportunity, time or know-how to properly formulate legislation before it is introduced.

I am deeply concerned that that has occurred in this instance. I cannot blame anyone or cast aspersions on anyone. Because of the total incompetence of the Government, on the second-last day of sitting, four Bills—some of which bear no relevance to the Budget—are to be pushed through the House. Members of the Opposition vigorously oppose that practice.

Question—That the motion (Mr Gunn) be agreed to—put; and the House divided—

Ayes, 44

Ahern	Harper	Newton
Alison	Harvey	Powell
Austin	Henderson	Randell
Bailey	Hinze	Row
Bjelke-Petersen	Jennings	Simpson
Booth	Katter	Stephan
Borbidge	Knox	Stoneman
Cahill	Lane	Tenni
Chapman	Lester	Turner
Cooper	Lingard	Wharton
Elliott	Littleproud	
FitzGerald	McKechnie	
Gibbs, I. J.	McPhie	*Tellers:*
Glasson	Menzel	
Goleby	Miller	Kaus
Gunn	Muntz	Neal

Noes, 28

Campbell	Kruger	Warner, A. M.
Casey	Mackenroth	Wilson
Comben	McLean	Wright
D'Arcy	Milliner	Yewdale
Davis	Price	
De Lacy	Scott	
Eaton	Shaw	
Fouras	Underwood	*Tellers:*
Gibbs, R. J.	Vaughan	
Hamill	Veivers	Burns
Hooper	Warburton	Prest

Resolved in the affirmative.

First Reading

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

Second Reading

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (4.10 p.m.): I move—

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

When the Lotto Act was passed in 1981 it effectively joined Queensland to the Australian Lotto Bloc—A consortium of Victorian, South Australian and Western Australian lotteries—for the purpose of conducting Gold Lotto in this State. One of the principal advantages of joining the bloc was a larger prize pool resulting from the aggregation of sales in the four States concerned.

Since then, Gold Lotto has operated so successfully in Queensland that sales now approximate $1.7m per week. The game is structured in such a way that 60 per cent of subscriptions are paid into the prize pool, which is then divided amongst prize-winners in the five divisions according to a prescribed formula.

Under the formula, 30 per cent of the prize pool is allocated for first division prizes. With total bloc sales of approximately $10m per week, this means that the first division pool is of the order of $1.8m per week.

The Australian lotto bloc now seeks to reserve a percentage of each weekly lotto prize pool to enable the payment of a more substantial first division prize or provide special additional prizes. It has been calculated that by reserving 2 per cent of each weekly prize pool it will be possible to offer, selectively, first division pools approximately two and a half times greater than at present. This means that for a number of selected draws per year a guaranteed $4m first division prize can be offered. The corresponding weekly reduction by withholding 2 per cent of the prize pool on present sales would only be about $120,000 spread over the five divisions.

The opinion of the Solicitor-General's Office is that section 8 requires the full amount of the prize pool to be disbursed for each weekly draw. The amendment before the House simply reconstructs section 8 to allow the reservation of part of the prize pool. It does not interfere with the basic proposition that ultimately 60 per cent of the prize pool is in fact to be paid to Gold Lotto prize-winners.

Basically, this is a promotional measure and is expected to boost sales. It will have a favourable impact on State revenues, which received $21.3m from Gold Lotto in 1982-83. The Australian lotto bloc is anxious to introduce the bonus prize scheme from 1 January 1984.

The Government sees no objection to the proposal, and I commend the Bill to the House.

Mr WARBURTON (Sandgate) (4.13 p.m.): Initially, I make the point that the Bill has no connection with the Budget papers. I was greatly surprised that the leader of the Liberal Party (Sir William Knox) voted with the Government to allow this Bill to pass through all stages in one day.

Sir William Knox: Don't you agree with it?

Mr WARBURTON: The leader of the Liberal Party saw fit to flout the very principle that he has expounded in this Chamber over a lengthy period. The House has seen an example of what will occur from time to time. Over past weeks I have warned my colleagues that this is only the beginning. Honourable members are about to find themselves in the almost intolerable situation that will be created by the National Party Government. However, the Opposition will grin and bear it. Opposition members will ride the punches and will make the most of the situation. It is a shame that the Liberal Party has agreed to push aside Standing Orders on this occasion.

The Act was assented to on 12 June 1981. In 1981-82, an amount of $4,250,000 was paid into the Consolidated Revenue Fund of this State. That was considered to be reasonable in view of Gold Lotto being in its early stages of operation. Those receipts rose quite dramatically in 1982-83 to $21.3m. It is estimated that receipts from Gold Lotto in 1983-84 will be $20.2m. That estimate does not meet the expectation of the Minister who introduced the legislation some years ago. The expectation was that receipts for the year 1983-84 and from then on would be of the order of $35m per year.

Members were told that, after the deduction of administration costs, which were expected to be 6 or 7 per cent of subscriptions, and the setting aside of 60 per cent of total subscriptions as the prize fund, the remaining 33 per cent or more would be paid into consolidated revenue to be used, if necessary, for a number of specified purposes. That was an interesting comment. The explanation given by the Minister at the time and resurrected in the records that have become available to members is worth restating. Referring to the payment into consolidated revenue, the records state—

> "This funding will be used to offset any loss of cash flow to the Sport and Youth Fund and to the Cultural Capital Development Fund that may occur as a result of any adverse impact lotto sales may have on soccer pools and ordinary casket sales."

There was some concern—I know that I expressed it during the debate—that Golden Casket sales could suffer as a result of the introduction of Gold Lotto. The statement went on—

> "Apart from that transference, there will be a need to support the Commonwealth Games activities and, of course, the balance will be vital in regard to the Government's funding of health costs."

The Deputy Premier would be very hard put indeed to provide any break-down of the distribution of Gold Lotto profits that have been paid into consolidated revenue. Although members were told at that stage that, basically, moneys would be set aside, even though they were going into consolidated revenue, for the Sport and Youth Fund, cultural activities and so on, it would be very difficult for the Deputy Premier——

Mr Gunn: I couldn't give them today.

Mr WARBURTON: No. Members are all old enough to know that once moneys go into consolidated revenue—once they go into the Treasury coffers—what happens to them from then on——

Mr Gunn: Really, you are not being fair.

Mr WARBURTON: If the Minister is able to provide a break-down, I would very much appreciate having it. Tremendous interest has been generated in the Sport and Youth Fund. I am not being critical——

Mr Gunn: You are casting aspersions on the Treasury and I would expect you to apologise.

Mr WARBURTON: Would the Minister expect that?

Mr Gunn: Yes.

Mr WARBURTON: I will not apologise to the Treasury and I am sure that the Treasury would fully accept my claim that it is there to collect funds. Quite frankly, my experience with the Treasury is that it would like to keep as much of that funding as it possibly could.

I am not casting aspersions. All I am saying is that, although at the time the Minister said that certain funds from Gold Lotto would filter through into those activities, I have yet to be provided with the details of the allocation of such funds. One of my criticisms in both the Budget debate and the debate on the Appropriation Bill (No. 2) was that the Budget papers were not sufficiently detailed to allow anyone to have knowledge of what transpires. All I say is that I would hope that the Treasury or the Minister would be able to provide those figures to honourable members. In other words, it would be nice to know just exactly how much of the money that went into the Consolidated Revenue Fund was allocated to sporting and cultural activities.

I regret that the Minister indicated I was casting aspersions upon the Treasury, because I am not. I am simply saying that those figures have not yet been made available and I am saying that they should be made available.

I conclude by saying that the Bill provides for the introduction of yet another gambling initiative that will certainly add to the glee, no doubt, of anybody fortunate enough to be in the winner's circle. It goes without saying that the measure is also designed to boost sales.

Mr Gunn: Have you ever won anything in Gold Lotto?

Mr WARBURTON: No. That is probably because I have never entered Gold Lotto. However, I am not a prude. A boost in sales will consequently boost income to the State Treasury from what in effect becomes a form of tax on gamblers.

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (4.23 p.m.), in reply: I have already mentioned that last year Gold Lotto earned the State $21.3m. The measure brings Queensland into line with the other States. There is a national pool and the State has to be in it; that is all there is to it.

Motion (Mr Gunn) agreed to.

Committee

Mr Randell (Mirani) in the chair; Hon. W. A. M. Gunn (Somerset—Deputy Premier and Minister Assisting the Treasurer) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—Repeal of and new s. 8; Prize money—

Mr CAMPBELL (4.24 p.m.): This clause is a very open-ended one that can be manipulated in such a way that nobody can know the final result. The key wording is—

"Any amount so set apart may be accumulated "

I stress the words, "any amount" In his second-reading speech the Minister said—

"It has been calculated that by reserving 2 per cent of each weekly prize pool it will be possible to offer, selectively, first division pools approximately two and a half times greater than at present."

Suddenly the magical figure of 2 per cent appears, yet the Bill provides for any amount. A maximum amount should be inserted into the clause. If this clause is agreed to, tomorrow could see an increase to 10, 20, 30 or even up to 60 per cent of the whole pool. The clause is poorly worded. The word "any" should be omitted and the phrase "a maximum of 5 per cent" substituted. That would still leave a lot of leeway. Although the Bill refers to any amount, and the Minister referred to 2 per cent, that amount could change to 2.5 per cent tomorrow. The clause is too open-ended and should not be agreed to in its present form. The Minister should tighten it up so that the people who play Gold Lotto know the rules and exactly the percentage being played for.

Mr VEIVERS: I note that the Bill does not interfere with the basic proposition that 60 per cent of the pool is distributed to winners. I note also that the amendment is basically a promotional measure designed to boost sales. The Minister might tell me whether any research has been done by his officers on what will be the effect of this move on the Golden Casket and Soccer Pools, and on overall sales. Those points were raised by the Deputy Leader of the Opposition, but I am interested to know whether the Minister has any information on them.

Mr GUNN: The honourable member for Bundaberg has overdramatised the situation. I have an extremely complicated document which I do not want to read out, but I will do so if he wishes. It explains the effect of the 2 per cent on the total prize pool and gives a summary of the new figures. Perhaps I could table it for the benefit of the honourable member.

Mr Campbell: Yes.

Mr GUNN: Very well. It would have taken me a long time to read the whole document.

Whereupon the honourable gentleman laid the document on the table.

Clause 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Gunn, read a third time.

VOTE ON ACCOUNT, 1984-85

Mr SPEAKER read a message from His Excellency the Governor recommending that the following provision be made on account of the services of the year ending 30 June 1985—

From the Consolidated Revenue Fund, the sum of $800,000,000;

From the Trust and Special Funds, the sum of $850,000,000;

From the Loan Fund, the sum of $70,000,000.

Message referred to Committee of Supply.

EXPO '88 BILL

Hon. J. BJELKE-PETERSEN (Barambah—Premier and Treasurer), by leave, without notice: I move—

> "That leave be given to bring in a Bill to provide for the establishment of an Authority to acquire, develop, improve and control the site for holding an international exposition at Brisbane in the year 1988 and to promote, operate and manage that exposition and to provide for the functions and powers of the Authority in connexion therewith and for related purposes."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Bjelke-Petersen, read a first time.

Second Reading

Hon. J. BJELKE-PETERSEN (Barambah—Premier and Treasurer) (4.33 p.m.): I move—

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

It is proposed to stage a specialised exposition on the South Bank of the Brisbane River from 30 April to 30 October 1988. The theme of the Expo will be "Leisure in the Age of Technology"

A convention relating to international exhibitions was signed in Paris in 1928. This was designed to control and regulate the staging of international expositions. There are currently over 40 signatory countries to the convention and these countries form the Bureau of International Expositions (BIE), whose secretariat is based in Paris.

All formal dealings with the BIE are through the Australian Commonwealth Government, which is a signatory to the convention and protocols. The Commonwealth Government is required, under BIE rules, to appoint a Commissioner-General for the Exposition. He is responsible for ensuring that the Expo is staged in accordance with the BIE rules and that Australia, as a host country, meets its obligations.

The first proposal to stage an international exposition in Brisbane during 1988 in conjunction with the Australian Bicentenary was made in January 1978. Over the years, a number of studies were undertaken of numerous sites, with three sites at Kuraby, Beenleigh and South Brisbane being considered in detail.

It was decided in December 1982 to form a committee, under the chairmanship of the Co-ordinator-General, to commission a detailed feasibility study on the staging of Expo '88 at the South Brisbane site.

The site is essentially identified by earlier studies as having the most advantages by virtue of—

Its central position;

Its potential for development from a rundown, unattractive area into one of the most attractive and valuable precints in Brisbane; and

Its general suitability for an event such as the Expo.

In 1983 a proposal for the staging of a specialised exposition at South Brisbane in 1988 was transmitted from the Queensland Government to the Commonwealth Government and on to the BIE. Submissions were made by the Queensland Government and an inspection on-site was made by representatives of the BIE.

In June 1983 the BIE granted provisional approval for Expo '88 in Brisbane and on 6 December confirmed this approval with the adoption of general regulations and participation contracts for the event.

It is now necessary that the Queensland Government legislate to provide for the establishment of an authority to acquire, develop, improve and control the site for holding an international exposition at Brisbane in 1988 and to promote, operate and manage that exhibition and to provide for the functions and powers of the authority in connection therewith and for related purposes.

Details of the site are included as a schedule to the Bill. It will be noted that Musgrave Park has been included within the site to enable this reserve to be used temporarily for the purposes of the Expo under general powers conferred within the body of the Bill.

The Bill provides for the establishment of an authority to be known as the Brisbane Exposition and South Bank Redevelopment Authority. This authority is to be offered the full shield of the Crown to better enable it to perform its complex task.

It is intended that the authority will be composed of not more than eight members, three of whom are ex-officio statutory officials, namely, the Co-ordinator-General, who shall be deputy chairman, the Under Treasurer, and the Chief Commissioner and Chairman, Land Administration Commission, together with not more than five members nominated by the Minister. One of these members so nominated shall be chairman, and it is the Government's intention that the first chairman of the authority shall be the Honourable L. R. Edwards.

The Bill provides for the payment of fees and expenses to members of the authority subject to the approval of the Governor in Council, as is the case with other statutory authorities.

Provision has been made for committees to assist the authority, and it is intended that the widest possible consultation with the community will exist through these committees.

The authority will be empowered to acquire lands within the site for the purpose of presenting Expo '88 and, to this end, such acquisition of land shall be in accordance with the provisions of the Acquisition of Land Act 1967-1977. Compensation paid to land-holders whose property has been acquired will be fair and reasonable, based upon the standard principles applying to other public acquisitions by the Queensland Government.

The authority is empowered to undertake all works necessary for the development of the Expo site and to make all necessary agreements with other authorities for this purpose.

Special provision has been made for agreement with the Brisbane City Council on the provision of important services, without which the site would not be able to operate.

The authority may, in lieu of acquisition and where it appears expedient to the authority, enter into agreements with the owners and occupiers of lands within and adjacent to the site, concerning the use of those lands during Expo '88.

To enable the authority to undertake not only construction activities but also the promotion and management of the Expo event, the authority has been empowered to enter into contracts to employ staff and to engage consultants and experts. It is the Government's intention that services to be so provided to the authority will be from the private sector.

Provision has been made for an executive to the authority, but this unit of the organisation will be kept to the smallest possible scale.

The Government is very mindful of the need to ensure that the South Brisbane site is enhanced for the well-being of the citizens of Brisbane and of the State of Queensland following the Expo event. For this purpose, the Bill provides for the site to be excluded from the operation of the City of Brisbane Town Planning Act 1964-1982 by the institution of a development control plan within the meaning of this Bill as soon as practicable after the establishment of the authority.

To provide for the enhancement of the site following the Expo and the later incorporation of the site back into the town plan for the city of Brisbane, the authority is required to prepare for the approval of the Governor in Council a zoning plan, which shall be prepared in close liaison with Brisbane City Council and shall have regard to the plan that is likely to be the town plan at the time when this zoning plan comes into operation. By this means, enhancement zonings of land within the site will be achieved.

The Government has engaged consultants to prepare concept plans for both the operation of the Expo and the later enhancement of the site. These plans, and the impact assessment reports associated with them, will be submitted to the authority for its consideration at an early date.

The authority is empowered to dispose of lands acquired within the site for the purpose of the Exposition. To enable enhancement to be achieved, it is proposed that the authority should not be required to be bound by the provisions of section 41 of the Acquisition of Land Act 1967-1977, which requires that, if land so acquired is disposed of within seven years from the date of acquisition, it shall first be offered back to the previous owner at current market value.

To enable the necessary financial arrangements to be made for the acquisition of the site, its subsequent disposal and the operation of the Expo event, the provisions of the Statutory Bodies Financial Arrangements Act 1982 have been extended to the authority.

It will be noted that it is the Government's intention that the management and operation of the Expo event will be funded entirely from receipts achieved by the authority from rentals, sale of commercial rights and admission charges, as well as other receipts of a commercial nature. The management of the site acquisition and land development operation of the authority will be funded in accordance with the financial provisions contained in the Bill.

In recognition of the requirement of the authority to discharge the obligations of the State in respect of the Exposition, the authority is required to have regard to the requirements of the general regulations of the Bureau of International Expositions relating to Expo '88 and shall have regard to the authority of the Commissioner-General.

Special provisions have been made to accommodate the needs of international exhibitors temporarily operating within Queensland industrial jurisdiction.

To enable security of the site to be achieved, the authority is empowered to make by-laws to secure the proper management of the site, and offence provisions are included for this purpose. The authority is fully accountable to the State and is required to report annually to the Minister on all of its operations. Its report shall be laid on the table on this House each year.

A sunset provision has been included to provide for the winding-up of the authority at a point of time following the conclusion of Expo '88, when, in the opinion of the Governor in Council, the authority has discharged its functions and achieved the objects and purposes of this Bill.

The proposed opening and closing dates of the 1988 Brisbane Exposition are 30 April and 30 October respectively.

The potential for tourism over that period is particularly good, and it also coincides with the period of the Australian bicentenary celebrations, of which Expo '88 will be a major component of national celebrations.

The estimated total attendance for Expo '88 is between 6 million and 8 million visitors. It is expected that over 500 000 extra overseas and interstate visitors will inject up to $400m into the Queensland economy.

Additional jobs on site created by the Expo are expected to reach 5 600, which, combined with indirect employment created, could result in 15 000 new jobs overall.

Immeasurable economic benefits through the promotion of Brisbane and Queensland at international level for tourism and investment purposes will be gained.

An important legacy will be provided for Brisbane in the enhancement of the riverside recreational areas of South Brisbane and an urgently needed convention, trade and entertainment centre, which will have lasting economic benefits after 1988.

It is the Government's wish that this important Bill be available for public comment following the rising of the House.

Debate, on motion of Mr Wright, adjourned.

REGISTRATION OF PLANS (STAGE 2) (H.S.P. (NOMINEES) PTY. LIMITED) ENABLING BILL

Second Reading—Resumption of Debate

Debate resumed from 30 November (see p. 417) on Mr Harper's motion—

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

Mr R. J. GIBBS (Wolston) (4.45 p.m.): At the outset, the Opposition indicates very firmly that it supports the legislation. The Registration of Plans (Stage 1) (H.S.P. (Nominees) Pty. Limited) Enabling Bill was passed in this House approximately 18 months ago. At that time it was the unanimous decision of the Opposition that it would support the Bill; on this occasion the Opposition has no objection to the legislation.

Harking back to the Minister's second-reading speech—the Opposition is aware that the Bill creates a great deal of employment for people on the Gold Coast, but I share the concern expressed by the public and members of the Gold Coast City Council about the redevelopment of the site in Cavill Avenue. Many honourable members in my age bracket and members who are considerably older than me would have fond memories of the old Surfers Paradise Hotel in Cavill Avenue.

Mr Burns interjected.

Mr R. J. GIBBS: I can remember meeting the honourable member for Lytton there many years ago.

The demolition of the hotel removed a landmark from Cavill Avenue. People accept that development must take place. It has been accepted by the Gold Coast City Council and by the majority of people on the Gold Coast.

I reiterate that the Opposition supports the legislation. However, there are two points that I would make about it. I have already expressed my concern about the principal person involved, Mr Eddie Kornhauser, who is a member of the company named in the Bill. I shall not go into his background at this stage.

Another provision in the Bill that concerns me is the clause that calls for the registration of the upper plan and the lower plan. I am aware that, because of economic changes, from time to time genuine and legitimate reasons can be put forward for delays in development. I am concerned that there is reference in the legislation to the year 2004, which, if my calculations are correct, is 30 years away. The Opposition is looking to the future to ensure that the overall development is completed, and that is a farcical figure to pluck out of the air.

I am aware that the Paradise Corporation relied to a great degree on the acceptance of its submission for the Gold Coast casino. I do not want to extend that into a side argument. Perhaps the Minister can give me an explanation why the year 2004 has been put forward as an extension figure. It seems to be quite unreasonable. The period has been over-extended. I would have thought that, following usually accepted business practice, honourable members could have looked forward to complete development of this particular site within the next decade.

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (4.50 p.m.), in reply: I thank the spokesman for the Opposition for his contribution. The intention is to build an accommodation unit of 408 rooms in the upper level of Stage II. That must be constructed, if at all, by the year 2004. That date may seem a long way in the distance; however, it is only 20 years or two decades away. For the developers to proceed with that construction in the future, they must now lay the foundations. It is for that reason that they seek the approval of this legislation. The investment required in the foundations is of the order of $2m or $3m. The upper level accommodation unit of 408 rooms, which is to be constructed within 20 years, will, on present-day figures, cost in the vicinity of $30m, a not inconsiderable sum.

That is the only point about which the Opposition asked for clarification. In the view of the Government, 20 years is not an unreasonable period. The building must be constructed within that period. Plans for the upper and lower stages must be registered before that date. I thank the Opposition for its support of the legislation.

Motion (Mr Harper) agreed to.

Committee

Mr Booth (Warwick) in the chair; Hon. N. J. Harper (Auburn—Minister for Justice and Attorney-General) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—Registration of upper plan and lower plan—

Mr R. J. GIBBS (4.53 p.m.): I rise to respond briefly to an interjection made by the member for Fassifern that I was 10 years out. I apologise for that error. I am sorry that it happened. However, I want him to know that the Opposition has not been responsible for the legislation being dealt with at this time of the afternoon. It is time that he got off his backside, learned how Parliament might operate and spoke to some of his colleagues on that side of the Chamber. It was not my desire or the desire of the Opposition that the Bill be brought on for debate this afternoon. I advise him to get off his very green bottom and talk to the people on his side of the Chamber who wanted to bring the Bill on. The Opposition co-operated. If he wants to continue in that vein, he is welcome to put it on again.

Mr Lingard: How many days do you want for subtraction?

Mr R. J. GIBBS: He is the greatest moron ever to sit in the Parliament, and he is the best brown nose and brown tongue ever to come into the Parliament.

The TEMPORARY CHAIRMAN (Mr Booth): Order! I think the member for Wolston has concluded his remarks on the clause.

Mr R. J. Gibbs interjected.

The TEMPORARY CHAIRMAN: Order! It is the Committee's wish that we proceed with consideration of the Bill.

Clause 4, as read, agreed to.

Clauses 5 to 12, and preamble, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LAND TAX (ADJUSTMENT) BILL

Suspension of Standing Orders

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer), by leave, without notice: I move—

> "That so much of the Standing Orders be suspended as would otherwise prevent the immediate bringing in of a Bill intituled, 'A Bill relating to the taxable value of lands for the purpose of assessing, levying and recovering land tax', and the passing of such Bill through all the stages in one day."

Mr WARBURTON (Sandgate) (4.58 p.m.): At the outset I make it clear that the Minister has just moved for the introduction of a Bill on land tax. Some honourable members may be aware that another Bill is to follow, and that, after that Bill, the Minister will introduce a Bill on pay-roll tax. All of those Bills have some connection with the Budget.

Although the Opposition agrees with the principles contained in the legislation, even though some of its provisions are piecemeal, I object to the way in which the legislation is being dealt with. I do not want to take up the time of the House unnecessarily, but I am tremendously surprised that the Government has displayed a complete inability to conform to its own requirements to have these Bills before the House. I appreciate that the Budget was delivered late in the year, but the Government must accept the fact that some months ago it knew quite well the promises contained in the Budget. That being the case, the Opposition states that there is a principle involved. It intends to oppose the motion to indicate its opposition to the way in which the three Bills are to be dealt with. I indicate that clearly and foreshadow that the Opposition intends to divide on the issue.

Question—That the motion (Mr Gunn) be agreed to—put; and the House divided—

Ayes, 42

Ahern	Gunn	Newton
Alison	Harper	Powell
Austin	Harvey	Randell
Bailey	Henderson	Row
Bjelke-Petersen	Hinze	Simpson
Booth	Jennings	Stephan
Borbidge	Katter	Stoneman
Cahill	Lane	Tenni
Chapman	Lester	Turner
Cooper	Lingard	Wharton
Elliott	Littleproud	
FitzGerald	McKechnie	
Gibbs, I. J.	McPhie	*Tellers:*
Glasson	Menzel	Kaus
Goleby	Muntz	Neal

Noes, 28

Campbell	Kruger	Warner, A. M.
Casey	Mackenroth	Wilson
Comben	McLean	Wright
D'Arcy	Milliner	Yewdale
Davis	Price	
De Lacy	Scott	
Eaton	Shaw	
Fouras	Underwood	
Gibbs, R. J.	Vaughan	*Tellers:*
Hamill	Veivers	Burns
Hooper	Warburton	Prest

Resolved in the affirmative.

First Reading

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

Second Reading

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (5.7 p.m.): I move—

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

As outlined by the Honourable the Premier and Treasurer in the 1983-84 Budget Speech, the Government has been looking for quite some time at ways to overcome difficulties that arise with abnormally high increases in the Valuer-General's valuations. Indexation of land values for land tax purposes was seriously considered. However, it was found to be administratively complex and to create further inequities.

As announced in the Budget, the Government decided to phase in new land valuations that are very substantial over a maximum period of five land tax years. This Bill will enact the necessary provisions to allow for the gradual introduction of the valuation increases.

The main features of the new scheme are as follows: Where the new value that would otherwise apply for land tax purposes is in excess of 150 per cent of the old value, the value to apply for land tax purposes during the phase-in period will increase each year by 50 per cent of the old value until the new value is reached; and where the total increase is greater than 250 per cent, the increase in valuation each year will be one-fifth of the total valuation increase.

For example, a parcel of land with a former unimproved value of $100,000 and a fresh unimproved value of $350,000—that is an increase of 250 per cent—will have valuations for land tax purposes of $150,000 in year 1, $200,000 in year 2, $250,000 in year 3, $300,000 in year 4, and $350,000 in year 5. At the current rates of land tax, this phasing in of the increased valuations would save the tax-payer $11,800 over the five-year period.

The Act will apply in respect of land in all local authorities which have been wholly revalued, with the new values to apply from the 1982-83 taxation year. Thus it will provide significant relief to those tax-payers located on the Gold Coast.

Provision is made in the Bill for the adjustment of any land tax already assessed. Where a refund is due, the commissioner will offset that amount against any tax otherwise owing by the tax-payer. If no tax is owing or where the refund is larger than the amount owing, the commissioner will make a refund to the tax-payer.

These provisions relating to the phasing in of land values will apply for land tax purposes only and do not imply that the Valuer-General's assessments are not correct. They are simply intended to provide a gradual introduction of the higher valuations that result in a time of rapidly increasing valuations and where local authority areas are revalued only every five years or so.

The provisions are intended to remain in force while the excessive land-value increases currently being experienced continue.

I commend the Bill to the House.

Mr WARBURTON (Sandgate) (5.11 p.m.): The Bill provides a number of new definitions. I hope that Government back-benchers, who have now received copies of the Bill, can fully understand its contents. They were very quick to criticise my earlier comments. No doubt some Government members who are members of the Minister's committee have been given an insight into the effect of the provisions in the Bill. However, many Government back-benchers are totally unaware of the effect of a Bill such as this. When they look closely at this Bill and the next two to be introduced this evening, they will realise that my comments were absolutely correct.

It is impossible for Opposition members to make reasoned comments on provisions of this type, particularly at the Committee stage. Because of the lack of time available, the Opposition's inability to debate the Bill in depth can be excused. National Party back-benchers should be deeply concerned about this procedure.

The Bill will establish a new system that will ensure that land tax imposed after valuation increases in excess of 50 per cent will be phased in over a minimum of five years. Under the present system, land tax is paid immediately after increases have occurred in valuations.

The first Land Tax (Adjustment) Act was introduced in 1960. At that time, concern was expressed about the upsurge in land values in the State and the subsequent effect that that would have on land taxes. Small land-owners and house-owners were brought back to the field, if I may use that term, by the new valuations brought down by the Valuer-General. Nothing new is happening in 1983.

In 1982, new valuations were made throughout Queensland. Twenty years ago the problem arising from not revaluing land throughout the State was recognised. Increases in land tax throughout Queensland could not take effect from a common date. The Government of the day decided that the sectional effect of increased valuations could best be solved in fairness to all Queensland land-owners by applying part only of the increased values for land tax purposes. On that occasion, it was decided that generally only one half of any increase in valuation was to be taken into account in assessing land tax for the 1960-61 financial year. Owing to the Government's budgetary measures since then, the Act has been amended from time to time.

Honourable members on this side of the House have no opposition to either the principle or the intent of the Bill.

Mr BORBIDGE (Surfers Paradise) (5.16 p.m.): I rise to enlighten those honourable members who may not be aware of what occurred when the land tax problem first hit the deck on the Gold Coast and Sunshine Coast. Ultimately the problem would have become a serious one in most of the major growth areas of Queensland if it had not been for the Government's receptive attitude and the action that it initiated approximately 12 months ago.

The problem arose because of the revaluations of property at the height of the 1980 boom. Those revaluations were reflected in the land tax assessments that were issued approximately 12 months ago on the Gold Coast and in other areas. As a result of those revaluations, the amount of money payable under land tax assessments increased, in many instances, by approximately 1 500 per cent. In one instance that I can recall, the increase was as high as 4 000 per cent.

A large number of people were affected. The increases affected major property-owners and landlords, and, because they affected landlords, the increases were passed on to small business people. They also affected people on fixed incomes and pensioners who were living in units under company title prior to the passing of the Building Units and Group Titles Act.

I am pleased that later tonight enabling legislation will be brought forward to implement that Budget measure.

The effect was very great and the problem was substantial. In the light of that, representations were made to the Premier and the then Minister for Commerce and Industry, who is now the Deputy Premier. My fellow-members on the Gold Coast and I were successful in securing a review of the land tax laws.

This legislation honours commitments that were given at that time by the Premier, the then Minister for Commerce and Industry and the local members. Indeed, those commitments were endorsed by the National Party in the recent election campaign.

The Bill will succeed in overcoming the majority of the problems that arise. Honourable members should note that the reforms have been possible only because of the very positive response that was given by the Government and its senior members to the local members who brought the problem to the Government's attention. On behalf of all those people in my area who are affected, I place on record their appreciation for this Government's positive response to those representations.

The Bill will enact provisions to allow land tax valuation increases in excess of 50 per cent to be phased, for land tax purposes, over a maximum of five years. The annual increase in valuation will generally be a maximum of 50 per cent, except where the total increase is greater than 250 per cent. In that event, the increase in valuation each year will be one-fifth of the total valuation increase.

The Bill will apply to all local authorities that have been wholly revalued with the new values, and it will operate from the 1982-83 taxation year.

As the honourabe member for Sandgate said, these arrangements will allow the impact of abnormally high valuations to be spread over a number of years for land tax purposes.

I support the Bill. It reflects a positive response by the Government. I thank the Minister and the Premier for the priority that they have given to the Bill. It is to the credit of the Government that these reforms are being brought forward and implemented so early in the life of this new Parliament.

Mr CASEY (Mackay) (5.19 p.m.): Like the Deputy Leader of the Opposition, I voice my disgust at the insufficient time given to members to properly study legislation such as this Bill.

The Bill is far-reaching in many respects. It is classic National Party legislation. It is a repetition of the old story that Queensland is the low-tax State for the high-income earners but the high-taxed State for the low-income earners. It shows where the Government's priorities lie.

In his second-reading speech, the Minister said that the Bill would provide significant relief to tax-payers on the Gold Coast. What happened to the old Country Party that said that it looked after the man on the land? When the Premier and Treasurer announced the National Party policy for the election, he told the people in the country areas of Queensland, "We are going to bring about these special land tax concessions for the poor old man in the bush." Pig's eye! Not for the poor old man in the bush! The man in the bush will not benefit from the legislation. Large increases in valuations are not found in Longreach, Winton or in the electorate of the Minister for Justice and Attorney-General. Today, increases of over 250 per cent in valuations can be found, as a general across-the-board rule, only on the Gold Coast.

In many provincial cities and suburban areas of Brisbane, suddenly a major shopping centre is erected following a rezoning. The poor old pensioner who lives in a nearby residence and the struggling family man are the people who must cop the large increase in valuation. Excessive local authority rates are imposed upon them. They find it very difficult to meet that burden. No relief is provided for them in the legislation.

The legislation is designed for the Gold Coast millionaires and the big investors from the south. Is it any wonder that the member for Surfers Paradise made the remark that he did? He will be voting for this legislation, but he should be wary of the provisions contained in the Constitution Act, because, from his comments, I suspect that he will benefit directly from this legislation and that, therefore, he has pecuniary interest in it.

Mr BORBIDGE: I rise to a point of order. The honourable member for Mackay said that I would benefit financially from the legislation. I assure him that that is not so. I find his comments offensive and ask that they be withdrawn.

Mr SPEAKER: Order! I ask the honourable member for Mackay to withdraw those comments.

Mr CASEY: If the member for Surfers Paradise finds my comments offensive, I withdraw them. If he is a man of honour, perhaps at a later stage he might wish to table his previous land tax assessment and any future land tax assessments that he receives.

To return to the points that I was making, the legislation is about the Gold Coast and about helping wealthy millionaires living in the lap of luxury in a beautiful area of Queensland. There is no question that the Gold Coast is Queensland's greatest tourist resort. As all honourable members know, it is also the greatest place for land-sharks in Australia. They are the ones who will benefit from the legislation. They are the ones who contributed to the Bjelke-Petersen Foundation and to the coffers of the National Party during the recent bilstering election. That money enabled some of the back-bench National Party members to be elected for their one and only term.

Finally, in all sincerity I ask the Minister whether there is to be complementary legislation relating to similar adjustments for local authority rates. If so, there is some sense in the legislation. As I mentioned earlier, it would assist families and pensioners in areas excessively valued because of major developments alongside them. They and not the wealthy Gold Coast speculators need the protection and support of this Parliament.

Mr CAHILL (Aspley) (5.25 p.m.): Members were enjoying a very pleasant debate between the Deputy Premier, the member for Sandgate and the member for Surfers Paradise, when the member for Mackay let his customary affability slip and became excited. He perhaps felt that he had something to be excited about. I ask the member for Mackay to be patient, however. In legislation that will be introduced later in the day some of his worries and criticisms will be put aside. As usual, the National Party is catering for the entire kaleidoscope of the community and not just one section.

It might help if I gave a few examples of how the Bill will benefit people. Take the example of a fresh unimproved value of $240,000. The tax over a three-year period, at $4,500 per year, would be $13,560. At its adjusted value of $150,000, the tax becomes $2,550 for the first year, a saving of $1,970. I suggest seriously that that is not solely in the realms of the mighty millionaires on the Gold Coast. It would be agreed that they are fairly reasonable figures. On land with a fresh value of $400,000 the tax would be $8,400. Over five years, that would be $42,000, which is a heavy slug in anybody's language. However, under the adjusted value, in the first year the tax will be reduced to $2,760. The five-year saving will be almost $15,000.

The three or four Bills being introduced by the Deputy Premier relate to a variety of interests. I have given some brief examples, which are available to any honourable member. Despite their being introduced fairly suddenly, ultimately the House will give them the approval they deserve. And they do deserve approval. They are for the good of most people in this State. That is always the intention: the most good for the most people. Therefore, I am very happy to support the Bills. As Opposition members become aware of the provisions of legislation yet to be introduced, they will be much happier than some of them appear to be now.

Mr JENNINGS (Southport) (5.30 p.m.): I understood that the Deputy Leader of the Opposition supported the legislation, but I do not know what got under the skin of the honourable member for Mackay, who claimed that the Bill would benefit only the wealthy. He displayed his limited knowledge of these matters. The wealthy may own some shopping centres and may benefit from the legislation, but it will be of even greater benefit to the small businesses on the Gold Coast. In some cases the land tax payable by some small businesses increased from $400 to $2,000. Does the Opposition want to help these people, or does it not?

The honourable member for Mackay said that the Gold Coast was the greatest place in Queensland for land sharks. Of course, all honourable members know that the Labor Party does not favour property ownership, which is what the Bill is all about. None of us likes land tax, which is basically a wealth tax. Unfortunately it is a necessary way in which to raise revenue. I certainly do not like land tax, but it is a necessity, and the Government is doing the best it possibly can to share the burden. Many hundreds of small-businessmen on the Gold Coast will benefit from the legislation, not the big-businessmen and the wealthy, as the obviously misdirected member for Mackay said.

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (5.32 p.m.), in reply: I thank honourable members, particularly the Opposition spokesman, for their contributions. I was surprised to hear the honourable member for Mackay (Mr Casey) say that everybody living on the Gold Coast is a millionaire.

The Bill brings relief to a number of people who, for a long time, have been very worried. I congratulate the member for Surfers Paradise (Mr Borbidge), who went in to bat for those people and who performed very well indeed. He was able to point out to the Government the serious anomaly. For the reasons mentioned by the honourable member for Mackay, the valuations in the Gold Coast area escalated rapidly. The Government has no need to apologise for giving relief to those involved.

Motion (Mr Gunn) agreed to.

Committee

Clauses 1 to 6, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Gunn, read a third time.

JUDGES' PENSIONS ACT AMENDMENT BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Judges' Pensions Act 1957-1980 in certain particulars and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (5.36 p.m.): I move—

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

The object of this Bill is to improve the pension entitlement of judges. The availability of a non-contributory pension is one of the factors that attracts senior members of the legal profession to accept appointment to the judiciary. Most appointees accept a substantial drop in their income when compared with that which they were capable of earning in private practice.

It is vitally necessary in the long-term interests of this State that our judiciary be composed of the most highly qualified men available to serve in such a capacity, particularly as appointment to the growing Federal Court of Australia is attractive to an increasing number of members of the legal profession. It seems to me that there is a need for the Government to upgrade the pensions available to members of the Queensland judiciary and their widows and dependants in order to assist in making the commission of a judge more attractive to those barristers who may be suitable for appointment to the judiciary. There are enough impediments to appointment without continuing a pension scheme that falls short of that available to judges in most other States and in the Commonwealth.

This Bill will increase the maximum rate of pension payable to a judge from 50 per cent to 60 per cent of his salary at the date of his retirement. That brings Queensland into line with the maximum rate of pension payable in all other jurisdictions in Australia, other than Western Australia and Tasmania. The pension will be based on both salary and any allowance that may be payable to a judge.

If a serving judge is obliged to retire owing to permanent disability or infirmity before he has qualified for maximum pension benefits, this Bill will entitle him to a pension at a rate consisting of 75 per cent of the maximum pension entitlement if he has served

in judicial office for less than five years and an additional five per cent of the maximum pension entitlement for each completed year of service after five years. However, the rate of his pension will not exceed 60 per cent of his salary at the date of his retirement.

If a judge dies whilst in office, and before qualifying for his maximum pension entitlement, this Bill will entitle his widow to a penson until her death or remarriage amounting to 50 per cent of the pension which would have been payable if the judge concerned had retired due to permanent disability or infirmity.

On the death of a retired judge, this Bill will entitle his widow to a pension until her death or remarriage amounting to 50 per cent of the rate of annual pension to which the judge was entitled immediately before his death.

The Bill also increases the pension paid to a deceased judge's child up to the age of 16 years from $2 to $10 per week, with the payment extended to children between 16 and 25 years who are full-time students.

The Bill provides for the adjustment of pension entitlements in accordance with variations in judicial remuneration as determined by the Salaries and Allowances Tribunal from time to time.

Although appointments to the bench have always been regarded as a considerable honour by members of the legal profession, there is ample evidence that those who accept appointments to judicial office usually suffer substantial reductions in income, quite apart from a number of social losses. One of the compensating factors is security on retirement or death available by way of pension benefits.

The Bill should go a long way towards ensuring that the most qualified men continue to be willing to accept appointment to the judiciary.

I commend the Bill to the House.

Debate, on motion of Mr R. J. Gibbs, adjourned.

PAY-ROLL TAX ACT AMENDMENT BILL

Suspension of Standing Orders

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer), by leave, without notice: I move—

> "That so much of the Standing Orders be suspended as would otherwise prevent the immediate bringing in of a Bill intituled, 'A Bill to amend the Pay-roll Tax Act 1971-1982 in certain particulars', and the passing of such Bill through all the stages in one day."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. A. M. Gunn (Somerset—Deputy Premier and Minister Assisting the Treasurer) (5.43 p.m.): I move—

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

The principal objective of the Bill is to give effect to the increased pay-roll tax exemptions which were announced in the 1983-84 State Budget.

Other matters covered by the Bill include provisions—

> To counter the potential for pay-roll tax avoidance through certain employment schemes;
>
> To clarify the scope of the grouping provisions where a branch manager, subject to head office control, purports to be an independant business to avoid the grouping provisions;
>
> To restructure the Act with regard to the power of the commissioner to exclude employers from the grouping provisions and to strengthen the grouping provisions to provide for a responsibility to be placed on employers who are excluded from a group to notify the commissioner if circumstances surrounding the exclusion change; and

To empower the commissioner to nominate a member of a group to be a designated group employer for the purposes of the Act where the group fails to so nominate.

In accordance with the Budget announcement, the Bill provides for two changes in exemption levels to apply from 1 January 1984.

The maximum exemption is to increase from $204,000 to $252,000. This means that when an employer's annual pay-roll does not exceed $252,000, he is totally exempt from pay-roll tax liability. This will be a saving of up to $8,500 per year in the first full year of operation for these employers and will benefit employers with up to 14 employees on average weekly earnings.

If the annual pay-roll is greater than $252,000 but does not exceed $394,000, the basic exemption is reduced by $3 for every $2 by which the pay-roll exceeds $252,000 until it tapers to the minimum deduction of $39,000 for pay-rolls in excess of $394,000. Previously, the minimum exemption level was $36,000.

These increased concessions reflect the Government's continuing policy of providing maximum assistance in this area to the smaller employer. I believe that the regular increases in the maximum exemption level that the Government has introduced have assisted small businesses in maintaining or increasing their viability and also the number of employees they engage.

The increase in the maximum exemption to $252,000 will result in approximately 1 000 employers no longer being liable for the payment of pay-roll tax. In addition, these employers will no longer have to submit monthly tax returns, thus providing a further saving in administration costs.

From 1 January 1984, the maximum exemption level in Queensland of $252,000 will be higher than that which applies in all other States.

The maximum exemption levels in the other States are—

New South Wales	$130,000
Victoria	$200,000
Tasmania	$250,000
South Australia	$160,000
Western Australia	$160,000.

In addition, both New South Wales and Victoria impose a pay-roll tax of 6 per cent for annual pay-rolls in excess of $1m. This is 1 per cent higher than the rate applicable in Queensland and places a further burden in those States on medium-sized businesses that employ more than 50 people.

Equity must be maintained between tax-payers by amending the law to prevent its exploitation for the purpose of tax avoidance.

To enable honourable members to gain an appreciation of the specific objectives of the Bill in relation to possible tax avoidance schemes, I propose to give a brief explanation of the various arrangements that were encountered in Western Australia and which are to be covered by the proposed amendments.

The Bill refers to two similar schemes seeking to blur the master/servant relationship of employer and employee so as to avoid the pay-roll tax liability.

The first of these arrangements relates to certain businesses which might best be described as contract employment agencies. I am not referring to the usual type of employment agency that simply brings an employer and employee together, charges a fee for its services and then closes its books in respect of that particular person. The type of arrangement to which the Bill refers is where an employment agency provides the services of a person for a client on a contractural basis by hiring the services of that person to his client.

Consequently the scheme is such that it then differs from the usual arrangement adopted by employment agencies in that the liability for payment of wages remains with the employment agency. The employment agent renders accounts to the client regularly for the wages of the person employed plus a fee for the agency. This arrangement may be made verbally or in writing.

Even though the employment agency is actually paying the wages, some of these arrangements cannot be taxed under the present provisions of the legislation as most of the conditions applicable to a usual master/servant relationship are avoided, in one way or another, by the agreement made between the employment agent and the hired person.

On the other hand, the client, who receives the direct benefit of the services of the person engaged, is not liable to pay tax because he does not actually employ the person, nor does he pay that person wages in the usual manner. The proposals in the Bill will enable the employment agency, who is the real employer in such cases, to be taxed.

Another type of arrangement under which pay-roll tax is not payable under current legislation is where payments for service performed and rendered by natural persons are made over to a trust, partnership or company. This arrangement involves the trust partnership or company entering into an agreement with the employer to provide certain services. The natural person agrees to work for that trust, partnership or company in lieu of working for the employer. In such an arrangement no employer/employee relationship in the sense required under the existing legislation can be established because of the intermediacy involvement of the trust, partnership or company. Consequently, the payment of tax is avoided.

In order to counteract these arrangements, it is proposed that the Commissioner of Stamp Duties be allowed to disregard the terms of any such arrangement in cases in which the payments are made to a party related to the person performing the work, if, in his opinion, the arrangements have the effect of reducing or avoiding the payment of tax.

The Bill will require the commissioner to give the tax-payer notice in writing of the facts and reasons for his determination to disregard the terms of the arrangement.

Furthermore, the commissioner's determination will be subject to the tax-payer's usual rights of objection and appeal processes.

Certain other amendments are necessary in order to overcome the potential which exists for a branch, by dissociating itself from the head office, to avoid the greater amount of pay-roll tax payable by a group.

There are several sections of the Act under which the commissioner has the power to treat as one group, for tax purposes, individual companies which have certain features in common. These provisions are designed to overcome attempts by employers to minimise their pay-roll tax liabilities by splitting their pay-rolls through a number of companies so that each company can take advantage of the deductions available under the Act.

Currently, section 16H provides a general power for the commissioner to exclude companies from the grouping provisions where he is satisfied that this is appropriate and that the application of the provision to treat the companies as one group would not be just and reasonable. It is intended that this general provision will be repealed, and more specific exclusion provisions will be inserted following the separate provisions in various sections of the Act which give the commissioner power to group companies under certain circumstances.

It is not intended that the commissioner's existing power to exclude companies from a group, which is in fact advantageous to the tax-payer, will be restricted.

As experience in Western Australia has shown, it is possible that head offices will contract managements to operate a branch under terms so that the branch appears to be an independent and autonomous office.

Although the manager carries out what may well be considered as independent functions, such as the engagement and dismissal of staff, the payment of wages and the exercise of day-to-day authority over the affairs of the office, he is nevertheless subject to several important controls by the head office, such as accounting for all proceeds and complying with certain procedures relating to the operations of the branch.

The terms of the contract are such that, if each of these branch offices stands alone, it may escape the payment of tax because of the present level of exemption.

The amendments enacted by this Bill provide that, whenever the head office exercises managerial control by way of administrative, financial or procedural control over a branch office, the offices will be grouped for the purpose of assessing the pay-roll tax liability.

However, an exclusion provision, similar to that already contained in the other grouping criteria of the legislation, is to be included. This will enable the commissioner to exclude such an arrangement where he is satisfied that the nature and degree of managerial control or any other relevant matters are such that it would not be just and reasonable to so group the business.

A further amendment concerns members of a group who are required to nominate which one of their members will be the designated group employer for the purpose of obtaining the benefit of the exemption provisions of the Act.

The commissioner has experienced difficulties in administering the Act where the members of a group fail to nominate one of their members as the designated group employer. The legislation is to be amended so that in these cases the commissioner himself will be able to nominate the designated group employer.

Pay-roll tax receipts are an important part of the overall receipts into the Consolidated Revenue Fund. However, the Government recognises the need to ensure that small businesses receive the maximum benefit possible through reducing their taxation obligations.

These amendments provide a realistic measure of the continued action by the Government to provide tax relief in areas of greatest need.

I commend the Bill to honourable members.

Mr WARBURTON (Sandgate) (5.54 p.m.): I do not suppose that any of the Bills brought forward this afternoon by the Minister illustrates more clearly than this Bill what I suggested earlier, namely, the need for all honourable members to have an opportunity to peruse Bills of this nature.

The Bill contains eight pages of complex provisions. I suggest that if I were to ask the Minister to explain to me what the formula set out on page 3 under the heading "Interpretation" means, he would have some difficulty.

Government members expect the Opposition, at only two minutes' notice, to properly debate the provisions of the Bill. The Opposition accepts no responsibility for any of the problems that might arise from the introduction of this very complex Bill. However, it agrees with the intent of the Bill as indicated in the Budget Papers.

In normal circumstances, a Bill dealing with pay-roll tax would have brought about a lengthy debate. There is no more inequitable, pernicious and iniquitous tax on employment than pay-roll tax, and I hoped that the Opposition would have an opportunity to take part in a general debate on it. The Government members who purport to be strong supporters of business, particularly small business, should be concerned that their own Government has continued to foster the imposition of pay-roll tax. Even though, on a short-term basis, some innovations have been introduced, the Government has not sought to alter in any definite way the tax base in this State.

I shall deal with pay-roll tax at length because it is important to put that form of taxation in its right perspective. Pay-roll tax was first introduced by the Commonwealth Government in 1941. It was levied at the rate of 2.5 per cent, at which rate it remained until 1971 when the Commonwealth Government relinquished pay-roll tax to all State Governments.

The States uniformly increased the tax to three and a half per cent soon after assuming responsibility for it. They seized the opportunity to fill Treasury coffers by imposing that form of taxation. Despite the Commonwealth's reasonably good record of containment of the rate at 2.5 per cent, the States again lifted the rate to four and a half per cent in 1973 and to five per cent in 1974.

In 1981 a further surcharge was imposed in Victoria and New South Wales. On a number of occasions, Government members have referred to that. A surcharge was imposed on companies with pay-rolls exceeding $1m per annum. All State Governments have proceeded to make pay-roll tax—and I make no excuses for any other State Government——

Mr Gunn: Queensland has the highest exemption; you must acknowledge that.

Mr WARBURTON: I was under the impression that Tasmania, the State often not shown on the map of Australia, has the highest exemption.

Mr Gunn: Queensland is higher than Tasmania.

Mr WARBURTON: I will not argue that at this stage.

It is clear that all State Governments have proceeded to make pay-roll tax the most lucrative of the revenue-raising sources over which they have direct control. There are not exceptions. All States have done that since they assumed control from the Commonwealth in 1971.

In 1981-82, the Queensland Government received $349.7m from pay-roll tax, representing almost 48 per cent of total State tax revenue. In 1982-83, pay-roll tax put $394.4m into State Treasury coffers. That represents 50 per cent of total State tax revenue for the last financial year.

The Minister might suggest that some of the things being done by the Queensland Government are better than those being done in other States. The fact remains that pay-roll tax, which is an iniquitous and pernicious tax on employment, is being used by the Government to fill its Treasury coffers.

[Sitting suspended from 6 to 7.15 p.m.]

Mr WARBURTON: Pay-roll tax exemptions provide substantial but selective financial assistance to business operations. The maximum exemption figure has been increased in the Bill from $204,000 to $252,000, which represents a 10 per cent improvement. The minimum pay-roll tax exemption has been increased from $36,000 to $39,000, representing an improvement of 7 per cent.

The Premier, in his reference to the proposed additional concessions, made much of the fact that the concessions will cost the Government an estimated $10.7m this financial year. One could not argue that that does not represent quite a substantial loss of taxation revenue. Nevertheless, it represents something less than 25 per cent of the additional amount of $44.7m received from pay-roll tax last financial year. In other words, pay-roll tax is a very lucrative form of income for the Government. Although in effect the Queensland Government may be giving back to industry $10.7m—and that is commendable; I am not criticising that—in the financial year 1982-83 industry overall in the State of Queensland provided, in addition to the $10.7m, $34m by way of this iniquitous tax on employment.

There is no doubt that the regular upward movement in the rate of pay-roll tax is in excess of both average weekly earnings and the consumer price index. The actual growth of pay-roll tax revenue to the Queensland Government since 1971-72 is enormous. Collections have increased eightfold—and I emphasise that.

Mr Gunn: The State has expanded.

Mr WARBURTON: It certainly has expanded; but I point out once more that in 1971-72 the States decided to take over the role as collectors when pay-roll tax was relinquished by the Commonwealth Government. Despite the bandaid measures that have been introduced by the State Governments from time to time—and I am referring to all State Governments, not just the Queensland Government—in an endeavour to remove many of the criticisms that have emanated from industry, whether big or small, pay-roll tax very definitely remains a discriminatory tax against labour-intensive industry to the extent that it discourages the creation of new employment and, in some instances, encourages the off-loading of labour. That is what has happened in Queensland over recent times.

If any honourable member doubts that my comments are constructive and proper, I refer him to the Metal Trades Industry Association, which, I believe, made a submission along those lines to the State Government in 1982. It would seem to me to be completely contradictory that at a time of massive unemployment, at a time when Governments have failed completely to understand and adjust to the ramifications of technological change and its effect on employment generally, the State Government is intent on proceeding with this iniquitous, discriminatory form of taxation.

The abolition of pay-roll tax is an impossibility. I respect the position in which the Government finds itself because Queensland, like the other States, has become very dependent on this form of taxation and it would be ludicrous in the extreme to suggest that suddenly that tax should be dispensed with without its being replaced by some other form of taxation revenue.

It is about time that the State Government, together with the other State Governments, considered a different tax base. Obviously, pay-roll tax has outlived its usefullness. It seems to me that all States have been prepared to continue to levy this iniquitous tax rather than try to get together and find an alternative. To try to get the States together to consider the forms of taxes imposed should be one of the Federal Government's initiatives and, hopefully, it will be.

There is an urgent need for the Queensland Government to free itself from its cocoon of unwillingness to move into modern times. I reiterate what I said both in the debate on the Appropriation Bill (No. 2) and the Budget debate. I find it difficult to understand why the Government is so intent on retaining nineteenth century financial arrangements. The

Opposition would like to be assured that the Government is making some attempt to reconsider its tax base including pay-roll tax. However, the Government seems content to continue with the present arrangements.

Mr Gunn: That is what this Bill is all about.

Mr WARBURTON: No. This Bill adopts the old bandaid approach. The Government wants to retain pay-roll tax and hit the businesses of this State.

Mr Gunn: What about New South Wales.

Mr WARBURTON: I place all the other States in the same basket.

Mr Gunn: New South Wales is worse.

Mr WARBURTON: I have accepted some of the interjections from the Deputy Premier, but I find his interjections have become inane.

This form of taxation is discriminatory, iniquitous and bad for this State. I do not criticise only this State Government. I say that any State that is prepared to continue arrangements without making some attempt to do something about them is not doing the right thing by itself or the nation.

Mr Davis: They rushed in to take it back from the Federal Government.

Mr WARBURTON: I thought I had covered that position extremely well. In 1971 the Commonwealth relinquished its rights and this State and, unfortunately, all other States, rushed in to grab this rather lucrative form of taxation. All I say to the Minister and the Government is that it is about time they considered the State's tax base.

It is about time that Governments reached the honest conclusion that pay-roll tax is a tax against employment, for that is what it is. Not one honourable member could disagree with that assertion, despite all the amendments to the Act and despite all the concessions.

I have said that I agree with the principles and intent of the Bill, but it is a bandaid approach. All Governments have to come to grips with this type of taxation. It cannot be done by Queensland alone. All States have to combine and be constructive in their approach to this type of taxation. I hope to see the day when taxation arrangements are such that this particular tax can be replaced by some other more equitable form of company taxation.

Mrs CHAPMAN (Pine Rivers) (7.26 p.m.): I thank the Government for the initiative that it has taken in introducing this Bill. Pay-roll tax was first imposed in 1941. At that time all wages in excess of £20 a week attracted a tax of 2½ per cent. Its imposition provided the money to pay child endowment during its early years. Even at the rate of 2½ per cent, £8m was collected. In the following few years business grew and pay-roll tax receipts began to increase. In 1943-44, £10m was collected. By 1970-71 the sum had grown to $247m. In the 1960s businessmen began to blame pay-roll tax for Australia's not being able to compete on world markets.

In 1971 the right to impose pay-roll tax was transferred from the Federal Government to State Governments. The subsequent increase in the rate to 3.5 per cent did not help business at all. Although it would not be beneficial to the State in a direct way, the business community would welcome any reduction in the rate of pay-roll tax and, of course, the sooner the better.

I thank the Government for its foresight in increasing the maximum exemption from $204,000 to $252,000, and in increasing the minimum exemption from $36,000 to $39,000. Although the Budget papers envisage that that will cost the State $10.7m, the benefit to small business will be much more than the saving of that amount. As we all know, in today's economy small business needs all the help it can get. It is worthy of note that this National Party State Government has seen fit to help small business and industry by increasing pay-roll tax exemptions, unlike its Federal counterpart which, through its withholding tax, has caused small businessmen so much worry and concern. The 10 per cent that is withheld from a businessman may constitute his entire profit on a job. That withholding tax is forwarded to the Federal Government, which stores it in its coffers and makes quite a bit of interest on it. It is taking away from the small businessmen capital which could help them to keep their businesses alive.

Mr Hooper: What is the answer?

Mrs CHAPMAN: The honourable member certainly does not have it.

Thank goodness for the National Party Government in Queensland. Small businessmen need help to keep them buoyant rather than have funds taken from them.

All honourable members know how bad unemployment is throughout Australia.

Mr Hooper interjected.

Mrs CHAPMAN: Mr Hawke does not appear to have done anything about relieving unemployment in Queensland or elsewhere in Australia. The 5 000 jobs which, prior to the Federal election, he seemed to be sure he could provide without much trouble certainly have not been forthcoming.

Mr Hooper: You should be careful; he looks as if he is going to achieve it.

Mrs CHAPMAN: He will have to get a move on.

Queensland has often taken the lead, and if business gets this money back, it may be able to employ more staff and thus reduce unemployment. That will take the problem from Mr Hawke's shoulders. He has not done much about keeping any of his promises.

Because I have been associated with small business, I know only too well the problems small businessmen face in employing apprentices. By the time they have block release training, holidays, and so on, most of them are not sufficiently trained to return a benefit to the employer for at least two years.

Mr Hooper interjected.

Mrs CHAPMAN: The honourable member for Archerfield is a very rude man.

In the meantime, the employer pays pay-roll tax on the salaries of apprentices. The relief will be greatly appreciated. Queensland certainly needs apprentices, and the help given by the pay-roll tax exemption will lighten the load.

This might be an appropriate time to bring to the notice of all honourable members, especially honourable members opposite, that "profit" is not a dirty word. Small businesses need to make a profit. Without profit, business cannot go ahead as it should. As part of the Queensland private-enterprise system, I know only too well what is necessary to keep small business operative and profitable and to maintain employment.

It is much better to spend money on small businesses than to use every possible means of extracting it from industry in general, with huge amounts being placed into the Government's coffers, especially those of the Federal Government. Small business is being so seriously ripped off by the Federal Government that it has no chance of going ahead. It is time that small businessmen woke up to the Federal Government and made certain that it is not again returned to office.

The increased demands by unions—and unions create many problems—make it easy to imagine how much expenditure employers are facing. Just after Whitlam came to power, he agreed to increase wages in industry and to grant a 17½ per cent loading on holiday pay and an additional week's holiday. Honourable members can easily imagine what that did to business. Business was hit without prior warning.

Sweetheart agreements certainly do not keep the country operative. It is time to say to employees, "Your next rise may cost your mate's job." It is time that that was fully understood by all those who are concerned about the unemployed.

The relief provided in pay-roll tax is only a start. Surely it must be realised that if businesses are given the incentives by Governments, Australia may be half way to solving its unemployment problem.

Most business people in Queensland know that if Governments are to run a country such as Australia taxes must be paid—but not twice. Anyone who is an employer realises only too well that the amount paid in taxes is much higher when indirect taxes are imposed as well.

Any relief is beneficial to an employer who has faced the problem of insufficient work and realised the importance of keeping good staff.

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (7.34 p.m.), in reply: I thank honourable members for their contributions. None of us likes paying taxes, but the Government provides services and has to recoup funds somewhere. To make a comparison, I point out that the maximum exemption level for pay-roll tax in Queensland is now $252,000, compared with the $130,000 exemption in the Labor State of New South Wales. The New South Wales and Victorian Governments have imposed pay-roll tax with a 1 per cent surcharge in excess of $1m. Any company that employs 50 people or more pays a surcharge of 1 per cent.

Mr Yewdale: You are juggling the figures.

Mr GUNN: The figures are absolutely correct. The Queensland Government is doing its utmost to keep pay-roll tax at a reasonable level.

I thank the honourable member for Pine Rivers for her comments. She has a first-hand knowledge of small business and has been very successfully involved in it. That is to her credit. The Bill will help small business, and the Government is pleased to introduce it.

Motion (Mr Gunn) agreed to.

Committee

Clauses 1 to 17, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Gunn, read a third time.

LAND TAX ACT AND ANOTHER ACT AMENDMENT BILL

Suspension of Standing Orders

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer), by leave, without notice: I move—

> "That so much of the Standing Orders be suspended as would otherwise prevent the immediate bringing in of a Bill intituled, 'A Bill to amend the Land Tax Act 1915-1982 in certain particulars and to amend the Building Units and Group Titles Act 1980 in a certain particular' and the passing of such Bill through all the stages in one day."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (7.39 p.m.): I move—

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

As announced in this year's Budget Speech, it is proposed to implement a number of land tax concessions to provide further relief in a number of significant areas.

This Bill will enact the necessary amendments to provide—

An increase from $50,000 to $60,000 in the deduction allowed to land-holders who are neither absentees nor companies;

A complete exemption from land tax for all companies where the taxable value of land owned by the company is less than $10,000;

A special deduction of up to $30,000 for small businesses which use a simple company structure in the ownership of land used in connection with their business operations; and

An extension of the principal place of residence concession to home unit dwellers where the resident is a member of a home unit company or a resident lot proprietor under a building units plan.

These concessions will apply in respect of land owned at midnight on 30 June 1983 and will therefore apply for the 1983-84 land tax year.

The increase in the basic statutory exemption will remove the land tax liability and the requirement to furnish land tax returns from approximately 1 000 tax-payers. The increased exemption will confirm Queensland's position as the State with the most generous concessions in this regard.

Although the Act currently provides for an exemption for certain land used by a tax-payer as his principal place of residence, this exemption does not apply to home unit and building unit owners. This Bill will extend the present concession for principal places of residence to resident lot proprietors under building unit plans.

These resident lot proprietors will now be able to obtain an exemption in a similar manner to lot proprietors under group titles plans, with the exception that the area of land contained in the building unit plan which is eligible for the concession will be restricted to 1.05 ha or 400 square metres per unit, whichever is the greater. The Bill contains a further provision that the total area of the plan is not to exceed 4 ha or other greater area as may be prescribed.

The Bill also provides for the transfer from the Building Units and Group Titles Act to the Land Tax Act of the provisions for the assessment of land tax in respect of land contained in building unit plans and group title plans.

It has been determined that it is now appropriate that these provisions be in the Land Tax Act, which is the central reference point for all matters associated with the levying of land tax.

Honourable members will be aware of a particular problem which has been encountered by a small number of home unit companies. In these companies, the share-holders have an exclusive right to occupy a part of the building situated on land owned by the company. Because the land is owned by the company and the company is liable for land tax, the share-holders who occupy their unit as a principal place of residence have been unable to receive any benefit from the usual principal place of residence concessions.

Under the provisions of this Bill, a deduction will be allowed. The deduction will be calculated by multiplying the tax otherwise payable by the proportion that the value of the land related to the units as principal places of residence bears to the total value of the land. The manner in which this proportion is to be calculated will be prescribed by regulation.

The area of land owned by the home unit company is then restricted to 1.05 ha or 400 square metres per unit, whichever is the greater, provided the total area does not exceed 4 ha or such greater area as may be prescribed.

The company and those persons who are share-holders in respect of whose units the deduction is claimed will be required to provide information to the commissioner to enable the deduction to be calculated. The return must be lodged within certain time limits, which will be set by regulation.

The Bill also provides for the introduction of two significant initiatives in the company area.

Firstly, all companies with land with a taxable value of less than $10,000 will be totally exempt from land tax. This change is designed to free almost 2 000 company tax-payers from the liability to pay land tax and from the necessity to lodge land tax returns.

Secondly, a special deduction of up to $30,000 from taxable land value will be allowed to exempt proprietary companies using the land exclusively for a prescribed activity.

These two concessions will provide a major benefit to small businessmen who have arranged their activities under a simple company structure.

The $30,000 deduction will not be allowed—

Where a member of the company has interests in other land exceeding $20,000; or

Where a member of the company is a member of another exempt proprietary company which has received the deduction in that year.

The deduction will also not be allowed where any part of the land, or any part of a building on the land, is rented, leased or let to some other person.

These measures are intended to overcome any tax avoidance arrangements which may utilise a multiple company arrangement to try to take advantage of the deduction for a number of separate parcels of land.

The company, in claiming the deduction, must provide information as to the members of the company, and each member must provide information as to the interests in land held by the member.

A "prescribed activity" means any profession, trade or business, but particular activities can be prescribed by Order in Council to be excluded from the definition.

The introduction of these tax concessions honours the promises with regard to land tax made at the time of the 1983 State election. They will provide benefit to a large number of tax-payers through reduced land tax burdens and through an elimination of the administrative cost involved in lodging land tax returns for some 3 000 existing tax-payers.

I commend the Bill to the House.

Mr WARBURTON (Sandgate) (7.45 p.m.): It is obvious to all honourable members that, having heard the Minister's second-reading speech and having examined the Bill that has now been distributed, what I said initially is correct. It is wrong and immoral in many ways at this stage that honourable members should be asked to make a proper assessment of all the provisions contained in the Bill. Previously I made it clear that, having heard the Minister's speech and having heard the Budget Speech of the Premier and Treasurer, nobody would have any problems in understanding the intent of the Bill. However, not one member could say that he can properly make an assessment of what is contained in the Bill. He could not say with any degree of honesty that he agrees with every provision of the Bill.

The House divided on the first of this batch of Bills. I did not want to waste the time of the House by prolonging the proceedings further. The Opposition holds the Government in contempt for its actions; it accepts that the numbers will consistently determine the outcome of any response on its part.

Land tax is another State Government tax that has provided a considerable input into consolidated revenue. In 1982-83 land tax revenue was $28.4m, an increase of $3.2m on the previous financial year. Despite the Premier and Treasurer's assessment that the proposed concessions will have an annual cost in excess of $6m, as indicated in his Budget Speech, according to the Estimates the estimated land tax to be received in 1983-84 will be aproximately $31m.

The Opposition supports in principle the proposed land tax concessions, which are primarily designed to overcome inequities affecting home-unit residents and to assist small companies and businesses. The Opposition has adopted that stance from the beginning.

It was interesting to note that a former Treasurer (Sir Thomas Hiley) in introducing the Land Tax (Further Adjustment) Act of 1961 said—

> "The (Country-Liberal Party) Government do not wish land tax to operate as a general tax against landholders—it must be a tax on aggregation."

This is an old argument of none other than a person named Henry George, who had a very large following in Australia in the latter part of the nineteenth century—the 1880s—and still has considerable localised support, particularly among the very conservative rural voters. The idea basically is that land tax should be the principal tax of the State, since taxation on land would discourage the build-up of large unused land-holdings by absentee owners. That principle was supported by Sir Thomas Hiley, whose supporters considered it to have many valid attributes. Some persons have maintained that the Government should consider increasing land tax to discourage the aggregation of huge tracts of rural land by absentee landlords.

The Government states that it has been looking at ways to overcome the difficulties that arise with abnormally high increases in valuations by the Valuer-General. That has obviously been placed in the too-hard basket, with the Queensland Government deciding to retain the system introduced in 1960 of phasing in new land valuations. The Queensland Government states that indexation was given consideration but that it was thought to be too difficult to introduce. That is the statement that has been made to us on numerous occasions, particularly in answers to questions. I would like to hear the Minister's comment

on this matter, particularly since the Victorian Government—and I mention it particularly—has made some effort to get itself into the twentieth century by successfully introducing indexation on land valuations. This Government, however, puts it into the too-hard basket and I want to know why.

For all municipalities the Victorian Valuer-General calculates equalisation factors by which valuations are adjusted. The general exemption level and the rate scales are indexed by a weighted average of the equalisation in all municipalities. That system smoothes out valuation increases. Inquiries reveal that it is an efficient and fair way of solving the problem of large valuation increases. I repeat, however, that this Government says, "It is a problem we cannot grapple with. We have tried and tried, but we cannot arrive at a successful result."

As I have been saying all along, it is time that this Government shed itself of its nineteenth century thinking—quite frankly, at times it is still in the eighteenth century—and started to point us toward the twentieth century. It talks about technological change! Quite frankly, I do not think it knows what that is. In the last Budget it appropriated $150,000 for technological change. That is what it thinks of it. Quite frankly, the Government has become bound up in a tight cocoon, with some assistance by the bureaucrats within the Treasury, and it will remain there until the people of this State get rid of the National Party Government.

I return to the Victorian system. The scheme is evidently too difficult for the Queensland Government. One wonders whether it is a matter of bureacratic inertia. I usually refrain from being critical of our friends in the bureaucracy, but sometimes I wonder whether these problems are caused by bureaucratic inertia or ministerial immovability. That is something that has to be resolved and, for the good of this State, resolved quickly.

By comparison with the indexation automatic adjustment scheme that the Victorian Government has introduced, the manual adjustment of land valuation as retained by Queensland seems to be more complex and fraught with administrative complexities and equity problems. That has been the case all along, and it is about time the Government sat up and did something about it.

The administration of land tax in Queensland is another instance of archaic financial administrative techniques operating under a Government that is incapable—I have said this on a number of occasions recently, and I mean it—of seeing the need for modern and effective financial administration.

Mr CAHILL (Aspley) (7.56 p.m.): I support the legislation brought before the House by the Deputy Premier and Minister Assisting the Treasurer. Before I comment directly on the legislation, I should say that it is retrospective to 1 July. That makes me wonder why only 16¾ per cent of the Liberal Party is present in the House. On the last sitting day, the House heard pious platitudes about retrospectivity.

Mr Miller: I am here.

Mr CAHILL: Yes; that makes 16¾ per cent of the Liberal Party.

Perhaps this evening the House will not hear such pious bilge from the star of television, radio and Parliament, the member for Sherwood, who does not seem to care that this legislation is retrospective to 1 July. He gained a great deal of notoriety for himself on radio and television today.

The financial legislation that has been dealt with by the House today has catered for everyone from the little man to the big man, and the big man also is important to the State. On an unimproved land value of $30,000, the special tax deduction will mean a saving of $330, which is a good saving for a small-businessman.

Mr Davis: Isn't that the same table that you used earlier today?

Mr CAHILL: Most people need to be saved only once. Sometimes I think that the member for Brisbane Central needs to be saved twice.

Unimproved values of $60,000 and $100,000 still do not fall within the realm of big business. The Government is trying to look after small business, and it has a

proven record in that regard. The Minister for Industry, Small Business and Technology has introduced a Bill directly concerned with small business, which is further evidence that the Government always looks after the small-businessman.

Until now, an unimproved land value of $100,000 attracted a tax of $1,540; but now, with the maximum special deduction, the tax payable will be $990—a saving of $550. So Queensland is continuing to encourage small business.

The Government is continuing to ask people to come here and to stay. The figures prove that they are staying. This is good legislation for ordinary people. It encourages achievers, and the National Party has always followed the philosophy that people who have started with not much and achieved a lot——

Mr Warburton: It took you a long time to find out.

Mr CAHILL: One always leaves the good wine till last. If one waits long enough, one finally finds a good wine, and there is historical precept for that, I suggest.

Mr Davis interjected.

Mr CAHILL: The trouble with certain members of the Opposition is that they really do believe in many of the things that this Government does.

Mr Bailey: They can't admit it.

Mr CAHILL: My friend from Toowong is quite right. The reason that they cannot admit it is that it would kill them philosophically. But usually they are sensible men, and they can see where this legislation is heading. They wish that they had been part of it, and they are envious of the fact that this Government is looking after the little people in this State with provisions such as this.

Once again, I have much pleasure in supporting the Deputy Premier, and I congratulate him on bringing this legislation before the House.

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (8.2 p.m.), in reply: I thank honourable members for their contributions.

The honourable member for Sandgate referred to the Valuation of Land Act. No Act has been kicked around as much as it has been.

The honourable member considers that Victoria has the right system, as he calls it. In the days when I was in local government, people went all over the world looking at the various systems of land valuation. I remember when the Queensland Ratepayers Association was formed. The experts from all the shires in the State were going to tell the Government how to amend the Valuation of Land Act, but no submission has yet been received from the association. It has been said that the system of site valuation used in New Zealand is marvellous, as is index valuation; yet the same old system remains in Queensland. Looking at it from a land-owner's point of view—and I pay land tax and a lot in rates, too—none of us is satisfied with the Valuation of Land Act, but it is the fairest system that has yet been devised.

The honourable member for Aspley said that the Bill will help the small person. There is no need for the Government to apologise for that.

The Opposition is not opposed to the Bill. Its spokesman has already said that. He had his little whinge at the beginning, but he then said that the Bill does have a purpose—that is, to help small people. I am absolutely satisfied that it does just that.

Motion (Mr Gunn) agreed to.

Committee

Clauses 1 to 12, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Gunn, read a third time.

LEAVE TO MOVE MOTION WITHOUT NOTICE

Hon. J. P. GOLEBY (Redlands—Minister for Water Resources and Maritime Services): I seek leave of the House to move a motion without notice.

Question—That leave be granted—put; and the House divided—

Ayes, 45

Ahern	Harper	Muntz
Alison	Harvey	Newton
Austin	Henderson	Powell
Bailey	Hinze	Randell
Bjelke-Petersen	Innes	Simpson
Booth	Jennings	Stephan
Borbidge	Katter	Stoneman
Cahill	Knox	Tenni
Chapman	Lane	Turner
Cooper	Lester	Wharton
Elliott	Lingard	White
FitzGerald	Littleproud	
Gibbs, I. J.	McKechnie	
Glasson	McPhie	*Tellers:*
Goleby	Menzel	Kaus
Gunn	Miller	Neal

Noes, 27

Campbell	Mackenroth	Veivers
Casey	McElligott	Warburton
Davis	McLean	Wilson
De Lacy	Milliner	Wright
Eaton	Prest	Yewdale
Fouras	Price	
Gibbs, R. J.	Scott	
Hamill	Shaw	*Tellers:*
Hooper	Underwood	Burns
Kruger	Vaughan	Comben

Resolved in the affirmative.

NERANG RIVER ENTRANCE DEVELOPMENT BILL

Suspension of Standing Orders

Hon. J. P. GOLEBY (Redlands—Minister for Water Resources and Maritime Services): I move—

> "That so much of the Standing Orders be suspended as would otherwise prevent the immediate bringing in of a Bill intituled, 'A Bill to authorise the carrying out by or on behalf of the Gold Coast Waterways Authority of certain works in connexion with the relocation of the Nerang River entrance; in relation thereto, to provide for the vesting of certain lands in the Crown; and for connected purposes', and the passing of such Bill through all the stages in one day."

Motion agreed to.

First Reading

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

Second Reading

Hon. J. P. GOLEBY (Redlands—Minister for Water Resources and Maritime Services) (8.15 p.m.): I move—

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

The purpose of this Bill is to authorise the Gold Coast Waterways Authority to provide a safe navigable and, for all practical purposes, all-weather entrance to the Nerang River and Broadwater at the Gold Coast.

As honourable members are aware, the Southport bar has a well-earned notorious reputation in respect of sea-going vessels navigating to and from The Broadwater at Southport and, in order to take full advantage of the exceptional natural attributes which the Broadwater and southern Moreton Bay areas have as a protected boating destination, it is seen as extremely desirable that the entrance be made safe for navigation.

The training walls would also serve to arrest the rapid erosion taking place on the southern end of South Stradbroke Island and to facilitate the dispersal of sewage effluent to sea rather than discharging it in The Broadwater as at present.

The stabilisation involves the construction of two large training walls out to sea from the northern end of the Southport spit, and a wave break island just inside the mouth of a newly created entrance.

The training walls will be built from dry land at the northern end of the Southport spit, and about 800 metres south from the existing entrance. The southern wall will jut 500 metres out to sea from the present high-water mark on The Spit, and the northern wall will be 200 metres shorter. The walls will tilt north at 15 degrees to provide more portection from the predominant south-east swells, thus making the entrance safer for navigation.

The distance between the walls will be 300 metres and, when dredged out, the depth of the new entrance channel will be 4.5 metres at the lowest low tide, or 5.5 metres below mean sea level.

The island, which will have beaches along its full length on both sides, will be created from dredging sand and will be stabilised by rock walls at each end of the island.

The waterways authority proposes to involve the Beach Protection Authority in a vegetation program for the small island and areas adjacent to the entrance on South Stradbroke and The Spit.

The works will stabilise the position of the river-mouth and, in order to prevent progressive erosion of the beaches of South Stradbroke Island and silting of the entrance channel, it is necessary to artificially transfer sand from the beaches south of the new river-mouth across the entrance to the beaches of South Stradbroke Island.

In May of this year, the Gold Coast Waterways Authority called tenders for the river entrance stabilisation and related works.

In September last the Gold Coast Waterways Authority also called tenders for the design and construction of the sand bypassing system. Tenders close in mid-February 1984. These works will provide the plant and equipment necessary for the pumping of half a million cubic metres of sand during each and every year to Stradbroke Island.

Artificial sand bypassing is necessary to transfer the long-shore flow of sand from the beach south of the river-mouth to South Stradbroke Island. This flow of sand would otherwise be interrupted by the breakwaters, trapping millions of cubic metres of sand on The Spit and starving South Stradbroke Island of an equivalent quantity of its natural sand supply. As well, the build-up of sand against the southern breakwater would eventually lead to resumption of the flow of sand across the river entrance channel, forming a new bar, and negate the beneficial effects of the breakwater construction for navigation.

Twelve tenders were received for the river entrance stabilisation component of the project in accordance with the proposed design, and nine of these were accompanied by one or more alternative designs. The lowest conforming tender price was submitted by the Leighton-Candac Joint Venture in the sum of approximately $22m. Negotiations with the Leighton-Candac Joint Venture are in progress to clarify several details of its tender.

The entrance stabilisation works are expected to take about 18 months to complete and will provide approximately 10 000 man-weeks of employment. The sand bypassing system will be provided during that period.

The cost of the overall project is expected to exceed $30m, after allowing for rise and fall and other costs outside the main contract, and annual costs will be incurred for the operation and maintenance of the sand bypasing system.

Approximately $900,000 for the sewerage outfall works will be a charge against the Gold Coast City Council.

On the matter of financing the development, the Government has taken the view that its value to the area will be such that the project should not be expected to be self-financing in the long term. In other words, the benefits flowing to the community will be in the nature of the enjoyment of the increased amenity of the area, the promotion of additional tourist activity and development, etc., aspects which have a very real value to the community but which are not measured in any direct financial return to the sponsoring authority. The project will therefore, to a large degree, be treated in the same manner as other public works provided out of non-repayable funds. The precise accounting means by which this will be achieved is currently under examination.

I shall turn now to the contents of the Bill. The Bill authorises the waterways authority to carry out the stabilisation works in accordance with a specification prepared by the authority's consulting engineers, which I shall lay upon the table of the House.

Whereupon the honourable gentleman laid the document on the table.

The geographical location of the area in which the works are to be carried out and the identification of certain of the works to be carried out are indicated in the sketch plan contained in the schedule to the Bill.

Part of the land on which the works will be constructed, which is currently submerged, is not within the area of the Gold Coast City Council's town-planning scheme, and some doubts have been expressed as to whether the zoning provisions of the scheme in respect of land above high-water mark would permit the construction of the training wall and the wave-break island. The majority of the land to which I refer is presently zoned public open space —environmental and is part of Crown Reserve 1101—a reserve for park and recreation purposes under the Land Act. While previous advice received by the Government is that town-planning provisions are not restrictive as against developments by harbour authorities, it is desirable that any doubt should be removed, and the Bill therefore provides that the works may proceed irrespective of any limitations imposed pursuant to a town-planning scheme made under the Local Government Act, and it also overrides any limitations that might exist by reason of the reservation of land pursuant to the Land Act.

The Bill also provides that the Minister may identify an area of land of such dimensions as he considers necessary for use by the contractor as a site for the carrying out of the works during the currency of the contract.

As stated previously, the Gold Coast Waterways Authority has called tenders for the stabilisation works, and the Bill ensures that such calling of tenders by the authority will not be invalidated by reason of any of these limitations existing at the time such action was taken. It does this by specifically and retrospectively authorising the calling of tenders.

The next provision in the Bill allows the authority to make minor alterations to the specification and also to make such alterations after the letting of a contract where mutually agreed upon between the authority and the contractor. In both cases, the alterations will be subject to the consent of the Minister, but the Bill provides that no such alterations shall be made where the concept of the works to be embodied in the specification would be altered.

Part of the training walls will project beyond present limits of the authority's jurisdiction, and the Bill provides that upon completion of the works they shall be within the authority's limits together with the Nerang River as relocated at its entrance.

The Bill provides that certain reclamation sections of the Harbours Act shall not apply to this development. The relevant provisions of the Harbours Act require that the approval to reclaim be given by the Governor in Council by Order in Council subject to the prior advertising of the reclamation proposal for a period of two months, with any objections lodged thereto to be heard by the Land Court.

Where reclamation is involved for the purposes of the type of development proposed in the Bill, there is an argument that the separate reclamation procedures need not be followed as the reclamation works are ancillary to the main purpose of the development. However, the matter is not without doubt and, accordingly, the Bill gives a clear power to the Gold Coast Waterways Authority to effect the reclamations necessary for the purposes of the training walls and the wave-break island, including a provision that the relevant reclamation sections of the Harbours Act to which I referred shall not apply in respect of the reclamation works involved in this development.

I would stress that this provision applies only to the reclamation involved in the works covered by the specification. It does not give the waterways authority power to proceed with any later reclamations without traversing the procedures laid down in the Harbours Act.

It will be necessary for certain sections of the Harbours Act which set down various types of tenure which may be given to the constructing authority with the approval of the Governor in Council in respect of reclaimed lands to continue to be applicable, and the Bill provides accordingly.

The next provision in the Bill provides that the Beach Protection Act shall not apply to any of the works carried out pursuant to the Bill. The Beach Protection Authority has no objection to the proposed development and has in fact been involved in providing advice to the waterways authority on the project. The structural design of the breakwaters and preparation of the basic technical specification for the calling of tenders were carried out by Beach Protection Authority engineers following preliminary hydraulic investigations by the Delft hydraulics laboratory, Netherlands, and detailed investigations by the Department of Harbours and Marine. Part of the design project included a model study of the stability of the seaward sections of the breakwaters under extreme cyclone wave and sea-level conditions. The Beach Protection Authority has also provided advice on the movement of sand along the beaches in the area and the requirements for bypassing sand across the trained river entrance.

The Bill itself will authorise the works and in the circumstances there is no necessity for the formal approval by the Beach Protection Authority under the Beach Protection Act to be given to the works. However, the Bill does provide that the waterways authority shall comply with any requirements of the Beach Protection Authority with respect to the transfer or movement of sand from one place to another in the vicinity of the relocated Nerang River entrance to the satisfaction of the authority, which work, as I stated earlier, will be a continuing process. The Bill provides also that the planting of vegetation by the waterways authority on the reclaimed areas will be subject to the requirements and satisfaction of the Beach Protection Authority.

Prior to the development works being carried out, it will of course be necessary for the lands comprising the training walls and the reclamation areas to be free of encumbrance and be lands owned by the Crown. The only lands relevant to the works not at present owned by the Crown comprise certain allotments situated in the old town of Moondarewa, which was a Crown subdivisional development on South Stradbroke Island late last century at the time when the Southport bar was located at Main Beach, Southport.

With the passage of time, the bar and The Southport Spit have migrated northwards. The southern end of South Stradbroke and the area covered by the township have eroded off the island so that the town of Moondarewa, originally part of South Stradbroke Island, now straddles the area proposed for the works. Under the proposed development works, a significant proportion of the town of Moondarewa will be reclaimed and components of the trained entrance will be constructed partly on land within the town.

The town of Moondarewa subdivision originally comprised 194 large allotments, of which 121 allotments were alienated by the Crown. The 121 alienated allotments comprise 102 freehold allotments and 19 allotments held under lease from the Crown. The 19 Crown leasehold allotments were subsequently surrendered to or forfeited by the Crown. After taking into account surrenders to the Crown of some freehold allotments, including some allotments which had reverted to the old Southport Town Council for arrears of rates and subsequently surrendered to the Crown, and the subdivision of two of the allotments, the position now is that there are 86 allotments each averaging in excess of one acre which are shown in the Titles Office as having a registered proprietor.

The payment of compensation for freehold lands acquired by the Crown or a statutory authority for public purposes is a well-established policy embodied in statute law. However, the principles upon which the payment of compensation are based in the usual land acquisition are not present in this land acquisition. The area, although subdivided many years ago, is devoid of any development. Any development or use of the area by registered proprietors has long since become right out of the question. Owners have for all intents and purposes vacated any interest they may have had in the subdivided lots.

Because of their location since the town was lost to the sea in the 1940s, the allotments were not included in the 1949 Gold Coast valuations made by the Valuer-General for local authority rating purposes and hence no rates have been levied on the lands for at least 34 years. Some of the subdivided area has re-emerged on The Spit side of the proposed entrance, so that it now forms part of the area of The Spit above high-water mark. Obviously, leaving aside any of the town-planning, access and legal hurdles which would be faced by any person now attempting to assert a proprietary interest in the land, it is quite clear that public opinion would not countenance any private development on that land, so that the allotments in the hands of private owners have no market value.

Taking all these matters into consideration, including the fact that the lands were lost by a natural process, it is considered this is a situation where there is no case for the payment of any compensation to the remaining registered proprietors and where, in any case, the difficulty of tracing registered proprietors or their successors would make normal procedures for the taking of land of the Crown impossible to follow. Accordingly, the Bill provides for the lands concerned to revert to the Crown without payment of any compensation therefor.

Finally, it is necessary to formally close all the roads in the town of Moondarewa, and the Bill provides accordingly.

In conclusion, I would like to say that this project is seen as the corner-stone of an overall improvement plan which will transform The Broadwater and the Moreton Bay area into one of the best waterways in the world and which will operate as a catalyst for major developments and increased tourist activity throughout the whole area.

I commend the Bill to the House.

Mr EATON (Mourilyan) (8.32 p.m.): Because of the very short time that I have had available to investigate its provisions, I have a great deal of difficulty in presenting a properly prepared analysis of the legislation. However, I have spoken with the Gold Coast City Council, which informed me that it was in favour of the Bill, and with the chairman of the Albert Shire Council (Mr Bill Laver), who is also the chairman of the Gold Coast Waterways Authority. I have correspondence between the Premier's Department and the Gold Coast Waterways Authority that proves that the preparation of this project goes back to early 1981; yet the Bill is rushed in, to be pushed through the House at the last possible moment. After all the years that the Government has had to deal with this matter, the legislation has to be rushed through in 24 hours. The Opposition has not had time to study the contents of the legislation and to make the interpretations that are so necesary with any new legislation.

The Government should be criticised for not meeting with five organisations that sought to make representations to the Premier or the Minister for Water Resources and Maritime Services.

Mr Borbidge: Those five organisations are run by about five different people.

Mr EATON: The Government should have recognised them. They are The Broadwater and Foreshores Protection Society, the Main Beach Progress Association, the Queensland Commercial Fishermen's Organisation, the Wildlife Preservation Society and the Gold Coast Protection League.

The Bill will enable the construction of a trained channel for the Nerang River. In The Broadwater will be a beautiful island and a wonderful boat harbour. However, the State will have to bear the cost of $32m, for which no provision was made in the last Budget. I do not know where the money will come from, but no doubt the Government will find it. The Minister's second-reading speech indicates that the project will be financed by what I would call deficit funding because, in the long term, the Government does not expect the project to pay for itself. I am very concerned about that. If the Government intends to take on such a responsibility, the Bill should have been laid on the table so that some discussion could take place.

In his second-reading speech, the Minister said—

> "On the matter of financing the development, the Government has taken the view that its value to the area will be such that the project should not be expected to be self-financing in the long term. In other words, the benefits flowing to the

> community will be in the nature of the enjoyment of the increased amenity of the area, the promotion of additional tourist activity and development, etc., aspects which have a very real value to the community but which are not measured in any direct financial return to the sponsoring authority. The project will therefore, to a large degree, be treated in the same manner as other public works provided out of non-repayable funds. The precise accounting means by which this will be achieved is currently under examination."

So at this stage the Government does not even know where it will find the funds, yet it is prepared to introduce a Bill that authorises the spending of $32m of the tax-payers' money.

I do not doubt for a moment that there will be a lot of benefits for the people of the area, but to get back to the subject of deficit funding, in the Minister's own words, benefits cannot always be measured in dollars and cents. I have said the same thing on many occasions in this Assembly, so I am not being hypocritical when I draw attention to the fact that the Government adopts that philosophy. However, when attention is drawn to areas of need in the education and welfare fields, the Government says that it has no money. When it suits the Government, it can find large amounts of money, just as it has done in the past.

I want to deal with the continuing beach erosion problems on the Gold Coast. One has only to drive along the foreshores of Surfers Paradise, see the boulders at the side of the road and remember the millions of dollars spent over the years, to realise just how much damage can be caused by cyclones, storms and tidal changes. Things began to get so bad at one stage that I imagined I would have to swim out to the old Lennons Hotel and put on a diving suit to enter the dining-room. The Government is trying to find an artificial solution to a natural problem, and I think all members are aware that that can create difficulties.

The Minister referred to a commitment of $32m. I am sure that, by the time this project gets under way, the $32m will have been spent and the Government will be looking for more. The Government is making a commitment that it will have to honour in the future. The Minister has already admitted that there will be no return on the investment.

If it goes ahead, the project will eventually come under the control of the Gold Coast Waterways Authority. There are plans to build a wave-break island which could lend itself to development. Because of the economic situation in which the Government might find itself it might decide to lease or sell the island to developers to obtain a short term return. This Government has a tendency to sell property for a short term gain but it ends up facing a lot of problems in the long term. The Minister has admitted that the Government does not know how it will finance the project in the long term, but it is currently examining the problem. The Bill should have been laid on the table so that it could be examined. An inquiry should have been conducted. Perhaps then the Government might have been told how the project should be carried out and how it would be funded. Because of the present economic situation, the Government has a hard row to hoe, and this project will add to the load on the backs of some Ministers.

Although I am critical of the Bill and the way that it has been introduced, I realise that in 1981 the member for Redlands was not a Minister, so I excuse him for the Government's early failure to initiate a program under which recommendations could have been made by a committee of inquiry. I have a letter from Mr Keith Spann, the then Secretary of the Premier's Department, dated 9 December 1981. It reads—

> "I am directed by the Honourable the Premier to refer again to your letter of 6th August, 1981, concerning the guidelines for an environmental impact statement for the development of the Broadwater and Spit Area."

Three years ago a move was made to get something started. Criticism should be levelled at the Government, not at the Gold Coast Waterways Authority. I have other correspondence which indicates that it was time to get moving.

Page 3 of a letter dated 24 August 1982 reads—

> "The Authority believes that it has now completed the major tasks set for it by the Government and it is now a matter for the State Government to decide

> whether it desires the Authority to proceed with this development. Plan No. C931:00:11 together with Recommended Strategy for Long Term Development of the Spit and Adjacent Broadwater are attached."

That letter is more than two years old, yet tonight members are expected to deal with this legislation, which will become operative before Christmas.

I have referred to the erosion that could be caused by changes in tidal conditions. The Government could be creating a monster that it will have to continue funding or hand over to private enterprise.

The Minister said that it will cost the Gold Coast City Council $900,000 to take the sewerage effluent further out to sea. That will be a good move but, as I said, justice must not only be done but it must be seen to be done. If the plans turn out as the Government hopes, the result will be a beautiful harbour with a sand spit and a wave island for protection, where people can anchor boats and have a picnic. But if something goes wrong with the tidal system while the effluent is going to sea, people will not only be swimming in, but they will be seen to be going through, the motions. The Government must give serious consideration to that possibility.

In many other places sewage is treated on shore. If a break-down occurs in the sewage treatment plant, it will not be fully treated sewage that is pumped out.

Mr Davis: It will really be "Sufferers Paradise".

Mr EATON: It will be.

Mr Borbidge: Where else would you put it?

Mr EATON: It could be pumped inland. In my opinion the $32m could have been spent more wisely.

The Beach Protection Authority magazine, "News in Brief" refers to, "A new approach to an old problem" Apparently officers of the Beach Protection Authority went to Victoria to investigate a serious problem at Lakes Entrance. They wrote in the magazine about the "April Hamer", a dredge that the Victorian Government had had built in Newcastle to work at Lakes Entrance. Part of the article is in these terms—

> "The key features of the dredge are its shallow draft of 1.75 metres and its proven ability to operate in wave heights of almost 2 metres.
>
> The dredge removes sand which is transported into the channel across the bar by littoral transport processes and discharges the material away from the channel in the direction of the prevailing longshore current. Hence, channel maintenance and sand bypassing are achieved in a single stage process. The shallow draft of the vessel and its high dredging capacity also enable it to re-establish the channel very soon after storm periods during which major shoaling would normally occur.
>
> The operations of the 'April Hamer' were recently inspected by senior engineers of the Department of Harbours and Marine. They were advised that the vessel is satisfactorily fulfilling its design task of providing and maintaining a channel depth of between 4 and 5 metres across the bar at Lakes Entrance. The natural depth over the bar had been about 2 metres prior to the commencement of dredging operations."

The figures presented by the Minister indicate that the conditions in The Broadwater are very similar to those that existed at Lakes Entrance. According to other correspondence that I have in my possession, rather than spend $32m on the scheme, the Government could purchase a dredge with specifications similar to those of the "April Hamer" for less than $6m. Four years ago, the operating and maintenance costs of the dredge over a financial year amounted to $585,000. Therefore, for approximately $7m which is the cost of the dredge and its maintenance, the Government could have a dredge that could do everything that the proposed training wall will do.

The dredge can shift half a million cubic metres of sand annually by working 12 hours a week. In the Minister's second-reading speech, he referred to the shifting of half a million cubic metres of sand from the beaches south of the new river-mouth to the beaches of South Stradbroke Island. When it is realised that the project proposed

in the Bill will be deficit funded, it is obvious that it is far more profitable to purchase a dredge similar to the one operating at Lakes Entrance in Victoria. That dredge works in other areas to meet the needs of the fishing fleets at Lakes Entrance.

Although the figures I have quoted are 1976 figures, the cost of the dredge today may be about $6m. The annual running costs of the dredge are less than the most recent estimates for The Broadwater entrance training wall sand-bypassing. A dredge similar to the one in Victoria can do sand-bypassing. Because the dredge, by working around the clock, would be able to shift that half a million cubic metres of sand in a few weeks, it could be used by the Department of Harbours and Marine for dredging other areas along the Queensland coastline. Many rivers along the northern coastline, such as the Johnstone River, could be dredged. The dredge would be very useful and its cost would not be anywhere near the $32m. The cost must be considered, especially when it will involve deficit funding.

I know that the two councils concerned want the proposal completed as quickly as possible. I would have liked to meet representatives of the councils and inspect the sites with them, but because of the hurried introduction of this Bill and other parliamentary commitments, that has not been possible. The Minister and his department should reconsider this proposal. It is not too late to do that, even though tenders had been let before the Bill was brought in.

Mr JENNINGS (Southport) (8.48 p.m.): This Bill has been long awaited by people on the Gold Coast, and it will be of great benefit to them as well as to the whole of Queensland.

Mr De Lacy: You have been helping the rich people down there all day.

Mr JENNINGS: The honourable member's comment about rich people is ironic. Anyone can get a little 6ft or 10ft dinghy, put an outboard motor on it and go through the Southport bar into the ocean. Not everyone who does that is a rich person. Members of the Opposition are paranoid. They believe that people should not have the freedom to catch a big snapper or a red emperor. People in other countries do not have that freedom.

This Bill is not about rich people; it is about the ordinary people who can go out after the big fish. This Bill will serve every man, woman and child in Australia, whatever his or her status. It will do a fantastic job for the ordinary person.

Although the member for Mourilyan did not have his heart in his speech, he did a good job for the Labor Party.

Local fishermen agree that the bar should be stabilised. Of course, arguments have arisen as to how the bar should be stabilised. There will always be arguments about how anything in the sea should be handled. Hydraulic engineering and the study of movements of tides and waves is a very complicated science.

The treated sewage from the Gold Coast must go out to sea. There is no other alternative, full-stop! The Gold Coast has sewage treatment plants, so the treated sewage that does go out to sea will not create problems. If it did not go out to sea, however, it would create problems. The commitment was that the sewage would go out to sea.

The Opposition spokesman referred to the cost of the project. Compared with the return that the Government gets from the Gold Coast, the cost is very small indeed.

Mr Borbidge: Stamp duty.

Mr JENNINGS: As my colleague said, the Government collects a vast sum from the Gold Coast by way of stamp duty.

The Gold Coast is a tourist centre of world standard. The casino is about to be established. Other projects are in hand. The project envisaged by the Bill will complement those developments, which are known throughout the world. There is no doubt that the stabilisation of the bar will tie the whole thing together. The Gold Coast has magnificent tourist attractions such as Dreamworld and Sea World.

Mr De Lacy: How can you say that the developers won't come in and benefit from this?

Mr JENNINGS: Opposition members are paranoid about developers. The point is that people come to Queensland because they know that in this State they have the right to buy property, to improve that property, and to make a capital gain from that property. That is what private enterprise is all about. Opposition members would freeze all the land.

The Minister mentioned old titles. At this moment, in my office I have an old parchment title that a dear old lady brought in to show me. Jokingly, she said to me, "If this project goes ahead, my land might be worth something." I laughed when the Minister spoke about closing off roads. He would be pretty good if he was able to close off roads under water; but that is what would have to be done at present.

The point is that the Minister is aware of a most important aspect of this whole project. He has divorced the stabilisation of the bar from the development of areas on The Spit. Recently I was at a meeting that was attended by representatives of various Government departments, the Gold Coast City Council and the Gold Coast Waterways Authority. At that meeting, it was agreed that the area to the north and east of Sea World should be reserved as a beautiful park, which would be protected by gates that could be shut at night and patrolled by a ranger. Further, it was agreed that to the south of the area no building higher than three storeys would be allowed. The area is presently a beautiful area, and it will become a magnificent park. Its attractiveness to tourists will be greatly enhanced by the stabilisation of the bar.

All Australians applauded their country's win in the America's Cup contest. What a great thing that was for Australia. I have read proposals to hold yacht races from Sydney to the Gold Coast and from Honolulu to the Gold Coast. They would attract a huge number of visitors and they would be world events. That is what tourism is all about. Yachtsmen will be able to sail from New Zealand, Honolulu or anywhere else to Southport, knowing that they will be able to obtain a safe anchorage for their vessels. The decision by the Government to proceed with this project is a magnificent decision.

The Opposition spokesman referred to the dredge "April Hamer", which is working at Lakes Entrance in Gippsland. That area is quite different from the Gold Coast. At Lakes Entrance, only the fishermen go out to sea. The project outlined in the Bill will be a different kettle of fish. Certainly the "April Hamer" is doing a good job, but that job is being done for the trawlers, not for the pleasure boats. Most of the pleasure craft on the lakes in Gippsland are trailer-sailers. They are not the large yachts that will be coming to the Gold Coast; nor are they the yachts that compete in the Sydney to Hobart or the Brisbane to Gladstone races.

What do those races mean to Australia? Australians would not have been applauding our win in the America's Cup if yacht races along the Australian coast were not conducted. Our win in the America's Cup will bring tremendous benefits to this country. In the same way, the stabilisation of the Southport bar will bring tremendous benefits to the Gold Coast and to Queensland as a whole. Those benefits will flow, too, to the rest of Australia.

Tourists and yachtsmen who come to the Gold Coast will not remain there; they will travel north to cities such as Rockhampton and Cairns. Cairns is a beautiful city.

Mr Muntz: Don't forget your Sunday in Tin Can Bay.

Mr JENNINGS: That is right.

A dramatic policy decision has been made by the Government. Many Opposition members have asked why this legislation is being introduced. We are sitting in this Assembly tonight to give a Christmas present to the residents of the Gold Coast. The policies that were promised before the last election are being implemented. This is one of the best Christmas presents that could be given to the people of the Gold Coast.

Mr Eaton: You had better not tell the Gold Coast City Council which Christmas they are getting it.

Mr JENNINGS: I do not think that the Gold Coast City Council has any objection to the proposal.

Mr Borbidge: The mayor supports it, and he is a member of the Labor Party.

Mr JENNINGS: Of course he supports the proposal. He realises that it will benefit every man, woman and child on the Gold Coast.

The Spit area, which is one of the traditional family recreation areas, will be preserved. It is situated away from the hurly-burly and the concrete jungle of Surfers Paradise. A beautiful park area will be created.

We can all argue till kingdom come whether it is the right or wrong decision. As the Minister stated, a decision was made after detailed research and planning. No-one knows what the incredible sea will do. Recently, when the member for Surfers Paradise and I visited some areas on the Gold Coast we found in some areas that there was practically no beach at high tide. In a few months' time there might be a large beach in those areas. No-one can predict what the sea will do. However, the people of Queensland can predict what the Government will do because it honours its promises.

Mr De Lacy: Why don't you do a bit of planning? You did a lot of planning on this!

Mr JENNINGS: A lot of planning has been done on the Gold Coast.

A magnificent park will be created on The Spit. The development will complement the casino, the new hotels and other attractions. The Gold Coast will continue to be the premier tourist resort in the world.

I congratulate the Minister for Water Resources and Maritime Services and the Government for proceeding with this magnificent scheme. The cost is small when compared with the benefits that the Government has derived from Gold Coast developments in the past.

Hon. J. P. GOLEBY (Redlands—Minister for Water Resources and Maritime Services) (8.58 p.m.), in reply: I thank honourable members for their contributions. The member for Mourilyan and shadow Minister for Water Resources and Maritime Services (Mr Eaton) appreciates what will be done. Since I have become Minister for Water Resources and Maritime Services, I have met regularly with the Gold Coast Waterways Authority and both the local authorities that are interested in this project. Numerous meetings have been held and many inspections have been carried out.

The Opposition spokesman mentioned that the Government would fund the project. Although the Government will provide a considerable amount of the funds, some self-funding mechanisms will be involved. The Gold Coast Waterways Authority will provide some funding. Further discussions will take place with the authority on that matter.

Tenders were called in May. That proved to be a very good month in which to call tenders. Favourable tenders were received. The successful tenderer was the Leighton-Candac Joint Venture, and it is anxious to commence work. The 12 tenderers complimented the Gold Coast Waterways Authority on the design of the project. Those companies experienced in the type of construction that is proposed made favourable comments about the scheme.

Disposal of sewage on the Gold Coast has been a contentious matter for some time. A commitment was given to the Gold Coast City Council that the training walls would be constructed as part of its sewage outfall area. The sewage will go out along the northern wall and be discharged into the sea. At the present time, treated sewage is dispersed into The Broadwater on the outgoing tide and dissipated out to sea in that way. With the training walls, that will automatically take place well out to sea.

The member for Mourilyan mentioned the use of the dredge "April Hamer". It would not work satisfactorily in that area. It would not give the channels the stability that will be provided by training walls. After cyclones, in times of storms, and with the heavy winds and high seas that are experienced for lengthy periods, a considerable amount of sand builds up at the bar. It would be beyond the capacity of the "April Hamer" to keep the bar open. The conditions are quite different from those prevailing at Lakes Entrance.

The member for the area (Mr Jennings) has spoken about his experience with training walls. I acknowledge his local knowledge of the area and the commitment he has given about training walls. He appreciates, too, that sewage is of major concern.

He dealt at length with tourism on the Gold Coast. No-one would deny that this project will have a tremendous effect on tourism in that area. The local authority representatives down there believe it will have an effect on the Gold Coast similar to that of

the abolition of death duties. However, this will be different in that it will provide safe waterways and encourage the boating fraternity to use the area. It is common knowledge amongst the boating fraternity that the only harbour with safe access to the open sea in all weathers in southern Queensland is at Mooloolaba. However, this Bill will ensure that there is another safe boating area with navigable channels to the open sea at virtually all times of the year.

I have discussed the matter with the Gold Coast City Council and the Albert Shire Council. Already they have received letters from sailing enthusiasts from round the world inquiring whether training walls have been built. They are interested in staging a major yachting classic from The Broadwater. As the member for Southport has said, sea-going people desire a mecca for such activity. The Gold Coast, being in the centre of the east coast of Australia, will provide it. The development itself will be a major tourist attraction, but it will also result in the expenditure of large sums of money by those who travel here by water.

I thank honourable members for their contributions.

Motion (Mr Goleby) agreed to.

Committee

Clauses 1 to 10, and schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

Hon. J. P. GOLEBY (Redlands—Minister for Water Resources and Maritime Services): I move—

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

Question put; and the House divided—

Ayes, 47

Ahern	Harvey	Muntz
Alison	Henderson	Newton
Austin	Hinze	Powell
Bailey	Innes	Randell
Bjelke-Petersen	Jennings	Simpson
Booth	Katter	Stephan
Borbidge	Knox	Stoneman
Cahill	Lane	Tenni
Chapman	Lee	Turner
Cooper	Lester	Wharton
Elliott	Lickiss	White
FitzGerald	Lingard	
Gibbs, I. J.	Littleproud	
Glasson	McKechnie	*Tellers:*
Goleby	McPhie	
Gunn	Menzel	Kaus
Harper	Miller	Neal

Noes, 28

Campbell	Mackenroth	Warburton
Casey	McElligott	Wilson
Davis	McLean	Wright
De Lacy	Milliner	Yewdale
Eaton	Prest	
Fouras	Price	
Gibbs, R. J.	Scott	
Goss	Shaw	*Tellers:*
Hamill	Underwood	
Hooper	Vaughan	Burns
Kruger	Veivers	Comben

Resolved in the affirmative.

The House adjourned at 9.13 p.m.