Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 26 MARCH 1985

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

FILMING AND VIDEOTAPING OF PARLIAMENTARY PROCEEDINGS

Mr SPEAKER: Order! I advise the House that approval has been given to television channels to update library film footage at 11 a.m. on Wednesday, 27 March. Filming, without sound-recording, will be allowed for one hour.

I further advise that, for the production of a video tape on the Queensland Parliament, the Public Relations Branch will be taping the proceedings of Parliament for one hour from 2.15 p.m. on the same day. I request the full co-operation of all honourable members.

PAPERS

The following paper was laid on the table, and ordered to be printed—

Report of the Police Superannuation Board for the year ended 30 June 1984.

The following papers were laid on the table—

Proclamation under the Film (Censorship and Review) Acts Amendment Act 1984

Orders in Council under—

Harbours Act 1955-1982

Fauna Conservation Act 1974-1984

Regulations under the Censorship of Films Act 1947-1984.

MINISTERIAL STATEMENTS

Community Employment Program

Hon. C. A. WHARTON (Burnett—Minister for Works and Housing) (11.3 a.m.), by leave: Last week in this House I answered questions about the employment of people under the Community Employment Program, which is jointly funded by the Commonwealth and State Governments. Since then, the man who raised the questions, the honourable member for Everton, has made some quite outlandish claims, which have been reported in some newspapers. He implied that the funds were being used incorrectly and claimed that the State Government is dependent on the Federal Government to maintain its vital services.

All of them are quite amazing utterances, considering that the State Government is co-operating and funding this scheme jointly with the member's colleagues in Canberra.The Works Department provides 30 per cent of the cost of each project. Is the honourable member suggesting that the State Government should not be offering such co-operation, that it should not be trying to find avenues of employment for the unemployed? His claims are really outlandish, considering that the State Government is involved in this scheme at the invitation of Canberra, that the guide-lines for who can and cannot be employed under the scheme are laid down by the Federal Government, and State Government proposals for this scheme must have Federal Government approval before they can proceed. So any criticism of this scheme by the member for Everton is, in fact, a direct criticism of the Federal Labor Government.

The criticism levelled at the State Government by the honourable member would apply equally to other bodies using the scheme, including local government bodies, such as the Brisbane City Council. Let me point out that the Federal Government has made no criticism of the way in which the State Government is co-operating in this scheme,

which is not surprising, considering the overriding responsibility that it has for authorising proposals put forward by the State Government.

The State Government is not evading its responsibilities. It has a vigorous program of its own, which will involve the spending of more than $50m this financial year. But let me spell it out for the honourable member and for the media, which have published Mr Milliner's claims; the State Government was invited to participate in and financially contribute to this scheme to provide employment assistance where it was needed. The program has the particular aim of assisting employment in particular areas in which certain trades are listed as unemployed with the Commonwealth Employment Service.

In the Sunshine Coast area, the CES has identified painters as a group needing that type of assistance. Together with the Commonwealth, the Queensland Government has moved to help employ more of these people.

Let me make it quite clear that this is in addition to, not instead of, the maintenance program that is being undertaken by the Works Department, which involves substantial work for private contractors. The people whom we are helping through this joint program are people who have not been able to find employment in the private sector.

Electric Train Collision, Beenleigh Line

Hon. D. F. LANE (Merthyr—Minister for Transport) (11.5 a.m.), by leave: Parliament is entitled to be informed formally of the electric train head-on collision that occurred at 6.48 a.m. near Trinder Park Railway Station last Saturday, 23 March. Regretfully, two people were killed in the collision and 28 others were injured.

I inform honourable members that a board of inquiry has been established by Queensland Rail, and it is presently investigating thoroughly the factors involved in the accident and its possible causes. The eight-member board is being chaired by Mr J. Paull, Queensland Rail's permanent way engineer, Brisbane.

I table a list of the persons who constitute the board and ask that it be incorporated in "Hansard"

Leave granted.

Chairman:	Mr J. Paull	Permanent Way Engineer, Brisbane.
Members:	Mr S. Slipper	District Mechanical Engineer, Mayne.
	Mr F. Hartigan	District Superintendent, Brisbane.
	Mr D. Whisson	Signal Engineer, Brisbane.
Representing Railway Employees:		
	Mr M. Ryan	Clerk, South Brisbane.
	Mr D. McLeod	Senior Instructor, Traffic Training, Brisbane.
	Mr K. C. Bloxsom	Driver, Mayne.
	Mr N. R. Lester	Signal Maintainer in Charge, Park Road.

Mr LANE: I inform honourable members that when that board has reported its findings to me, its deliberations and conclusions will be publicly disclosed as completely as possible, bearing in mind that the rights of those railway employees and members of the public who are called to give evidence for the board must be acknowledged and protected. I do not in any way propose to add to the uninformed speculation on the cause of the accident until the board's investigations have been completed and it is satisfied with its conclusions.

In addition to setting up the Queensland Rail board of inquiry, I have initiated, in consultation with the Minister for Justice and Attorney-General (Mr Harper) and the Minister for Lands, Forestry and Police (Mr Glasson), a full coronial inquiry into the

deaths and have asked that senior police officers be assigned to investigate the cause of the collision in the event that there is a case of criminal negligence to be answered.

I am sure honourable members will join me in extending our utmost sympathy to those bereaved relatives and friends of the crash victims.

Queensland boasts the safest electric rail system in the world. Obviously, we recognise now that it is not totally error-proof, and when the board of inquiry discovers the cause of this collision, be it human or mechanical, immediate action will be taken to ensure that such a disaster never occurs again.

Mr CASEY: I rise to a point of order. Mr Speaker, I draw your attention to Standing Order No. 108A, "Ministerial Statements" In part, it states—

> "At the conclusion of the Statement, the Minister may move 'That the House take note of the Statement' and, if so, the Leader of the Opposition or his nominee shall be given equal time to reply to the Statement either immediately "

I ask the Minister whether he is prepared to so move on this occasion.

Mr LANE: I do not choose to take that opportunity.

LEAVE TO REPLY TO MINISTERIAL STATEMENT

Mr CASEY: Mr Speaker, as the Minister has refused——

Mr SPEAKER: Order!

Mr CASEY: I rise to a further point of order. As the Minister has refused to take that stand in accordance with Standing Orders, I appeal to the House to grant leave to the honourable member for Mackay to make a statement on the Trinder Park railway disaster.

Question—That leave be granted—put; and the House divided—

AYES, 29	
Braddy	Wilson
Burns	Yewdale
Campbell	
Casey	
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Goss	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Price	
Scott	
Shaw	
Smith	
Underwood	
Vaughan	
Veivers	*Tellers:*
Warburton	Prest
Warner, A. M.	Davis

NOES, 48	
Ahern	Lee
Alison	Lester
Austin	Lickiss
Bailey	Lingard
Bjelke-Petersen	Littleproud
Booth	McKechnie
Cahill	McPhie
Chapman	Menzel
Cooper	Miller
Elliott	Muntz
FitzGerald	Newton
Gibbs, I. J.	Powell
Glasson	Randell
Goleby	Row
Gunn	Simpson
Gygar	Stephan
Harper	Stoneman
Harvey	Tenni
Henderson	Turner
Hinze	Wharton
Innes	White
Jennings	
Katter	*Tellers:*
Knox	Kaus
Lane	Neal

Resolved in the negative.

MINISTERIAL STATEMENTS

Acquired Immune Deficiency Syndrome

Hon. B. D. AUSTIN (Wavell—Minister for Health) (11.16 a.m.), by leave: On Tuesday night last week, the national current affairs program "Four Corners" carried a report that was supposed to be a thorough and objective examination of Acquired

Immune Deficiency Syndrome, or AIDS. The report contained several references to Queensland that were insulting and offensive and cast a slur on the activities by health authorities in this State to respond to the AIDS problem. In fact, the producers of the program appeared to have a fixation, bordering on a phobia, about the Queensland approach to the issue.

The thrust of the "Four Corners" report was that the only successful way to deal with AIDS is through close involvement with the so-called gay community. The message was that, unless homosexuals are heavily involved in the AIDS campaign, measures to deal with the problem will fail. The clear inference was, therefore, that Queensland's AIDS program will fail.

I totally reject such a narrow and distorted view of Queensland's position and take this opportunity to advise the House on the truth. Queensland has led the nation in responding to the AIDS crisis. Queensland was the first State to establish an AIDS advisory committee with medical expertise from both the public and the private sectors. Queensland was the first State to declare AIDS a notifiable disease and incorporate it into the venereal diseases section of existing public health legislation. Queensland was also the first State to introduce legislation aimed at preventing blood and tissue donors from misleading the blood bank about their suitability as donors.

Queensland is again taking the initiative, this time in the development of a contact-tracing model for AIDS. The latest strategy has not really been tried before in relation to AIDS, either because the numbers involved were considered to be too great in most places or because the mass education approach has been accepted as dogma, or even perhaps because of privacy concerns.

There is no research to indicate that the public education approach by itself is more effective than or as effective as the traditional contact-tracing models for infectious diseases. Contact-tracing of serological positive, well patients enables individual advice to be given in circumstances that are specific to that patient in confidence by a medical practitioner or trained person. Medical officers employed by the Queensland Health Department are now successfully conducting small contact-tracing programs, and it is hoped that these will be able to be expanded with additional resources from the Commonwealth.

While Queensland has conducted educational programs to inform the community about AIDS, experience overseas indicates that a public educational approach alone has not proved effective in controlling the spread of AIDS. For example, in San Francisco and New York city, current evidence shows that 90 per cent of the target audience has contracted the virus. In Sydney, the available evidence, as assessed by the national task force, indicates that 50 per cent of the homosexual population has already been infected with the virus.

Clearly, effective containment of the problem lies in the application of traditional methods of infectious disease control incorporating a mixture of contact-tracing, individual counselling of contacts, public education and, where possible, treatment. This policy would apply in relation to any serious public health problem involving an infectious disease, irrespective of the lifestyle or sexual preferences of the at-risk population. Queensland's response to AIDS has been formulated on the best available evidence relating to the disease and its management.

On the "Four Corners" program, a leading health official in San Francisco observed that the homosexual community formed a significant proportion of the population in some areas and therefore was a potentially powerful political force. It is to be hoped that concern about these political implications has not unduly influenced the response to AIDS by the Federal and other State Governments in Australia, whose primary responsibility is to protect the public health of the entire community, not just sectional interests.

Queensland's policy is that AIDS patients will receive the same level of service as that provided to sufferers from other serious diseases, such as cancer. This service will be offered through our hospitals, sexually transmitted disease clinics, and private medical practice. In addition, the resources of the health system will be made available for the traditional counselling and educational roles carried out already for other diseases, such as cancer.

Queensland has adopted an effective and responsible approach to the AIDS issue without favour or discrimination. My statement this morning should serve to correct any misleading or deceptive impression that may have been gained from the "Four Corners" program.

Dairy Industry Marketing Arrangements

Hon. N. J. TURNER (Warrego—Minister for Primary Industries) (11.20 a.m.), by leave: I wish to inform the House of recent developments in dairy industry marketing arrangements. To say the least, these developments are gravely disturbing. Because of the very serious effects they are likely to have on all Australian dairy farmers and dairy factories, I believe it is essential that everyone dependent on the dairy industry should be fully informed on the situation.

As anyone in the dairy industry will know, a series of negotiations and discussions has been going on for more than a year in an endeavour to find a solution to the industry's problems. These problems have been caused by disastrously low prices on export markets for manufactured dairy products, coupled with an excessively high level of milk production in Australia. Most of that excess production has been in Victoria and Tasmania, and no action was being taken to curtail the surplus.

For quite some time dairy production in Queensland has been geared to meet this State's market milk requirements and to provide some surplus to meet a reasonable proportion of the State's consumption of manufactured dairy products. At the same time, Queensland has been a substantial net importer of butter, principally from Victoria.

For more than a year, dairy industry leaders worked on a plan that would reduce the Australian surplus in an orderly fashion and also maintain reasonable prices on the domestic market for both milk and manufactured dairy products. At the same time, State and Federal Ministers concerned with primary industries held a series of discussions at the Australian Agricultural Council and at other special meetings to review the situation and consider proposals emanating from the industry.

I should like to make it quite clear that not all State dairy industries, nor all State Ministers, were in agreement during a large part of these discussions. However, agreement was ultimately reached.

Firstly, the dairy leaders reached agreement on a plan known as the ADIC plan, which was a compromise plan. There was give and take by all those involved in its preparation. The Australian Dairy Industry Advisory Committee plan was then considered by State and Federal Ministers. After some modification, all States, with the exception of Victoria, reached agreement. That was on 11 February 1985. At a further special meeting of Ministers on 28 February 1985, and after further minor modification, Victoria also agreed. I should make it quite clear that from 28 February 1985, all State dairy industries and all State Governments were agreed on the modified ADIC plan.

I do not propose to go into the finer details of that plan, but, in essence, it involved the operation of an entitlements scheme designed to reduce surplus production and spread the burden equitably. It also provided protection for the market milk sector of the industry and provided a level of support for the manufactured product sector on the domestic market and for export up to an agreed figure. Total entitlement was set at 5.3 billion litres, which would mean a reduction of around 600 million litres across Australia. There was to be some increase in domestic price levels for manufactured dairy products since dairy farmers had had no increase for two years. Exports up to the agreed level were to be supported in part by a levy of up to 2 cents per litre on all milk. It

was a good plan—a very well thought-out plan—and it had been agreed by all States and by their dairy industries.

However, did the Commonwealth Government accept this plan? No. State Ministers were summoned to Canberra at short notice for a meeting with the Federal Minister, John Kerin, on 22 March, last Friday. At that meeting Mr Kerin simply informed us that the Commonwealth would not agree, and he would not agree, to the industry and States' plan. He then further proceeded to tell us that the Commonwealth intended to impose its own plan.

I shall deal with that so-called plan shortly. At this stage, I simply describe it as a disaster, not only for the dairy industry, but also for the employees and the communities which depend so much on the dairy industry. In essence, John Kerin and the Commonwealth Labor Government have totally ignored the wishes of the dairy industry and the States. For an exercise in sheer arrogance, the Commonwealth's action is hard to beat. I still find it difficult to believe.

The Commonwealth Government's decision must surely raise the question as to whether there is any point in continuing with the Australian Agricultural Council. If the careful and detailed consideration given by Ministers at the council is to be totally ignored and overridden by a centralist Government and its bureaucrats in Canberra, I see very little point in the continuance of the council.

Let me now turn briefly to Mr Kerin's plan. What it really involves is deregulation of the dairy industry to reduce returns on dairy products to import parity. If Mr Kerin has his way, dairy-farmers will be reduced to the status of peasant farmers in an underdeveloped country. That is what he wants, and all for the sake of a cheap food policy.

The Commonwealth Government's action will not be restricted to the dairy industry, either. All rural industries will become prime targets. Which industry will be next? The sugar industry? Why should farmers be selected for this import/export parity approach? Manufacturing industries certainly are not, nor is the wage structure. Mr Kerin and the Hawke Government are saying to farmers, "You will pay inflated domestic prices for everything you use on your farm, but you will only get export or import parity for what you sell."

Part of Mr Kerin's plan provides for adjustment assistance, but he carefully says that the States will have to meet half the cost. In other words, the Commonwealth Government is going to put a large proportion of the dairy industry out of business, but the States will have to pay half the cost. Already some industry leaders are predicting that between one third and one half of the dairy-farmers in Australia will be forced off their farms if the Commonwealth goes ahead with the Kerin plan.

Another facet of the Kerin plan, which will be of considerable interest to several honourable members, is that to support export returns, it still involves taxing all milk produced at up to 2c per litre. However, the plan contains none of the safeguards, such as entitlements, which are part of the ADIC plan. In other words, farmers will still pay the levy, but they will not get the benefits.

Finally, one thing is quite clear: that unless the industry itself can stick together and make and enforce its own internal marketing arrangements, it will be headed for disaster. The industry can no longer expect any help from the Commonwealth Government, it has been sold out.

PERSONAL EXPLANATION

Mr VEIVERS (Ashgrove) (11.28 a.m.), by leave: Last Thursday I directed a question to the Minister for Local Government, Main Roads and Racing. He did not answer the question. Instead, he resorted to personal abuse, which he does quite frequently when he answers questions. To make a personal explanation relating to the manner in which he abused me, I will relate briefly an incident that occurred a few years ago.

Mr SPEAKER: Order! Does the honourable member claim to have been misrepresented?

Mr VEIVERS: Yes, I do.

Several years ago, Mr Hinze and I were invited to open a cricket pitch at Hope Island. I was to bowl the first delivery——

Sir Joh Bjelke-Petersen: This is not an explanation, it is a story.

Mr VEIVERS: It is an explanation——

Mr SPEAKER: Order! I am bound by Standing Orders to listen to the honourable member's explanation only if he has been personally affected by this issue.

Mr VEIVERS: Yes, I have.

Mr SPEAKER: I will listen to it only under those conditions.

Mr VEIVERS: I will be very brief.

On that occasion—and this is the explanation for the Minister's attitude—I bowled a straight, innocuous delivery to the Minister. He tried to hit me out of the ground, missed and was clean bowled. On that occasion he was not able to play a straight bat, and he still cannot do so.

Mr SPEAKER: Order! I cannot allow the personal explanation to continue.

PETITIONS

The Clerk announced the receipt of the following petitions—

Trading Hours, Gold Coast

From Mr Warburton (99 signatories) praying that the Parliament of Queensland will not legislate in respect of 24-hour per day trading for the Gold Coast.

Cityxpress Bus Service to Bracken Ridge

From Mr Casey (555 signatories) praying that the Parliament of Queensland will give reconsideration to Transport Department's decision not to allow Cityxpress bus services to Bracken Ridge.

Petitions received.

QUESTIONS UPON NOTICE

Questions submitted on notice were answered as follows—

1. Students Attending Non-approved Schools

Mr SMITH asked the Minister for Education—

With reference to Queensland students attending non-approved schools—

(1) How many students in both primary and secondary categories and in each education region have been granted exemptions from attending a State or approved school other than those students exempted for reasons of disability, health or distance?

(2) If the answer to that question is not available from his department, will he instruct his officers to conduct an immediate and thorough investigation in order that the full seriousness of the problem of children attending so-called fringe schools can be accurately established?

Answer—

(1) When a non-State school is established, the governing body may seek to be given approved status so that the school becomes eligible for State grants. If the school does not apply for approved status my department would have no record of its existence.

(2) When a student transfers from a State school, transfer details are forwarded to the student's new school and the system provides for follow-up. My department holds no records of transfers from non-State schools.

2. Diversion of Tributaries of Clarence River

Mr NEAL asked the Minister for Water Resources and Maritime Services—

With reference to proposals for diversion of tributaries of the Clarence River to the Murray/Darling Basin and, in particular, the Newton-Boyd scheme—

(1) Have any feasibility studies been carried out?

(2) What are the estimated costs of such a scheme and its anticipated benefit to this State?

Answer—

(1 & 2) A Sydney consulting engineer, David D. Coffey, has carried out very preliminary studies of the prospects for diversion of water from the tributaries of the Clarence River to the Murray/Darling Basin. His most recent proposal involves the construction of major dams on the Mann, Boyd, Nymboida and Timbarra Rivers. These rivers are tributaries of the Clarence River. The storages on the Mann and Boyd Rivers are joined to make a single large reservoir referred to as the Newton-Boyd storage.

The proposal also involves the construction of several tunnels, a hydroelectric power station and a pumped storage hydroelectric scheme.

Water could be diverted to the Bluff River, which flows into the Mole River and thence to the Dumaresq River. It appears that a large part of the water able to be diverted would have to be pumped before being diverted to the Mole River through a tunnel.

The economics of the project are very unclear, although it has been suggested that the benefits of the pumped-storage scheme might help offset the cost of pumping to the diversion storage.

The consulting engineer has estimated that the scheme would cost $1662.5m and would enable up to 1.1ML annually to be diverted to the Mole River.

The Queensland Government agrees that further investigation of the project seems desirable and it would raise no objection to the Commonwealth Government funding such a study, provided that the provision of such funds does not affect Commonwealth funding for other water projects already under construction.

Until a more detailed appraisal is completed, it is not feasible to estimate the net benefits to Queensland.

3. Heavy Machinery, Hervey Bay Town Council

Mr NEAL asked the Minister for Local Government, Main Roads and Racing—

(1) Is it true that a candidate for the mayoralty in Hervey Bay hires machinery to the Hervey Bay Town Council?

(2) If so, what revenue does he get for it?

(3) Were tenders for the machine called?

(4) Does the council own other heavy machinery?

(5) Why has not the council purchased a similar machine outright?

(6) Would it be cheaper for council to purchase the machine rather than hire it?

(7) Is it true that the councillor concerned is a current member of the ALP?

Answer—

(1) Yes.

(2) The person concerned is paid a hire rate for the period during which the machinery is hired by the council.

(3) No.

(4) Yes.

(5 & 6) Owing to the amount of use to which the machinery is to be put, the council considers that it is a more favourable financial proposition to hire than to purchase the machinery.

(7) I understand that the person concerned has had some association with the ALP.

Opposition Members interjected.

Mr HINZE: I do not know. I do not really care. It makes no difference to me. The question was asked and that is all that I know about it. I could not care less what association the person has.

4. Nile Perch

Mr BURNS asked the Minister for Primary Industries—

With reference to the announcement in September 1980 by the then Minister for Maritime Services and the director of the Queensland Fisheries Service that Queensland would import Nile perch and, after a three or four year testing program, the perch would be introduced into Queensland waters if proved acceptable and, as more than four years have passed since that statement and successive Ministers have spoken of the appointment of staff and spending of funds on ponds and related facilities—

(1) Have any Nile perch been imported into Queensland and, if so, when did they, or will they, arrive?

(2) If not, why has it been so difficult to obtain a quantity of what is supposed to be one of the most common fish in Africa?

(3) Is he aware that the well-known north Queensland amateur fisherman and writer Vic McCristal has announced in the March issue of "Modern Fishing" that Nile perch are not coming?

(4) Is the Nile perch research program in difficulties?

(5) If this program is still under way, when will research be completed and what are the results and total costs to date?

(6) If the Nile perch program is finished, will he urgently move to ensure that the facilities that have been established are used for the breeding of fish stocks, including barramundi, so that waterways and dams, particularly in north and central Queensland, can be stocked with an edible, high-quality sporting fish?

Answer—

(1) No Nile perch have yet been imported into Queensland.

(2) Although Nile perch are reasonably common in many parts of Africa, communications and administration in these areas are comparatively chaotic either because of the state of development of some of the countries concerned or because of the political situation in others. The difficulty lies in assembling a large number of healthy, juvenile Nile perch of a uniform and appropriate size to meet the stringent constraints placed upon my department by the Commonwealth Department of Health, which is responsible for the disease-screening of the import consignment. My department has had great difficulty, despite several promising leads and advice from local scientists, United Nations officials and from Australia's foreign affairs and trade officers, in achieving a satisfactory arrangement for the supply of these fish.

(3) I am aware that Mr McCristal has suggested, in his column in the magazine "Modern Fishing", that a deicision has already been made not to import Nile perch, basing his claim on his contacts in southern States. However, no such decision has been made.

(4 to 6) One cannot properly say that the Nile perch research program is in difficulties when it has not yet been started.

The only costs incurred so far have been in relation to the facilities such as the laboratory, ponds and drainage works erected at the Walkamin research station by mid-1984, in anticipation of the arrival of these fish. These facilities cost approximately $302,000, but are an integral part of the permanent facilities at the Walkamin fresh-water fisheries research station. They are already being utilised for other programs at the Walkamin station, where breeding and stocking activities are being carried out using several native species, and where the biology of a number of other tropical fresh-water fishes is being investigated.

At present, barramundi successfully hatched late last year at my department's Northern Fisheries Research Centre at Cairns are being raised in one of the Walkamin ponds and are already approaching 25 cm in length. Even if the Nile perch program is not proceeded with, there is no question that all the facilities at Walkamin will be fully utilised in research and culture work directed towards the expansion of current programs of stocking public waterways and dams. This year, my department's hatchery program has been directed towards stocking Eungella, Tinaroo and Moondarra Dams with sooty grunter, and Boondooma and Kinchant Dams with silver perch, in addition to several minor stockings in the vicinity of Walkamin itself.

5. Expo 88 Authority

Mr BURNS asked the Premier and Treasurer—

With reference to the contractual arrangements of persons employed by the State Government Expo 88 Authority—

(1) What are the remuneration arrangements for the marketing and other managers of Expo 88 and, in particular, are these persons paid a salary thereby paying tax on a PAYE basis or are they employed on self-contractual arrangements?

(2) If any person connected with Expo 88 is employed on a self-contractual basis, what are the terms, conditions and remuneration arrangements of that contract with the authority?

(3) What retainer and other benefits are paid to the directors of the authority?

Answer—

(1 & 2) Managers and other employees of the Brisbane Exposition and South Bank Redevelopment Authority are generally employed on a contractual basis, the terms and conditions of which are approved by the Governor in Council in accordance with the Expo '88 Act 1984. As employees, they are subject to the normal PAYE tax deductions. The marketing function is undertaken by Cassidy Management and Marketing Pty Ltd. The company makes available the services of Mr W. M. Cassidy and other employees of the company as required. The terms and conditions of engagement have been approved by the Governor in Council in accordance with the requirements of the Expo '88 Act. The terms and conditions of the contract are a matter between the parties to the contract.

(3) No members of the authority receive any salary but are paid meeting fees in accordance with section 17 of the Expo '88 Act as approved by the Governor in Council.

6. Registration of Ships Plying out of Cairns

Mr De LACY asked the Minister for Water Resources and Maritime Services—

With reference to each of the following vessels plying out of the port of Cairns: MV "Petroi", MV "Torres Venture", MV "Kanimbla", MV "Noel Buxton" and FV "Nelson"—

(1) In whose name are they registered, where are they registered, for what purpose are they registered and what is the surveyed tonnage?

(2) Have articles of agreement between the owners and the crew, as required under the Queensland Marine Act, been registered with the shipping master and, if so, when?

Answer—

(1) The vessels referred to by the honourable member are not required to be registered under the Queensland Marine Act. Their respective surveyed tonnages are—

MV "Petroi" 65.85 gross, 29.30 net;

MV "Torres Venture" 86.48 gross, 12.16 net;

MV "Kanimbla" 195.65 gross, 162.28 net;

MV "Noel Buxton" 260.44 gross, 72.58 net; and

FV "Nelson" 133 gross (Fishing vessels are not measured for net tonnage).

(2) Articles of agreement are not required to be entered into under the Queensland Marine Act in respect of vessels of less than 80 register tons; that is, net tonnage. The honourable member will be aware that the relevant provision was amended to provide a threshold of 35 metres in lieu of 80 tons in the 1981 amendment to the Queensland Marine Act but this and other provisions of that Act were not proclaimed because the maritime unions indicated that they would not accept articles of agreement under the Queensland legislation. The legislation has since been amended again and the intention is that, when suitable arrangements have been made with the Commonwealth, all vessels of a size for which articles of agreement are considered appropriate will come under the Commonwealth Navigation Act provisions. However, none of the vessels mentioned by the honourable member are in excess of 35 metres and they will therefore not be subject to the provisions relating to articles of agreement.

7. Wivenhoe Dam

Mr FITZGERALD asked the Minister for Water Resources and Maritime Services—

With reference to the construction of the Wivenhoe Dam on the Brisbane River—

(1) When will the gates be completely fitted?

(2) When will the highway over the dam wall be completed?

(3) When will the dam be open for public inspection?

Answer—

(1) It is expected that the Wivenhoe Dam radial spillway gates will be completely installed, tested and operational by June.

(2) Both the highway over the dam and certain areas of the dam will be open to the public in early September.

(3) Further areas will be opened to the public later as facilities are completed.

8. Positive Swabs, Mount Isa/Cloncurry Racing District

Mr PRICE asked the Minister for Local Government, Main Roads and Racing—

(1) Is he aware that, in the Mount Isa/Cloncurry racing district, the disqualification of two leading horse-trainers over recent positive caffeine swabs from their horses, and the pending possible suspension, fine or disqualification of two more, amounts to about 50 horses out of racing in the region, not to mention the loss of employment in the industry?

(2) Is he aware also that attributed to this fact is the record low attendance, even with gate entry free of charge, for the recent Mount Isa Saint Patrick's Day feature events?

(3) When can he see an end to the dire consequences to provincial racing that is being caused by the recent crack-down on positive caffeine swabs?

(4) Why is it only the presence of caffeine and not derivatives of caffeine (that is, the metabolytes) that is detectable in testing and the subject of charges?

(5) As the charge being levelled at owners and, in particular, trainers is their having "taken a horse to the track with caffeine present in its bloodstream", and proof of complicity is not required, does not he feel that the innocent and the guilty are being equally penalised?

(6) Why is it that detectable caffeine is being found only in horses north of the Queensland/New South Wales border?

(7) Why is it that penalties for this so-called offence differ throughout the State; for instance, in some districts fines suffice whilst, in others, disqualification is mandatory, and will they be standardised?

Answer—

(1) Yes.

(2) I have no direct knowledge of reasons for the low attendances referred to.

(3 to 7) I am confident that action that I have already initiated and that I propose to take in the near future will provide early solutions to the problems that are presently occurring and a more satisfactory basis for controlling these problems in the future.

9. Electoral Rolls, Aboriginal Communities

Mr PRICE asked the Minister for Northern Development and Aboriginal and Island Affairs—

With reference to the recent acceptance by the State Government of Aboriginal community election rolls and the inclusion on those rolls of the names of white residents—

(1) Does this effectively deny these whites the right to vote in their local government area as defined under the Local Government Act?

(2) As seen from the Local Government Act, what status do these Aboriginal community elections hold?

(3) Can whites voting in these elections stand for office in Aboriginal community elections?

(4) If race is not a criterion for voting in these elections why are not these areas simply brought under the Local Government Act and the areas called shires?

(5) Will these newly created autonomous enclaves be able to apply for their share of Federal Government tax revenue through the States Grants Commission?

Answer—

(1) The rolls to which the honourable member refers are, in terms of normal local government practice, compiled by the respective returning officers pursuant to section 7 of the Local Government Act. They are not documents which need acceptance by the State Government. I might add that the State electoral roll contains the addresses of those enrolled, which are verified by computers. That is how the two rolls are composed. However, I can say that the rolls should, in terms of the legislation, include the names of people living in trust areas who are eligible to vote in terms of criteria established for all elections under the Local Government Act. All such persons, regardless of race or colour, will have a right to vote for the local government council of the trust area in which they live. Electors, however, cannot, as the honourable member must appreciate, be given the right to vote for two statutory local authorities. These provisions have been matters of law for some time and, to assist, I direct the honourable member's attention to Part III of the Community Services (Aborigines) Act 1984.

Obviously the honourable member has not read that legislation. On numerous occasions the honourable member has requested that the House allow those who live in the communities and who belong to two local authority areas have two votes. By that, he must mean that these people do not exercise local government powers.

Mr PRICE: I rise to a point of order. At no time have I advocated that the people living in these enclaves should have two votes. I find that claim offensive and ask that it be withdrawn.

Mr SPEAKER: Order! The member for Mount Isa finds the statements made by the Minister offensive and I ask the Minister to withdraw them.

Mr KATTER: I withdraw them. Later I shall bring to the attention of the House every speech the member has made on Aboriginal affairs in which he has advocated just that.

Answer (continued)—

(2) The matter is clearly explained in section 19 of the Community Services (Aborigines) Act, which is administered by the Department of Local Government. At all stages of the drawing-up and implementation of this program, my department was in very close consultation with the Department of Local Government. I thank the Minister for Local Government and his department for its very effective help in this area.

(3) Yes.

(4 & 5) I have advised the Government that in four years' time, when the community services legislation requires major reports from the Islanders Co-ordinating Council and the Aboriginal Co-ordinating Council, it is highly likely that certain of the areas will be found to be more suitably placed under the Local Government Act. However, at this stage isolation, size, stage of physical development and lack of administrative experience preclude similar legislation being passed for these areas. Does the honourable member seriously think that the Act that applies to Townsville, which has 100 000 inhabitants, should apply to Steven Island, which has 20 inhabitants? Does he seriously state that the same type of legislation is needed for a place such as the Edward River Mission, where for six months of the year the only communication with the outside world is through the Royal Flying Doctor Service radio network and one plane a week?

Mr Scott interjected.

Mr SPEAKER: Order! I warn the honourable member for Cook.

Answer (continued)—

Does the honourable member think that the area of the Torres Strait, which at this stage has no electricity and where a large number of the islands have enormous difficulties with water supply, requires the same degree of assistance as any other area in the State of Queensland?

Does he seriously think that at this stage those areas are able to provide their own shire clerks? If they cannot, what meaning will self-management have for those areas? Account is taken of all those matters in the present legislation. A report will be issued in four years' time. It is my considered opinion that at that stage some of those areas may prefer to come under the jurisdiction of the Local Government Act; in any event, it will be their choice.

10. Shop-lifting Offences

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

(1) How many offenders were committed to the District Courts for stealing in 1984?

(2) How many of these have been shop-lifting offences?

(3) How many shop-lifting offences have proceeded to trial?

(4) How many shop-lifting offences are awaiting trial?

(5) How many of these cases have not been proceeded with?

Answer—

(1 to 5) The figures are not readily available, and the resources of my department are fully occupied without being diverted to taking out that type of statistical data. However, I am appreciative of the principle that the honourable member's question raises.

11. Shop-lifting Offences

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

Does he consider that justice is served by the Magistrates Courts accepting pleas of guilty for shop-lifting offences resulting in a conviction, when a person who pleads not guilty has the right to trial by jury, and in some cases the trial does not proceed because of the trivial nature of the offence and thus no conviction is recorded?

Answer—

From the honourable member's question, it is obvious that he has become aware of reforms to the system of justice that I intend to introduce into the House at an early date.

The Government has approved introduction by me of legislation to be styled "The Regulatory Offences Bill" From the tone of the honourable member's question, if he is voicing the sympathies of the Opposition, I expect that that Bill will have the full support of the Opposition. Accordingly, I make no further comment on the honourable member's question at this time.

12. Interest-free Loans to Union Officials

Mr GYGAR asked the Minister for Employment and Industrial Affairs—

With reference to evidence related to the corruption trial of left-wing union leader, Norm Gallagher, in which it was revealed that Gallagher obtained an $18,000 interest-free loan from the Builders Labourers Union allegedly to build a beach house and invested the money and earned himself 9 per cent interest—

(1) Are Queensland registered unions lawfully permitted to make interest-free loans to union officials and, if so, are they required to notify the union membership of such loans and other perks?

(2) If not, will he take action to ensure that such perks for union officials are revealed to the union members who are paying the bills?

Answer—

(1 & 2) As there are at least 110 unions in existence, time does not permit a full examination of all union rules to ascertain whether such a possibility exists. Section 67 of the Industrial Conciliation and Arbitration Act provides that all real and personal property vests in trustees and is under their control.

Present practice with registering unions requires that at least one trustee signs cheques disbursing union funds. However, the Act requires that a just and true account be prepared and audited each year and that every member is entitled to receive, on application to the treasurer or secretary, a copy of such account without making any payment for same.

That is not unreasonable. Honourable members heard that problems were experienced by the union with which the person was associated. At one stage I think that a ballot was rigged, so I will not speak too much about that person.

It is common practice for unions, particularly the larger ones, to publish their balance sheets and statements of income and expenditure in their journals. At present, an examination is being carried out regarding the requirements cast upon union officials to provide true and detailed financial statements to the members of the union and as to whether further legislation may be needed. Perhaps the honourable member could put forward some views along those lines.

13. Coal Line Electrification Contracts

Mr GYGAR asked the Minister for Transport—

(1) How many contracts have so far been let in the coal line electrification project?

(2) In each case (a) what is the value of each of these contracts, (b) to whom have they been let, (c) where are each of these companies located and (d) where will the manufacturing/fabricating work under the contract be carried out?

(3) What was the date of the commencement of work on this project?

(4) What is the anticipated date of completion of this project?

(5) What is the estimated average monthly number of persons who will be employed on this project?

Answer—

(1) 46 contracts have been let to date.

(2) As the answer is lengthy and detailed, I seek leave to have it incorporated in "Hansard"

Leave granted.

Schedule of Contracts Awarded to date for the Main Line Electrification Project

No.	Description	Company	Value $	Location of Company	Location of Manufacturing/ Fabrication Work
1.	Electric Locomotives	Clyde/ASEA-Walkers Ltd.	90,900,916	Mary-borough	Major part of work in Queensland
2.	Electric Locomotives	Commonwealth Engineering (Queensland) Pty. Ltd.	97,844, 162	Brisbane	Major part of work in Queensland
3.	Rocklands-Yeppen Earthworks	Tomwin Pty. Ltd	1,603,069	Brisbane	Sitework
4.	Rocklands-Yeppen Bridgeworks	Roberts Construc-tions Pty. Ltd	978,341	Brisbane	Sitework
5.	Rocklands-Yeppen precast bridge units	Humes Ltd.	376,807	Brisbane	Queensland manufacture
6.	Yukan Earthworks	Costain-Pearson Bridge	498,993	Brisbane	Sitework
7.	Aldoga Earthworks	Cyril Golding Earth-moving Pty. Ltd.	411,342	Gladstone	Sitework
8.	Tunnel Earthworks	Cyril Golding Earth-moving Pty. Ltd	1,091,736	Gladstone	Sitework
9.	Duaringa Earthworks	Cyril Golding Earth-moving Pty. Ltd.	159,437	Gladstone	Sitework
10.	Parnabal Earthworks	Cyril Golding Earth-moving Pty. Ltd.	287,232	Gladstone	Sitework
11.	Dingo-Parnabal Earthworks	Mamalis Brothers	159,350	Gladstone	Sitework
12.	Goonyella Lein Earthworks 4-13km	Engcon Pty. Ltd.	126,186	Mackay	Sitework
13.	Goonyella Line Earthworks 17-17.5km	Engcon Pty. Ltd.	91,282	Mackay	Sitework
14.	Goonyella Line Earthworks 46-76km	Q. H. & M. Birt Pty. Ltd.	536,160	Brisbane	Sitework
15.	Goonyella Line Earthworks 76-98km	Grahame Allen Earthmoving Pty. Ltd.	334,500	Gladstone	Sitework

No.	Description	Company	Value $	Location of Company	Location of Manufacturing/ Fabrication Work
16.	Callemonday Sub Station Site Works	Mogill Constructions Pty. Ltd.	104,571	Brisbane	Sitework
17.	Rocklands/Raglan Sub Station Site Works	Kayo Contractors Queensland Pty. Ltd.	439,464	Mackay	Sitework
18.	Grantleigh/Wycarbah Sub Station Site Works	Andrews Construction Pty. Ltd.	372,545	Mackay	Sitework
19.	Rockhampton Signal Cabin	Thiess contractors Pty. Ltd.	279,862	Brisbane	Sitework
20.	Supply Optical Fibre Cable	Olex Cables	2,313,026	Brisbane	Victorian manufacture
21.	Construction of Cable Route Stage 1	Kilpatrick Green Pty. Ltd.	6,523,675	Brisbane	Sitework
22.	Construction of Cable Route Stage 2	Egerton Communications Australia Pty. Ltd.	1,651,580	Mackay	Sitework
23.	Supply of Signalling Cable	Olex Cables	719,566	Brisbane	Queensland manufacture
24.	Supply of Signalling Cable	Cablemakers Australia	713,729	Brisbane	Queensland manufacture
25.	Supply of Signalling Cable	Olex Cables	184,949	Brisbane	Queensland manufacture
26.	Supply and Install Optical Interface PCM Equipment	NEC Australia Pty. Ltd.	3,451,808	Sydney	Installation on site in Queensland. Japanese manufacture
27.	Wayside Communication Equipment Rooms	Traymark Caravans	333,690	Brisbane	Queensland manufacture
28.	Gladstone PAX Telephone Exchange	Philips Electronic Systems	106,772	Sydney	Insatllation on site in Queensland. N.S.W. manufacture
29.	Rockhampton PAX Telephone Exchange	Philips Electronic Systems	250,622	Sydney	Installation on site in Queensland. N.S.W. manufacture
30.	Microwave Buildings & Towers	Drysdale & Ridgeway Australia Pty. Ltd.	531,239	Brisbane	Sitework
31.	Microwave Radio Equipment	Plessey Australia Pty. Ltd.	2,041,866	Sydney	Installation on site in Queensland. N.S.W. manufacture
32.	Signalling Immunisation & Alterations	Ericsson Signal Systems Pty. Ltd., Formerly D.M.L. Engineering Pty. Ltd.	15,079,548	Brisbane	At least 50% Queensland manufacture
33.	Power Supply Transformers Stage 1	G.E.C. Australia Ltd.	2,872,363	Brisbane	Fabrication in Queensland
34.	Power Supply Transformers Stage 1	Tyree Electrical Company Pty. Ltd.	5,021,640	Brisbane	Fabrication in Queensland
35.	Power Supply Transformers Stage 2	G.E.C. Australia Ltd.	3,702,315	Brisbane	Fabrication in Queensland
36.	Power Supply Transformers Stage 2	Tyree Electrical Company Pty. Ltd.	4,831,050	Brisbane	Fabrication in Queensland

No.	Description	Company	Value $	Location of Company	Location of Manufacturing/ Fabrication Work
37.	50/25kV Traction Switchgear Stage 1	G.E.C. Australia Ltd.	5,398,766	Brisbane	Fabrication in Queensland
38.	50/25kV Traction Switchgear Stage 2	G.E.C. Australia Ltd.	5,465,772	Brisbane	Fabrication in Queensland
39.	Power Supervisory System	Brown Boveri (Australia) Pty. Ltd.	1,975,466	Brisbane	Over 30% Queensland manufacture
40.	Construct Overhead Traction System Stage 1	Electric Power Transmission Pty. Ltd.	34,124,037	Brisbane	Fabrication of BHP Steel in Queensland & erection on site
41	Construct Overhead Traction System Stage 2	Citra Constructions	34,740,830	Brisbane	Fabrication of BHP Steel in Queensland & erection on site
42.	Track Material Supplies	Westinghouse Brake & Signal Co. Australia Pty. Ltd.	617,516	Brisbane	Queensland manufacture
43.	Track Material Supplies	Mackay Foundry	52,140	Mackay	Queensland manufacture
44.	Track Material Supplies	W. Thornley & Sons Pty. Ltd.	17,679	St. Peters N.S.W.	Installation on site in Queensland. N.S.W. manufacure
45.	Microwave Radio Equipment	NEC Australia Pty. Ltd.	72,302	Sydney	Installation on site in Queensland Japenese manufacture
46.	Signalling Immunisation & Alterations	Westinghouse Brake & Signal Co. Australia Pty. Ltd.	4,665,190	Williamstown Victoria	60% Queensland manufacture

Note—Departmental labour forces have done considerable work in the field where safe train working is essential.

Answer (continued)—

(3) The project was announced in August 1983, and the first contract was awarded to Cyril Golding Earthmoving Pty Ltd, for civil works at Duaringa on 24 January 1984.

(4) Energisation of Stages 1 and 2 of the system will be completed by October 1987. However, sections will be commissioned progessively from Gladstone to Rockhampton in July 1986, and the first revenue-producing train will run in traffic in August 1986.

The first locomotive will be delivered in July 1986, and the final locomotive will be delivered in August 1989.

(5) The average monthly number of persons who will be employed on this project is 1 700.

14. Use of Illegal Drugs

Mr SHAW asked the Premier and Treasurer—

(1) What is the number of deaths or illnesses, recorded in Queensland each year, which are attributed to the use of illegal drugs, both hard drugs and so-called soft drugs, including tobacco?

(2) What action has his Government taken, or does it propose to take, to restrict any form of incitement or encouragement being given to young people to experiment with, or to take up the use of drugs, including tobacco?

Answer—

(1) There are problems in determining drug-related morbidity and mortality as it can only be done indirectly through conditions which may be drug-related.

The number of admissions to Queensland hospitals in 1981 with a principal diagnosis specifying drug involvement was 4 288. These were divided as—

3 619 due to tobacco,
2 due to alcohol,
73 due to opiates,
26 due to cannabis and other related drugs,
313 due to other drugs, and
255 due to unspecified drugs.

This does not include all drug-related admissions, as not all diagnostic categories allow for mention of drug involvement.

The Commonwealth Department of Health has produced estimates of the number of drug-related deaths for the States (1980) and Australia (1980 and 1983). The 1980 estimates show that Queensland deaths are a consistent proportion of national deaths across the different drug types.

Using this fact, there were an estimated 3 140 drug-related deaths in Queensland in 1983. They were divided as—

2 540 due to tobacco,
490 due to alcohol,
30 due to opiates,
20 due to barbiturates and
60 due to other drugs.

(2) The Department of Education provides drug-education programs in schools. This development has been assisted by the Department of Health, which also conducts community-based drug-education programs. These programs are based on teaching young people the skills to resist peer group pressure and to assist them to develop discerning attitudes towards advertising of legal drugs. The programs also focus on the development of coping skills to deal with life stresses and the acquisition of a balanced knowledge base concerning all drug use so that they may subsequently make positive, realistic decisions about their own behaviour, including the use of any drugs.

The Department of Health has had smoking-education programs for many years. These have been recently reviewed and, currently, new programs are being developed as part of a long-term preventive health program.

Finally, I still cannot understand why the Australian Labor Party, including the Leader of the Opposition in this House, still supports the decriminalisation of marijuana.

15. Local Authority Subsidies

Mr HARTWIG asked the Premier and Treasurer—

With reference to the fact that, over recent years, subsidies to some local authorities have been severely reduced, for instance, for swimming-pools, from 27 per cent to 10 per cent and water and sewerage from 40 per cent to 30 per cent—

(1) What action, if any, is contemplated by his Government?

(2) If any financial assistance can be given to local authorities by restoration of subsidies to what they were a few years ago, will this be taken into account in the framing of the 1985-86 Budget?

Answer—

(1 & 2) The Queensland Approved Subsidy Scheme was reviewed in 1981 for the purpose of making it more relevant to the needs of today. This was virtually the first time in 30 years that there had been any substantial alteration to the scheme.

It is true that, following the review, some subsidy rates were reduced. On the other hand, quite expensive works, such as augmentation of water supply and sewerage, which had previously not been eligible, were included in the subsidy scheme.

However, since 1981, the Government has provided substantial assistance to local authorities in addition to the new subsidy scheme through the following programs—

Program	$m
Supplementary grants scheme	14.9
Wages pause (State component)	10.0
Special assistance scheme	22.5
Total	47.4

QUESTIONS WITHOUT NOTICE

Secession of Queensland from Commonwealth

Mr WARBURTON: In directing a question to the Premier and Treasurer, I point out that once again he has canvassed publicly a proposal to take Queensland out of the Federation; in other words, to secede from the rest of Australia.

Government Members interjected.

Mr WARBURTON: In spite of the noise emanating from the Premier and Treasurer's Cabinet colleagues, I think that he would agree that comments of that kind made by the Premier of Queensland must be taken seriously. I simply ask: Has the Premier and Treasurer inquired about whether such a move is constitutionally possible?

Sir JOH BJELKE-PETERSEN: As the Leader of the Opposition knows, all Australian States must be treated equally under the Constitution. The Commonwealth Government at the moment is breaking constitutional rules and guide-lines that were laid down by the founding fathers. I will cite a few examples. Queenslanders pay the 1 per cent levy towards the Medicare scheme. However, the Queensland Government receives $29 per person as compared to $50 per person received by the other States. The West Australian Government was granted $30m for the conduct of the America's Cup trials. I mention also the amount of money that the Premier of New South Wales (Mr Wran) is to receive for his Expo program on Darling Harbour. The Prime Minister of Australia (Mr Hawke) is not treating the States equally. Therefore, he is breaking the rules and guide-lines laid down by the Constitution. What I have been saying—if members opposite had taken notice and if it had been reported correctly—is that if the Commonwealth persists, as it has indicated that it will do at the Premiers Conference, the Labor States will take a great deal of Queensland money and Queensland will lose much of the support that it has had in the past. The Commonwealth is breaking the rules under the Constitution to such an extent that there is every possibility of Queensland moving away from it. Queensland would be far better off if it were not penalised in that way. The Commonwealth is penalising this State by taking its taxes and giving the money to the other States. The Commonwealth is breaking the Constitution.

Protection for Tenants from Shopping Centre Management During 24-hour Trading

Mr WARBURTON: I direct a question to the Minister for Employment and Industrial Affairs who, in response to a question by me last Thursday, said about the 24-hour shopping trial—

> "The trial will go ahead and it will be up to the individual to decide for how long he or she wishes to trade."

The Minister would be aware that most major shop leases require that tenants open for all legally available trading hours. I table a number of examples of such lease provisions for the information of honourable members.

Whereupon the honourable member laid the documents on the table.

The Minister would be aware also that his Government has not moved in accordance with its promise to protect tenants against being forced to open under the terms of the leases that I have tabled. I now ask: What has happened to the protection for tenants that was promised? What action will he take if tenants are forced to trade during hours determined not by them but by a shopping centre management?

Mr LESTER: I make it very clear to the Leader of the Opposition and members opposite——

Mr Burns interjected.

Mr LESTER: Members opposite should listen. This is important.

Opposition Members interjected.

Mr LESTER: I do not see why——

Opposition Members interjected.

Mr SPEAKER: Order! I shall not allow any debate when the Minister is replying to a question.

Mr LESTER: This is an important matter. I should not have to be yelling and screaming.

I make it very clear that this is a trial. It is a pilot scheme, and any problems will become apparent during the trial. It is important that it be treated as a trial.

I am very unhappy about the suggestion by some unions that they might close down all shopping over Easter. That is yet another example of unions trying to impose their will upon the innocent public.

Mr Warburton: What about my question?

Mr LESTER: I have answered the question by saying that it is a trial. Problems will be dealt with as they arise. Action will be taken if necessary.

Nowhere in Australia has such a trial been embarked upon. Enormous problems in relation to trading hours are experienced everywhere in Australia. In Victoria, the Labor Government is endeavouring to fine a person up to a quarter of a million dollars for trading out of hours. Surely no-one could find such action palatable or agreeable.

The trial will go ahead. I will be monitoring it month by month. If necessary, I will call public meetings. It must be made abundantly clear that, if members of the public do not want 24-hour trading, it will not be a permanent feature.

Electric Train Collision, Beenleigh Line

Mr NEAL: I ask the Minister for Transport: Is the Minister aware of press reports to the effect that the honourable member for Mackay (Mr Casey) and the secretary of the Australian Railways Union have been calling for a judicial inquiry into the serious railway collision that occurred last Saturday? Does the Minister have the power to order such an inquiry and does he consider one to be appropriate in the current circumstances?

Mr LANE: I suggest that, over the past two days, the Opposition spokesman on Transport has been playing cheap party politics in the wake of this tragic accident, which has caused the death of two people and serious injury to others. The comments not only are in poor taste but also have the effect of cheapening the whole set of circumstances that presently prevail.

In the last 24 hours, the honourable member has been joined by the secretary of the Australian Railways Union, Mr Pat Dunne, in calls for a judicial inquiry into the accident in the Queensland Railways system. Apparently, these two gentlemen have

discovered that section 128 of the Railways Act permits the Governor in Council to order a judicial inquiry, if he should see fit. Such an investigation could either replace or follow a board of inquiry set up by the Commissioner for Railways at the direction of the Minister.

Plenty of time is available for so-called open judicial inquiries or talkfests after the railway board of inquiry has taken place, and the Government does not totally dismiss that option. The Government is well aware of the provisions of the Railways Act, and would consider such a course if it were deemed necessary; but at this stage of the investigation, a railway board of inquiry is quite adequate in all the circumstances.

If honourable members would care to check the names of the people who constitute the board of inquiry on the list, which I tabled this morning, they will see that the board of inquiry comprises not only senior railway management officials but also four representatives elected by the rank and file railway employees. What Mr Dunne and the honourable member for Mackay (Mr Casey) have said virtually amounts to a vote of no confidence in the rank and file railway employees and union representatives on the current board of inquiry.

Mr Casey: No confidence in you.

Mr LANE: The matter is not in my hands. It is in the hands of a properly constituted board of inquiry, on which union members—those who are affiliated with the political party of the honourable member for Mackay—are well represented.

Mr Casey: You know that you can override them. It is in your hands.

Mr LANE: I am well aware of the motives of the honourable member for Mackay in making this suggestion. He is playing cheap party politics on the matter, which is a great pity. However, I am disappointed that he has been joined by Pat Dunne who, hitherto, has always acted responsibly and moderately. I suppose that the political pressures that are being brought to bear on Mr Dunne, now that the Trades Hall runs the Opposition through the Australian Labor Party—and it should be borne in mind that Pat Dunne is a very senior official of the Labor Party, as well as an official of the industrial wing of the Labor movement—have induced him to join Mr Casey and support Mr Casey's windbagging on this subject.

Honourable members would be aware that the Australian Railways Union is under pressure at the moment to maintain its membership. The particular chip that Pat Dunne has on his shoulder at the moment is that single-man crewing and two-man crewing have been introduced into the system, and that could result in a loss of union membership which may enhance the stength of the Australian Federated Union of Locomotive Enginemen, which is an industrial competitor of the Australian Railways Union. So, although not admiring Mr Dunne's activities on this occasion, one can understand them.

I have given the House an assurance that a full inquiry constituted under the Commissions of Inquiry Acts will be held and that I will reveal publicly, and to Parliament if it is in session at the time, the full circumstances of the accident. Nothing will be withheld, because there is nothing to hide. I repeat: it is an open book. Far be it from me to protect anyone in the department, or anywhere else, who may be responsible in any way with respect to this accident—I would not dream of it. My record in this portfolio shows quite adequately that I would not do so.

In addition, a coronial inquiry into the accident is to be held. As honourable members know, witnesses are permitted—in fact, encouraged—to appear before such an inquiry and disclose the circumstances of such an accident.

Totalisator Administration Board Investments with Rothwells Ltd Merchant Bank

Mr BURNS: I ask the Minister for Local Government, Main Roads and Racing: Is he aware that subsection 181 (f) of the Racing and Betting Act dealing with the office of a member of the Totalisator Administration Board provides that the member's position

shall become vacant if the member is directly or indirectly concerned in any contract with the Totalisator Administration Board or is entitled to a benefit directly or indirectly from work done or to be done for or goods supplied to or to be supplied to the Totalisator Administration Board?

As it has been reliably reported, without denial, that many millions of dollars of TAB money has been from time to time invested with Rothwells Ltd merchant bank, and as Sir Ted Lyons is chairman of Rothwells Ltd merchant bank and chairman of the TAB, I ask the Minister: As he is responsible, will he take steps under subsections 181 (f) and (g) of the Racing and Betting Act and recommend that Sir Ted Lyons be removed from office as a member by the Governor in Council?

Mr Prest: Get into them.

Mr HINZE: I would like to think of a reason to do so, but that one will not do.

I understand that substantial funds have been invested by the Totalisator Administration Board with Rothwells Ltd. Sir Edward Lyons is a member of the boards of both organisations. Whether he sees a conflict of interest is his business, not mine.

Mr Scott: Come on!

Mr HINZE: Let me put it to the honourable member this way: I made inquiries and I was advised that Sir Edward had the support of the Government in making investments for the TAB and getting the best possible deal. When funds are available for short-term investment, the TAB invests them in the best available market. Under the circumstances, my people on the board advise me that Rothwells is the best market that is available. That is all I can tell the House.

Queensland Teachers Union Circular

Mrs HARVEY: In asking a question of the Minister for Education, I draw his attention to a circular sent to all State school principals by the general secretary of the Queensland Teachers Union. In the circular the principals are requested to give preference to employing supply teachers who are financial members of the Queensland Teachers Union. I ask: Can the Minister inform the House of the position regarding the employment by the Education Department of supply teachers?

Mr POWELL: I am aware of the circular distributed by the Queensland Teachers Union. The simple answer to the question is that the Queensland Teachers Union does not employ teachers in State schools, nor will it. As far as I am concerned, union membership is not a prerequisite for the employment of a person in the Queensland education system.

Mr Wilson interjected.

Mr POWELL: It is interesting to note that the member for Townsville South is in the Chamber.

I have only contempt for the actions of the Queensland Teachers Union in trying to intimidate teachers so that they will become members of that organisation. Instead, the union should be trying to encourage people to become members of the union by showing that it has something worth selling. Obviously, the union has not; so, clearly, it is undertaking a fear campaign. For the benefit of every teacher in Queensland, I state categorically that, whether a person is a full-time teacher or a supply teacher, membership of the Queensland Teachers Union is not a prerequisite to being employed in Queensland State schools.

Sperry Computer Factory

Mrs HARVEY: I ask the Minister for Industry, Small Business and Technology: With reference to the new Sperry computer factory to be established at Eight Mile Plains—what efforts are being made to encourage more manufacturing in Brisbane of components for the facility?

Mr AHERN: I indicate very definitely that the construction of the factory is a major coup for Queensland. The Government has worked very hard on the project. In all the discussions that took place with the Sperry organisation, every effort was made to encourage a greater degree of manufacture rather than assembly. That is important, because the Government is simply not interested in having a factory in Queensland to assemble imported components.

The Sperry executives have been very keen to promote the Government's concept. In fact, they asked the Government whether it was prepared to establish lease facilities on the estate to help encourage the manufacture of components. The Government has agreed to that. The Government is interested in establishing a whole range of factories to supply the components to be assembled in the Sperry facility.

I repeat that this is a major coup for Queensland that will have very significant flow-on benefits to a range of industries. It will also create considerable employment. It is the first major outcome of the Government's policy. I am hoping that there will be others.

I should indicate that a high level of inquiry has come from overseas firms, particularly those associated with the United States of America or based there, because of the increasing escalation in value of the United States dollar. They are looking at the Australian market with the knowledge that they cannot supply competitively because of the value of the dollar. Several firms are looking at establishing in Australia so that they may be competitive here. It is hoped that Sperry will be the first of several hardware manufacturers that will establish in Australia as a result of the action taken by the Queensland Government and other Governments.

Take-over of Channel 9; National Party's Interest

Mr MACKENROTH: I ask the Premier and Treasurer: Can he confirm or deny that the National Party invested a substantial sum, running into millions of dollars, in the recent take-over of Channel 9 by Perth businessman Alan Bond, and that prominent National Party members Sir Edward Lyons and Peter Gallagher were appointed to represent the National Party's interests?

Sir JOH BJELKE-PETERSEN: As far as the National Party is concerned, that is a load of nonsense. The honourable member should ask Alan Bond the rest of his question. I am sure that he would give the honourable member an appropriate answer very smartly.

Electric Train Collision, Beenleigh Line

Mr MACKENROTH: In directing a question to the Minister for Health, I refer to the disastrous train accident at Trinder Park last Saturday and ask: Were the doctors who attended at the accident scene taken from the QE II hospital? Were people who were injured in this accident transferred to the QE II, where there was insufficient medical staff to cope? Were some of those patients then sent to other hospitals in Brisbane? Will the Minister initiate inquiries immediately into the apparent inability of the Queensland health system to cope adequately with a major disaster?

Mr AUSTIN: I note that the honourable member did not say from where he got this information. That information has not been relayed to me, either by the QE II hospitals board or by any member of the staff of that hospital. It concerns me when a member of the Opposition gets up in this House and reels off a spiel such as that, obviously for the media, without any substantiating evidence.

I have not received any reports from my department that the health facilities available were inadequate. It is my understanding that facilities were provided by the QE II, the Princess Alexandra and the Mater hospitals. If anything is wrong in the system, I will do my best to resolve it.

Subsidy for Victorian Milk-producers

Mrs CHAPMAN: I ask the Minister for Primary Industries: Can he say whether, at present, milk-producers in Queensland subsidise milk-producers in Victoria? If so, in return, should not the Queensland sugar industry receive a subsidy from Victoria?

Mr TURNER: In my ministerial statement this morning, I partly dealt with the honourable member's question. It is deplorable that Queensland is expected to contribute by way of a levy to the supposedly efficient milk-producing States such as Victoria and Tasmania. The dairy industry was prepared to use that levy as a form of insurance, provided that an entitlement scheme was put in place and that constraints would be put on milk production.

The honourable member's question gives me the opportunity once again to say that I find it incredible that the present Federal Government uses import or export parity as a bench-mark in establishing the price of primary products in this country when such prices are at a corrupted level because of dumping by the European Economic Community and other countries on world markets. No previous Federal Government has made any attempt to use import or export parity as a bench-mark for determining wages or other cost structures in this country.

If the Federal Government continues to pursue its attitude towards primary industries, it will drive primary producers into the peasant class. They will produce cheap commodities for the masses in the cities and lower the Consumer Price Index. In that way the Federal Government can claim that it has assisted in reducing prices. However, that will only react to the detriment of primary producers.

The honourable member asked why Victoria does not contribute by way of a levy to assist the sugar industry in this State even though Queensland milk-producers subsidise the milk industry in Victoria. That is a very valid point, and I thank the honourable member for raising it.

Drug Rehabilitation Programs

Mrs CHAPMAN: In directing a question to the Minister for Justice and Attorney-General, I refer to the decision of the Federal Government to set aside approximately $60m to fight the drug problem in this country. I ask: Can the Minister say whether the Federal Government has given an undertaking to the tax-payers of this country that it will pass laws making the use of marijuana illegal? Is the Minister aware of reports that the Labor Party in South Australia has decided not to proceed with proposals for the decriminalisation of marijuana?

Mr HARPER: It is a fact that, at the meeting of the Ministerial Committee on Drug Strategy, the Federal Minister for Health (Dr Blewett) indicated that the Commonwealth Government was prepared to provide $20m for each of three years to run rehabilitation and educational programs for drug-users. The very poor record that the Federal Government presently has in that regard was not made very clear. At present, the States, including Queensland, provide of the order of $40m or $50m a year for rehabilitation and educational programs for people with drug problems. Currently, the Commonwealth Government provides $4.5m for that activity per year. Although it was a magnanimous gesture on the part of the Federal Government, and one intended to attract media publicity, the fact is that for a considerable period, the States have borne virtually the full responsibility for rehabilitation and educational activity.

As to the attitude of the Australian Labor Party and the Commonwealth Labor Government to the use of marijuana—I am not aware whether the South Australian Labor Party has decided not to proceed with the decriminalisation of the use of marijuana. In this House honourable members have seen the movement in the attitude of the Labor Party to the use of marijuana. The former Leader of the Opposition (Mr Wright) came out quite clearly in support of the decriminalisation of the use of marijuana and it appears that it is certainly the policy and philosophy of a section of the very split Labor

Party in this State that marijuana should be decriminalised and, in fact, that the use of marijuana should be legalised.

Appointment of Director, Queensland Housing Commission

Mr YEWDALE: I ask the Minister for Works and Housing: Is it true that the newly appointed director of the Queensland Housing Commission on a classification I-19, Mr A. Hutchison, who was previously a division II architect in that department, failed to take notice of an inspector's recommendation in regard to specifying filling on the site of a pensioner unit project at Laidley and, as a result, the site is now subject to severe flooding problems following rain? Is the Minister aware of these flooding problems on the site? In view of this careless omisison, how could the Minister and his commissioner, Mr Hall, recommend the appointment of Mr Hutchison to the responsible position of director?

Mr WHARTON: I am surprised at the accusations made by the honourable member. Appointments in the Housing Commission are made on the recommedation of a panel of people. All things are considered in depth. I do not agree with the honourable member's comments about the flooding problems. I am sure that what he is saying is not correct. I will make inquiries, but I am sure that his comments are not correct.

Queensland Housing Commission Computer Operations

Mr YEWDALE: I ask the Minister for Works and Housing: Is it true that the computer operation of the Housing Commission under the control of the newly appointed director, Ms P. Murray, has experienced continual difficulties since its introduction and is still unable to control the financial accounts of the commission satisfactorily? Is this why the presentation to Parliament of the commission's annual report has been so delayed? Is it true that the only satisfactory computer program to date was prepared by private consultants? How does the Minister and his commissioner, Mr Hall, expect Ms Murray to handle the responsible position of director if she has been unable to introduce computer operations into the Housing Commission satisfactorily?

Mr WHARTON: I am not at all surprised at the accusations that have been made. The honourable member makes accusations all the way along the line, but they contain no substance. Over a long period, Ms Murray has been instrumental in arranging the computer services within the Housing Commission.

Her efforts have enabled the Housing Commission to have computers control all facets of rentals and so forth. She is very capable and has done an excellent job. Because she had carried out that role in the Housing Commission in such a fine manner, she was appointed to her current position. There is no truth in the allegation that that is the reason for the delay in the presentation of the annual report of the Queensland Housing Commission. These problems do arise from time to time. It is not her fault. The computer has worked satisfactorily. She planned that computer system for the Queensland Housing Commission very well indeed.

Peace Education

Mr LINGARD: In asking a question of the Minister for Education, I refer to the fact that the teaching profession is clearly aware of the methods that the Queensland Teachers Union uses to try to degrade the Queensland Government and criticise the Queensland education system, that the most recent effort comes under the front of the peace movement, and that Mr Dennis Bailey has been appointed as the chairman of the Queensland Teachers Union peace movement. I also refer to the March issue of the QTU journal, which quotes Mr Bailey's recent address. In it he states, "There is a history in Queensland education of actively promoting war." However, he then quotes some video games in video parlours as his reason for making that statement. I now ask: Will the Minister ensure that the QTU is not allowed to carry out that negative approach to Queensland education?

Mr POWELL: I thank the honourable member for his question. He raised an interesting matter that worries not only State education authorities but also all other education employing authorities in Australia. An education system is established. Parents send their children to school on the understanding that they will be taught in a correct fashion and in a fashion that does not conflict with the parents' own points of view and attitudes. Of course, the State systems face a major challenge to make sure that the things that are taught in schools and the way in which they are taught do not conflict with the view of the majority of parents.

The democratic system under which we live, in which the person who is ultimately responsible for education is in fact an elected person, works the best of all. However, some persons in the Queensland system want to subvert the democratic system and the authority of parents in schools. Unfortunately, some people within the Queensland Teachers Union want to do that. I have been constantly fighting that attitude in Queensland, I think, reasonably successfully.

It ought to be mentioned that Mr Bailey happens to be an employee of the Education Department. I have been informed that he is an education officer (special duties) within the Division of Special Education. Honourable members will be interested to learn that, recently, Mr Bailey addressed a meeting of the Retired Teachers Association. I know fairly well one of the persons who attended that meeting. I was given the impression that the retired teachers who attend that meeting were absolutely disgusted with the address given by Mr Bailey.

A senior officer of the department, having had this matter drawn to his attention, questioned Mr Bailey about his intent. Mr Bailey denied that he had said anything about peace education or that he had urged it for Queensland schools. While Mr Bailey was busily denying that, a copy of the Queensland Teachers Journal was produced. That publication has been referred to by the honourable member for Fassifern. It quotes what Mr Bailey said at the meeting of the Retired Teachers Association. That is how far one can trust that type of person who talks about so-called peace education.

The honourable member for Fassifern is a very highly qualified teacher from the Queensland teaching service. He knows very well that Queensland has never taught war as something to be glorified or wondered at. History has always been taught as it is written and as it is correctly chronicled. Schools are encouraged, particularly round Anzac Day, to invite people with war experience and the very bad experiences associated with it to speak to the children and, firstly, give them an understanding of what it is like to have to go and fight for one's nation and, secondly, let them know that one must sometimes stand up for what one believes is right. That is what is being taught in Queensland schools.

I defend the right of the employing authorities within the education system to dictate the type of curriculum that will be taught within its schools. It is the parents' right, not the teachers' right, to decide what will be taught in schools.

I speak on behalf of the elected democratic Government of this State when I say that it will make sure that teachers in Queensland schools do not subvert in any way, shape or form, the type of teaching that takes place.

Honourable members may have been interested last night to see a documentary on ABC television. In it, reference was made to the infiltration of the Communist Party into Australia. I have no doubt that the International Peace Movement is nothing more than a communist front. Those people who stand up on its behalf are being used as tools of international communism. I have no doubt that that is what they are all about. When Mr Bailey, who is an employee of the Education Department, was speaking to the Retired Teachers Association, he was asked a question about Russia, and dismissed it entirely. Obviously, honourable members and members of the public do not want to see the glorification of war. However, the Government must ensure that Queenslanders

know what it is all about, and the Government will fight to ensure that Queensland children are educated properly in this regard.

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

SOLICITOR-GENERAL BILL

Second Reading—Resumption of Debate

Debate resumed from 19 March (see p. 4099) on Mr Harper's motion—

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

Mr GOSS (Salisbury) (12.31 p.m.): The Opposition has no objection to the establishment of a statutory office of Solicitor-General. However, it strongly disagrees with the notion that such an important position as that of Solicitor-General for the State of Queensland should be a part-time job. That has not been so in the recent past and certainly not in any comparable circumstances.

In his second-reading speech, the Minister for Justice and Attorney-General (Mr Harper) said that he has been undertaking a reorganisation of the Justice Department with a view to making it more efficient and delivering to the community in the best way possible the kinds of services that the department should provide. I commend the Minister for that sentiment. Indeed, the Opposition has no argument with that rationalisation or reorganisation. Having practised in the legal profession for some years, I encourage him to continue with his efforts, many of which are long overdue.

In his speech, the Minister referred to the history of the office of Solicitor-General and adverted to the fact that the first Crown solicitor, Mr Robert Little, was Crown solicitor in both criminal and civil jurisdictions and that he had the right of private practice. With respect, I do not see that that provides the justification for doing the same thing in the legislation before the Chamber. As the Minister acknowledged in his speech, times have changed, and that office has been split and does not now cover both criminal and civil jurisdictions. Subsequently, a Crown Prosecutor was appointed. Those changes necessarily occurred with the growth of the State and its population and an increasingly complex legal system. The situation that prevailed then no longer applies, nor should it, particularly in relation to the notion of giving the Solicitor-General the right of private practice.

Originally, the office of Solicitor-General had a very small staff attached to it. Presently, more than 200 employees are attached to the office. That in itself, without considering anything else, such as the growth in the population or the complexity of the legal system, indicates the need to have a specialist in that position, a person of the highest calibre who fulfils his role full time.

As part of the reorganisation of the Justice Department, reference has been made to the Director of Prosecutions, an executive officer for the courts and such things as the criminal call-over list for the District Courts. I can only support the Minister in all of those measures. They are positive and forward-thinking moves on his part.

Because it is analogous with the subject-matter of the Bill, I comment on the office of Director of Public Prosecutions. Its establishment was a very positive move. I compliment the Minister not only on establishing the office but also on his appointment of Mr Sturgess as the first Director of Public Prosecutions. Unquestionably, Mr Sturgess is a man of integrity and great skill as a criminal lawyer. It was most important that the Minister secure such a person for that appointment. I hope that, for the position of Solicitor-General, he again has in mind candidates of such high calibre, and that he is successful in attracting one of them to apply for appointment.

I dwell but briefly on the appointment of Mr Sturgess. He has views on law reform that I and many other lawyers and people in the community regard with great concern. Examples of those views have been referred to before—detention without arrest; street

search; questioning of suspects; and the abolition of the right to silence. In terms of the calibre of the appointment, which is what I wish to speak about today, I would not argue for one minute against the appointment of Mr Sturgess.

Who does the Minister have in mind for the position of Solicitor-General? The speculation is that the Minister has in mind a highly qualified member of the private bar, who will be appointed at the appropriate time. In fairness to the person who is the subject of speculation and, if he is not appointed, to the eventual appointee, I do not propose to name him. The person who has been the subject of speculation is, to my mind, a person of great integrity and skill as a lawyer, a person of whom the Queensland bar and the Queensland legal profession could be proud. The position of Solicitor-General is an important office, and the Government ought to obtain the services of the best. However, it should be the best on a full-time basis.

In many ways, the appointment is comparable with the appointment of judges. The Minister has generally sought out highly qualified and experienced lawyers for appointment to the bench. Usually, they have been Queen's Counsel. When they accept such appointments, those lawyers give up a great deal. The Minister is well aware of that and has referred to it in the past. Those people do that in the interests of serving the community as judges. Why should the position of Solicitor-General be any different? It is a very important post within Queensland's legal framework and one that is very important to the community. The man or woman who accepts undertakes a position of great responsibility. During the term of the appointment, he or she will render a very considerable service to the community. Solicitors-General in the past have done so; I am sure that the new appointee will be no exception.

Appointees to the bench—and the appointee as Solicitor-General will be no different—forgo very large incomes. Many senior practitioners earn hundreds of thousands of dollars from their private practices. They give that up for a much lesser income—a wage. Although it is quite a healthy and reasonable wage compared with that of other people in the community, it is a very small income compared with their earnings at the private bar. Appointees to the bench also give up a considerable amount in terms of freedom of lifestyle and association, and social and other activities. Considerable restrictions are imposed on them by their acceptance of the appointments. Having forgone those things, they take on an onerous, highly responsible and time-consuming appointment for a fraction of their income at the bar.

Why should it be any different for the Solicitor-General? Are honourable members to see, in future, the head of the Mines Department being able to accept private consultancy to advise multinationals on energy matters? Are we to see the Under Treasurer and Under Secretary or senior Treasury officers advising merchant banks on a private, fee-for-service basis? That appears to be what is contemplated for the Solicitor-General. In my opinion, that is not an appropriate move for this of all positions. Many department heads and many other senior public servants would, I am sure, earn much greater incomes in the private sphere.

The Minister has said that the State could not afford to appoint a person of the calibre required at the salary that is usually offered to appointees to such positions. With respect, I say that that is not a valid argument, and it does not provide an answer or justification for taking the present course of action. Why has the position of Solicitor-General been singled out? Why is it that so many other senior public servants are not entitled to take a percentage of salary—in this case 80 per cent of the scheduled public service salary—and, in addition, clean up on a private basis by undertaking fee-for-service work on behalf of companies or other organisations in Queensland?

The position of Solicitor-General is so important that it should be a full-time position. I state that that is the clear attitude of the Opposition. The position should not draw together competing interests. Obviously, if it is envisaged that the position will be part-time, competing interests such as the right of private practice and legal professional interests will arise.

In the Minister's second-reading speech, the concept of conflict of interest is dealt with, and the Minister said that the legislation provides that the appointee cannot act in a way that will result in a conflict of interest. However, that is not enough, because potential for more trouble than a mere conflict of interest exists. I refer to problems caused by competing interests.

Any senior counsel—and I gather that is the calibre of appointee that the Minister has in mind—conducts a wide-ranging, complex and extremely demanding practice. What would happen if, pursuant to the right of private practice, the appointee undertakes an important private case before the High Court in Canberra and, while he is committed to that particular brief, an unforeseen constitutional or special legal problem that requires the urgent attention of the Solicitor-General suddenly arises in Queensland?

Clearly, a competition of interests emerges. As a result, who will suffer—the private client who has the case before the High Court in Canberra, or the State of Queensland? To say, "I am sorry, Mr Attorney-General, I cannot come back to Queensland this week; I am stuck in Canberra. Get somebody else to handle it", would place the Solicitor-General of Queensland in an extremely difficult and invidious position.

The Minister for Justice and Attorney-General has said that no conflict of interest will arise. Although that may be true in the strict legal sense, the potential for problems to be created is being established. In addition to the example to which I have referred, many other problems could arise, and the Opposition believes that such a policy is quite unsatisfactory, not merely because of the principle but because of the clear potential for future problems.

Although it is true, as the Minister said, that the Solicitor-General will have staff, the objects of the Bill and the Minister's intentions or aims are directed towards the appointment of top-flight legal counsel. I understood the Minister to be saying quite clearly, "Nothing but the best.", and I commend him for it.

Presumably, people of that calibre are not available in the public service; otherwise, people who are presently working at the Minister's direction would have been appointed to the position. In the past, the public service has managed to provide suitable candidates—in many cases, excellent candidates—for that post. That has occurred in the past, and I do not see why it cannot continue to occur. However, it should be pointed out that the very staff whom the Minister would not accept as appointees to the position will be the people to whom the Queensland Government will turn to satisfactorily resolve sudden, unforeseen constitutional or legal problems.

The Minister cannot have it both ways. It cannot be said that the staff that is presently available is adequate to the task and can fulfil the functions of the position and, at the same time, that the Minister has to look outside people in the public service to appoint a candidate.

The functions of the Solicitor-General are critical to the proper government of the State of Queensland. The functions of the Solicitor-General, are to act, upon the request of the Attorney-General, as counsel for, firstly, the State; secondly, the Crown in right of the State; thirdly, a person suing or being sued on behalf of the State; fourthly, a body established by or under an Act; fifthly, any other person or body, where it is to the benefit of the State that he should so act; and, finally, to carry out for the benefit of the Government of the State such other functions ordinarily performed by counsel as the Attorney-General requests. That is a wide-ranging and demanding set of duties, placing a heavy responsibility on the appointee.

However, in addition to that, that type of Queen's Counsel also has a wide-ranging, complex and very responsible practice, and he will have to juggle and manage the two. He will be paid 80 per cent of the salary of a Supreme Court judge. An appointee to the Supreme Court bench obviously gives up just as much as will the appointee to the position of Solicitor-General, but, as I have said, the distinction in paying him only 80 per cent of a judge's salary has not been justified by the Minister.

I support the Minister in his desire to seek somebody of the highest calibre, but the way in which he is going about it is unsatisfactory in that it opened the way for potential problems.

Mr FITZGERALD (Lockyer) (12.45 p.m.): I support the Bill, which, for the first time, establishes the statutory office of Solicitor-General for the State of Queensland.

The member for Salisbury (Mr Goss) said that the Opposition basically supports the concept of the Bill but has strong reservations about one particular provision. In his second-reading speech, the Minister for Justice and Attorney-General (Mr Harper) said that this legislation is yet another part of the restructuring and rationalisation of the services provided to the community through the Department of Justice. As the Minister said, this Bill is only part of the restructuring of his department.

The member for Salisbury said that another part of that restructuring was the establishment of the office of the Director of Prosecutions, and legislation relating to that office will be debated after this debate has concluded.

It is important to note that the Opposition is greatly concerned about the fact that the person appointed as Solicitor-General will, if he is appointed from the private sector, have the option of private practice. The honourable member gave examples of what he saw as possible conflicts of interest. He has probably missed the point that the right of the Solicitor-General to private practice will require the approval of the Governor in Council after permission has first been obtained from the Minister. My understanding of the role of the Solicitor-General is that he would not appear in court but would act in a consultative capacity.

As the honourable member for Salisbury said, the Solicitor-General has to perform a very onerous and important task. If the appointee is not from within the public service, he will almost certainly suffer a gross cut in his remuneration, and in order to compensate for that and to attract the best possible applicants for the job, the Solicitor-General is to be given the right of private practice. The appointee will be very much aware of the criticism that could be directed at him if there is a conflict of interest and, as I said, I imagine that any private practice engaged in will be mainly on a consultative basis. His first priority must be to the State, as his chief employer. Therefore if a conflict of interest is apparent, or if he believes it is, he will be required to make the Minister and the Governor in Council aware of that conflict and proceed no further with that particular case. If the Solicitor-General is to undertake private practice, he will have to ensure that such work is done mainly on a consultative basis.

The honourable member for Salisbury probably missed another important point in the Minister's speech when the Minister referred to the importance of the position of Solicitor-General and said that presently the Solicitor-General is responsible for over 200 staff.

However, the Minister also said—

> "I might add that it is not intended that the Solicitor-General will have any administrative responsibilities other than those associated with the supervision of a very small staff of officers who will assist him in his work. Accordingly, he will be able to devote his time and efforts to the interest of this State in the area of his main expertise—the law."

That means that he will not be the chief administrative officer controlling a large staff.

The reorganisation of the role of the Solicitor-General is very important. The functions of the Solicitor-General will be to act upon the request of the Attorney-General as counsel for the Crown and in right of the State; to act for the State, a person suing or being sued on behalf of the State; to act for a body established by or under an Act, or any other person or body where it is to the benefit of the State that he should so act. Additionally, he will provide the Government with his opinion as Solicitor-General on many important matters. Provision is also made for him to perform such other functions as are ordinarily performed by counsel at the request of the Attorney-General.

It is important that the State's Solicitor-General should have the highest qualifications. That does not debar people in the Justice Department from applying for this position. However, the option is open to the Government to appoint someone from outside. An outsider who is appointed will suffer a loss of remuneration, which will be an encouragement to allow him to practice outside in a consultative way.

The Government should have options available. For some time, the trend in government has been to reorganise departments. This reorganisation will give the Government of the day an opportunity to look at all alternatives. The Government may often decide that appointments should be made from within a department, but people from outside will have an opportunity to be appointed to the position.

The Opposition has no quarrel with the machinery aspects of the Bill relative to the authority to delegate, leave entitlements, the pension entitlement and the severance entitlement. Such matters will be treated sympathetically when people are appointed to fill this role. For instance, a public servant will not be disadvantaged by being appointed as Solicitor-General for a number of years. If the Solicitor-General is appointed as a judge of the Supreme or District Courts, any period of service as Solicitor-General shall usually be taken into account as part of his period of service as a judge.

Thanks to the provisions in the Bill, the best people will be encouraged to apply for the job, which, as has been said, is a very important one. The State should avail itself of the best-qualified person.

I commend the Minister for the way in which he has attacked his task as Attorney-General. To a certain extent, his approach is innovative. After settling in for some time, he is bringing forward very practical recommendations. I wholly support the Bill.

Mr BRADDY (Rockhampton) (12.54 p.m.): I also indicate that Opposition members do not oppose the Bill. We welcome the Minister's innovations relative to his department and the foreshadowing of further improvements in the administration of justice in Queensland.

On reading the Minister's speech, I noted the improvements that have been made. The Minister referred to the position of Director of Prosecutions. The Opposition spokesman informed the House that, generally, we believe he is carrying out his functions very capably.

The Opposition cannot support the provision in the Bill that permits the appointee to work in a part-time capacity. The first and most obvious problem concerns the question of conflict of interest. In his second-reading speech, the Minister for Justice and Attorney-General (Mr Harper) referred to that provision as being a fine cut-up of the appointee's functions, and said that no problems will arise. The Opposition cannot accept that provision.

Clause 16 relates to the curtailment of other employment. Other employment, either in general or in particular, can be obtained only by reference to the Minister himself. The appointee will probably come from the private bar and, as has been indicated by the Government, will have had experience in opinion or consultative work. What the public will make of that must be considered. I know that the Minister has gone to the trouble of making detailed provisions. However, the person who is appointed from the private bar might wish to continue to engage in practice as senior counsel while he is carrying out the functions and duties of Solicitor-General. The public, although it may not see the Solicitor-General appearing frequently in court in his private capacity, will be aware that he will engage in private opinion work and that he will be retained by some of the most influential people and corporations in the State. The public might note and wonder, even without information, whether the Solicitor-General advised Mount Isa Mines on a matter last week. An urgent matter might then arise between the Queensland Government and Mount Isa Mines and the public could wonder whether the Solicitor-General will advise Mount Isa Mines in succeeding weeks.

If the Solicitor-General is allowed to continue in private practice, he cannot say that he will not give opinions to certain corporations or people. As a member of the private bar, he is required to engage in his usual practice. He might give an opinion or advice at some time to people or corporations and then, at a later date, be called upon by the Government to give his opinion or to lead in court for the Government on similar matters. A practitioner of integrity would stand down and state that he could not lead or give an opinion in such a case because he had given an opinion on a similar matter to a person or a corporation six months ago. He might have thought at the time that the subject matter did not touch on anything that was relevant to his position as Solicitor-General. As a result, he would be precluded from giving advice or from leading in a case because of the advice that he had given as a member of the private bar.

In the Minister's second-reading speech, reference was made to the historical right of private practice of the Solicitor-General and the Attorney-General. That was 100 years ago, and I suggest that Queensland should not return to those days.

The question of conflict of interest must be foreshadowed. Thought must be given to the problems of the potential conflict of interest and to the way in which the community will accept that potential conflict of interest. The public might be more concerned about not being aware of whom the Solicitor-General advises privately than about his appearing for, say, Mount Isa Mines in a court case, because that is in the open. They will not be aware of by whom the Solicitor-General is retained in a private capacity. The question of the Solicitor-General's being able to retain his right of private practice is very important. The reasons advanced by the Government and by the Minister must be analysed to see whether they justify the retention of the right of private practice and whether they are so overwhelming that the right should be retained.

Sitting suspended from 1 to 2.15 p.m.

Mr BRADDY: Before the luncheon recess, I was dealing with the potential for a conflict of interest to arise, or what might be seen by the profession and by the community in general as a conflict of interest that would remain hidden. I now consider whether this concern can be overwhelmed by matters of greater importance. I believe that the Opposition approaches this issue in a practical and sensible way in an endeavour to overcome this potential problem.

The Bill provides for remuneration to the Solicitor-General to be 80 per cent of that of a Supreme Court judge which, at the present time, is $84,200 per year, and 80 per cent is $67,360. I now consider the best way to ensure that a person of sufficiently high calibre is appointed to the position of Solicitor-General. In one way the Minister has already foreshadowed the problem of finding a person of sufficiently high calibre by providing in the Bill that the appointee will have pension entitlements as if he were a judge of the Supreme Court of Queensland. The Opposition believes that, weighing everything in the balance, a better course would be to provide a salary structure for the Solicitor-General equal to that of a Supreme Court judge.

It is a most important position. Surely the Government is not saying to honourable members and to the people of Queensland that it would not be able to find a person of sufficient calibre to take on the position of Solicitor-General if he were appointed with the remuneration of a Supreme Court judge of this State. The difference between the 80 per cent of the salary of a Supreme Court judge and the salary to be paid if the Opposition's foreshadowed amendments were accepted is only approximately $17,000. Of course, if that amendment were accepted, the Bill would have to provide that the Solicitor-General devote his full-time energies to his position.

The Solicitor-General in Victoria receives a salary of more than $91,000; in New South Wales, in excess of $91,000, and in Western Australia, $87,000 plus $4,000 expenses. If the Queensland Solicitor-General were to receive a salary of approximately $84,000, it could not be suggested that he would be overpaid. Therefore, weighing everything in the balance, the Opposition believes that this would be the proper and

best approach. It would completely take away the problem of a potential conflict of interest. The community would then accept the role of the Solicitor-General as defined well and ably by the Minister in the Bill.

That role, which is well defined and set out in the Bill, is accepted by the Opposition. The only real problem is the possibility of the Solicitor-General's employment on a part-time basis. If the Bill is accepted, the Minister will decide whether or not the Solicitor-General is permitted to work on a part-time basis. I suggest that that is not the best course to adopt. It would be better if the Attorney-General was not required to make that decision. No suggestion could be made of the Attorney-General or the Government withholding favours from a Solicitor-General for not giving the Government the advice that it liked. That would bring politics into the role of the Solicitor-General. It would create between the Solicitor-General and the Attorney-General tension that should not exist. I ask: for what reason? Surely a person of good calibre could be found if the legislation required the remuneration to be the same as that paid to a Supreme Court judge. For the sake of about $17,000 more per year those tensions and potential conflicts of interest are thrown into the arena. I foreshadow that the Opposition will be moving some amendments. If they are accepted by this Assembly, those tensions and conflicts can be removed for ever.

The Opposition suggests that the measures in relation to private practice by the Solicitor-General and his salary structure have not been well considered. They do not fit in with the other well-considered provisions in the Bill. They do not fit in with the administration of the Justice Department that has existed in this State for about the last 12 months. The Opposition believes that, until now, the other reforms in administration have been well considered and well thought out. The Opposition believes that this reform is not well thought out. However, it considers that the Government has taken the soft option with this Bill.

It would appear that the Government has been advised that it can obtain the services of a person of good calibre and standing. A certain person has been suggested. The Opposition makes no attack on that person.

The provision relative to private practice is unnecessary. The importance of the role of the Solicitor-General would be enhanced by requiring that person to be employed in a full-time capacity. For an additional $17,000 per year, a full-time appointment could be made. In the circumstances, I call on the Government to reconsider the position and to take away the possibility of potential conflict, accusations of political involvement and the possibility of tension between the Minister for Justice and Attorney-General (Mr Harper) and the Solicitor-General, all of which could arise if the Bill is passed in its present form.

Hon. W. D. LICKISS (Mount Coot-tha) (2.23 p.m.): The Liberal Party supports the concept of the statutory office of Solicitor-General. This is not original thought in this place; the idea of a statutory office of Solicitor-General was raised by me when I was Attorney-General. However, at that stage, it was decided that the matter should not proceed further. Obviously, conditions have changed since that time, because the Government is now moving towards the creation of that statutory position, and the Liberal Party supports that move.

The Liberal Party believes also that the honoured statutory office of Solicitor-General should be a full-time appointment. It does not think that the important position held by the Solicitor-General, who plays a role in the administration of law in this State, can ever be regarded as a part-time position, That should not be allowed to occur.

There should be no suggestion of a conflict of interest. In his normal practice of law as a barrister, although conflict may not appear to be present in a matter in dispute, it could develop, and, in his position of Solicitor-General, the appointee may then have to play a role on behalf of the Crown. The Liberal Party sees an inherent danger in the creation of a statutory position such as this as a part-time occupation. It should be an honoured position. I am sure that anyone accepting the position of Solicitor-General

would accept it for the position itself at his stage in his professional career rather than for the remuneration that he might receive from it. It has been said that a person of the calibre required of the Solicitor-General could probably demand a greater remuneration at the private bar; certainly that would appear to be so.

The Minister has said that the person occupying the statutory position of Solicitor-General could, at a later stage, aspire to appointment to the judiciary. Eligibility for such appointment should be a person's capacity in law. Appointments should not be limited to the private bar. Appointments to the bench have come from within the department itself. The Minister should not consider excluding officers of the service who are adequately qualified and of such standing as to fill the position of Solicitor-General.

I remind the House that previous Solicitors-General have been officers of the Justice Department. Those who served as Solicitors-General during my time as Attorney-General served with great capacity indeed. Therefore, officers of the department itself should not be overlooked. In the past, officers of the department have been appointed to the bench without progressing through the office of Solicitor-General. That ought to be borne in mind.

Previous occupants of the office of Solicitor-General have had a great responsibility. Although a division exists between the Crown Solicitor's Office and the office of Solicitor-General, the Solicitor-General has taken responsibility for the whole of the Crown law department. The Bill seeks to divide the two positions. Wisely, the Minister will reclassify and rename the office of the Crown Solicitor.

When one considers the duties of a Solicitor-General in the other States and the way in which advice is given to Government, the necessity of such an office in Crown law is obvious. In most instances, the person who aspires to the position should—and, it is normally accepted, would—accept appointment to the bench at some stage of his career.

There is nothing more that I need add at this stage. Five or six years ago, the concept of statutory appointment of the Solicitor-General was considered by the then Government. I am pleased that the concept has been accepted by the Government and put forward by the Minister. I am sure that it will be very much appreciated not only by those practising the law in the State but also by those who will benefit from it.

Mr COMBEN (Windsor) (2.29 p.m.): I join other Opposition members and the member for Mount Coot-tha (Mr Lickiss) in agreeing in general terms with the thrust of the legislation. A recent statement by the Minister was reported by the press in the following way—

"He said processes—"

of the Crown law office—

"would be streamlined in the Crown Solicitor's Office and a Director of Legal Services and Crown Solicitor will be appointed.

Mr Harper said that the title Crown Solicitor would be retained because of its traditional links with the law."

I assume that the "traditional" reference is used in relation to the term "solicitor"

It continues—

"He will provide legal advice to the State Government and, according to Mr Harper, it will be an important and exciting position. Mr Harper said he hoped to have all the new positions in place midway through the year. He was very pleased it was all coming together with the Director of Prosecutions, Director of Legal Services and Chief Executive Officer of the Supreme Court. He stressed that to him, the law was a living thing."

Opposition members have no quarrel with the Minister over the statements to which I have referred. The Opposition supports the ideas that the Minister has expressed. However, I wish to make some comments about his second-reading speech.

Of the 13 pages taken up by the Minister's second-reading speech, the first five were devoted to a history lesson on the role of the Solicitor-General, particularly in Queensland. That is certainly a unique concept for me since I became a member in this House. The Minister went to great lengths to justify the private practice provisions of the Bill, with which the Opposition disagrees. The Minister also has attempted to persuade all honourable members that the position is in some way so important that it requires the continued appointment of the Solicitor-General by letters patent. Unfortunately, I cannot agree with either proposition but, before turning to deal specifically with those propositions, I wish to comment upon the history lesson with which the Minister has graced honourable members.

The history of the Queensland bar has been documented very capably by Ross Johnston in his 1979 publication titled, "History of the Queensland Bar". The book is an easy-to-read, academic history of the legal profession in Queensland. To date, it is the only substantive history of the Queensland bar. However, in the 200 pages of the book, not in one place can reference be found to the position of Solicitor-General. As most of the material is concentrated upon the late nineteenth century, when the august position under discussion is alleged to have been at its zenith, I find the Minister's statements strange.

On page 111 of Johnston's book, reference is made to Thomas Joseph Byrnes, who has been referred to by the Minister as Queensland's first Solicitor-General. The closest reference that can be found to that ancient and lofty position is a sentence in Johnston's book, which reads—

> "Apart from his leading role in the field of law, he also rose in the world of politics, holding a number of portfolios between 1890 and 1898 in which year he became premier."

To my mind, that makes it apparent that the independent legal adviser, the position for whom this legislation has been introduced, was at that time a practising and partisan politician, who was appointed in Queensland as the first Solicitor-General. That is hardly a firm basis upon which the present position can be founded.

It is interesting to read what Mr Johnston has written about other individuals who were appointed to positions that are similar to that of Solicitor-General in earlier times. At page 123, reference is made to the Crown prosecutor, and the book sets out the background of the creation of the position of Crown prosecutor, which was needed in Queensland at that stage. Johnston wrote—

> "The work of Crown prosecutor was also undertaken by Frederick William O'Rourke, who took over after the death of Dickson in 1927. He was offered the position partly out of sympathy on the part of the government because he was not getting many briefs in private practice."

This account contrasts with the illuminating history lesson that the Minister presented a fortnight ago.

I wish to refer to the position Master of Titles, which was created in 1915 when the Government appointed a certain barrister to that position. At one stage, the Master of Titles took up residence in the titles office. I quote from page 136 of Johnston's book—

> "His knowledge of surveying was of assistance in that post, but as a practitioner he showed little practical ability or application of his wide knowledge."

Despite claims made by the Minister that the august office of Solicitor-General has a long and wonderful history in Queensland, I am unable to find that claim justified anywhere in the literature. I would be interested to know where the Minister's information has come from.

Mr Innes: You look at one authority and say that somebody else's research is inadequate.

Mr COMBEN: Mr Innes interjects that I have looked at one authority. I have spent the last hour in the Parliamentary Library trying to find some authority.

If I may continue with the means of the letters patent, I again question whether it is necessary to have letters patent setting up this office. Professor Enid Campbell, the Sir Isaac Isaacs Professor of Law at Monash University, in her book "Legal Research Materials and Methods", states that letters patent are—

> " instruments issued by the Queen or her representatives under the great seal or its equivalent. They are called 'patent' because they are public documents. Nowadays letters patent are seldom used as legislative instruments, that is to say, as instruments laying down rules of general application. They may, however, have a direct bearing on the application of legislation, for example in determining the territorial boundaries within which certain laws are to apply. Letters patent appointing royal commissions of enquiry have a direct bearing on the scope of the authority which royal commissions may exercise under statutes relating generally to such commissions. Another important group of letters patent are those establishing the offices of the Governor-General and State Governor. These letters delegate some of the royal prerogatives to the Queen's representatives."

Mr Innes: Have you ever heard of a book called "The Law Officers of the Crown"?

Mr COMBEN: I have not at this moment, but I am sure that, as is usual, the Chamber will be treated to a learned dissertation from the member for Sherwood. I wonder whether, one day, the member for Sherwood would be prepared to speak before I do. If he did that, he would not be able to take cheap pot-shots at me later.

I have no doubt—and I concede this quite happily—that the position of Solicitor-General is an old and ancient position within the British Commonwealth, but not in this State. Perhaps in his speech the member for Sherwood could show the House that the position of Solicitor-General in Queensland has been a long-standing, hallowed, ancient and august position. Certainly in the United Kingdom it is an old office; but here in Queensland we are a long way from the legislature of England and the British House of Commons.

To return to the letters patent—Professor Campbell does not seem to think that in this day and age it is a suitable position to which to appoint someone via letters patent. In the passage that I read to the House, there is no reference to letters patent applying to the appointment of someone to a position such as that of Solicitor-General within Australia. I wonder what anachronistic thinking prompted the Minister, in this modern day and age, to choose this method of appointment when the Queensland Constitution Act, 23 years before the first Queensland Solicitor-General was appointed, considered that appointments to positions such as that of Solicitor-General should be made by the Governor in Council.

The first sentence of section 14 of the Constitution Act states—

> "The appointment of all public officers under the Government of the colony hereafter to become vacant or to be created whether such offices be salaried or not shall be vested in the Governor in Council "

with some exceptions, none of which refers to the Solicitor-General. So, even before Queensland had its first Solicitor-General, the Constitution Act provided one method of appointment; yet here, 120-odd years down the track, one finds the Minister going back into the mists of history to find another method of appointment. I find it odd that this Government, in its usual conservative wisdom, has chosen to ignore, with one stroke of the pen, the entirety of section 14 of the Constitution Act. That hardly seems in line with its usual thinking.

We live today in a society that is moving to modify and simplify the myriad controls over our society. Therefore, it would seem appropriate that the Solicitor-General be appointed by the Governor in Council under the provisions usually applying to the public service. Why the Solicitor-General has to be appointed by letters patent is beyond

my understanding, and I am additionally unable to understand why the appointee is not subject to the usual provisions of the Public Service Act. Much of this Bill is in fact directed to avoiding the provisions of the Public Service Act. Apart from the provisions of section 14 of the Constitution Act and the provisions of the Public Service Act, much of what is incorporated in the Bill and in the Minister's speech could have been dealt with by administrative fiat within his own department stating that the Solicitor-General could act as counsel for the Crown in right of the State and the person suing without having to introduce this legislation. The Government has found it necessary to avoid section 14 of the Constitution Act and certain provisions of the Public Service Act. It is passing strange that the Government, which is so quick to shout that the rule of law applies to everyone, should, by this legislation, be avoiding some of the most basic provisions of the Constitution Act.

With other members of the Opposition, I dissent from the view that the Solicitor-General should be given the right of private practice. As the member for Mount Coottha said, any appointee should devote his full time to his duties for the benefit of the State. The Solicitor-General should be paid an adequate salary, probably a salary equal to that of a Supreme Court judge. That would be a far better indication of the Government's commitment to this position than anything that is contained in the legislation.

Mr JENNINGS (Southport) (2.42 p.m.): Today, honourable members are debating very important legislation. The Opposition's main criticism has been levelled at the proposed right of private practice for the Solicitor-General. Before dealing with that matter, I endorse the compliments paid by Opposition members to the Minister on his forward-looking and rational approach to his departmental responsibilities. The Minister's approach is refreshing.

Opposition members have concentrated on the salary that should be paid to the Solicitor-General. I listened to a history lesson from the member for Windsor, some of which had doubtful origins.

The legislation is so structured that any appointee must have a minimum of 10 years' experience. A very important point missed by members of the Opposition is that the right of private practice will give an appointee independence that is not available in other States. In Victoria, I worked under a Solicitor-General and saw what happened when a Solicitor-General was completely under the thumb of the Government. That was when some of the worst graft and corruption ever seen in this country occurred. It is still occurring.

I compliment the Minister and the Government on giving the Solicitor-General the right of private practice. That means that the best person in the community can be appointed and that he will have independence and the right to return to private practice.

Graft and corruption and organised crime are still flourishing in a southern State. That is why Queensland needs men of integrity, ability and independence. No-one can validly criticise the Government for granting a right of private practice that will afford independence. Recently, the former senior magistrate in New South Wales was charged and gaoled. What a sad day that was for this country.

I ask honourable members to note well this newspaper headline, "Illegal casinos under Askin" The article deals with how they became the laundromat for criminals. I am sure that all honourable members recall Askin. He was a Liberal Premier of New South Wales for many years, and we all know the graft and corruption that took place in that State. That same Sir Robert Askin was on the Albury/Wodonga Development Corporation with the then Mr Hamer, who is a former Victorian Liberal Premier.

Mr Mackenroth: Is that the same Mr Hamer who came up here before the last election and supported the National Party in your electorate?

Mr JENNINGS: That is the Hamer who was involved in the land bank. He is the same cookie.

I am just turning the clock back a little. If ever a royal commission should have been set up, it should have been set up into the Albury/Wodonga development. At least $20m was misspent or misused. The son of a certain member of the Victorian Parliament got a special deal on land at Albury/Wodonga.

Mr Comben: What has this got to do with the Queensland Solicitor-General?

Mr JENNINGS: It gets back to the Solicitor-General, because many of those matters were referred to the Victorian Solicitor-General at that time for an opinion. I will not name him, but he was completely under the thumb of the Hamer Government. Askin was on the Albury/Wodonga Development Corporation, as was Hamer. That is why there was a complete hush-up, a whitewash on Albury/Wodonga. I have been through some of those deals previously, so I will not go through them again.

Turning to the land deals in Victoria under Hamer—graft and corruption were running rife in Victoria at the same time as they were running rife in New South Wales. That is coming out day after day. If Neville Wran does not hold a judicial inquiry into this Askin affair, he is not worth his boots. He should appoint a royal commission to inquire into that matter. More than anything else, the break-down of law and order will destroy this country. Not one senior drug fellow in this country has been nailed. Not one of them has been put behind bars. What about Robert Trimbole?

Mr Comben: What are your people doing about it?

Mr JENNINGS: This gets back to the appointment of the Solicitor-General. I do not want the honourable member for Windsor to give us any history lessons.

In Victoria, it was proven that negligence, outright dishonesty, deliberate deceit, conspiracy and corruption took place. False information was given and files went missing. Those are matters on which a Solicitor-General should report. There are some fellows in gaol, and many others, including some politicians, should have gone to gaol.

Everything that comes out about Askin should be thoroughly investigated by a royal commission. Similarly, a royal commission should look into what happened at Albury/Wodonga. I had a thick file on that matter, which I gave to the newspaper reporters. At the time, I said to Sir Rupert Hamer, "I have a suitcase full of material on Albury/Wodonga to prove graft and corruption." He said, "Produce your suitcase. Put up or shut up." What I did was to call a conference at the Windsor Hotel in Melbourne. I had files containing 150 documents. I gave them out to the press. Next day, an article appeared in the newspapers. A couple of press reporters rang me. One of them said to me, "Doug, we have been told to lay off your stuff because our company is getting a special deal from the Australian newsprint mill at Albury/Wodonga."

Many other rackets were going on. I shall give honourable members an example of what happened. The son of a senior member of the Victorian Parliament had a property 15 or 20 miles from Wodonga. Although it was worth about $200 an acre, he sold it to the corporation for $600 an acre and leased it back for $1 an acre per year.

Mr COMBEN: I rise to a point of order. I cannot find any reference to Albury/Wodonga in the Bill. The honourable member does not seem to be speaking to the Bill.

Mr DEPUTY SPEAKER (Mr Row): Order! I feel obliged to remind the honourable member for Southport that he must relate his remarks to the Bill. I know that he is using his remarks to refer to the justification for the present step that is being taken in Queensland, but I would appreciate it if the honourable member would come to the point.

Mr JENNINGS: Mr Deputy Speaker, I accept your ruling; but because of my experience in the Victorian Parliament, under a Solicitor-General who was wholly and

solely employed by the Victorian Government, I do submit that it is important that the Queensland Government appoint a Solicitor-General who will have the right to private practice.

I am trying to get the message across to the Assembly as to how important it is for the position of Solicitor-General to be filled by someone of integrity, ability and independence. Because of the experience of States such as New South Wales, which has a Solicitor-General who is appointed to work solely for the State, surely every Queenslander must support the legislation, not object to it. I have referred to the rackets in New South Wales, and I will not labour the point, except to say that many instances can be found of graft and corruption. I compliment the Minister for Justice and Attorney-General (Mr Harper) on introducing this Bill.

I will relate one incident concerning that fellow Trimbole, who has been talked about so much. On 25 September 1981, the Australian Federal Police, acting on a warrant that was issued under section 10 of the Crimes Act, searched the premises in which Craig Grainger Trimbole was living. During the search, a floor safe, embedded in concrete, was located in the basement. The safe was not removed. On the same day, Judge Powell of the New South Wales Supreme Court issued an injunction for the search of the premises to cease. If that is not political influence, I do not know what is. Everyone is aware of the background of Robert Trimbole and the efforts made to keep him in Ireland. Many people in this country are breathing a sigh of relief that he did not come back.

Sir William Knox: I reckon that the Federal Government deliberately fumbled that case so that he wouldn't come home.

Mr JENNINGS: In my view, the leader of the Liberal Party is correct.

Queensland is very fortunate in having such a Minister responsible for this portfolio and for the support of the Government for the appointment of a Solicitor-General. It is a unique appointment. I can fully understand the Opposition's point, but I think that it is overruled by my view that the independence of the person appointed as Solicitor-General will benefit the Queensland people.

Mr INNES (Sherwood) (2.52 p.m.): Queensland has had a Solicitor-General for almost the entirety of its history, and this Bill gives special legislative recognition to that office.

The office of Solicitor-General is a very ancient one, as is the kindred office of Attorney-General. Indeed, both of those offices were first recognised in the mid-fourteenth century, and, by 1461, the titles of Attorney-General and King's Solicitor began to appear.

However, one must correct the recitation by the Minister for Justice and Attorney-General (Mr Harper) of the history of the office, particularly his reference to Queensland. The Minister said that the Solicitor-General is the leader of the bar, and I would like to see his authority for that. I could be corrected, but I believe that, by tradition, the Attorney-General is the leader of the bar, and has been recognised as such almost since the office of Attorney-General was created.

In the Latin, the Solicitor-General was known as "Secundus"; he was the second of the monarch's attorneys. Since 1814, legislation has recognised that the Attorney-General is the head of the English bar and is present at all bar meetings. A similar situation prevails in Queensland. A look at history reveals that the Solicitor-General was, usually speaking, the back-up to the Attorney-General. The King's attorney and the King's sergeant, who later became the Attorney-General and the Solicitor-General, were charged with the responsibility of maintaining the sovereign's interests before the royal courts. By the eighteenth century, the functions of the Attorney-General were described in these words—

> "By our Constitution, the King is entrusted with the prosecution of all crimes which disturb the peace and order of society. He sustains the person of the whole

community, for the presentation and punishment of all offences which affect the community."

In Queensland, to this day, prosecutions are in the name of the Crown. Of course, the Crown does not appear before the courts but does so, and has always done so, through trained representatives, such as the Attorney-General and the Solicitor-General. The history of the early days of this State is also of the Solicitor-General regularly appearing before the courts.

I refer to this vexed question of the right of private practice. The history of this State shows that Sir Samuel Griffith with, as his junior, Solicitor-General Byrnes, who was referred to in the rather superficial investigation of history by the member for Windsor, appeared as first and second counsel for the Government in 1892 in certain very lengthy and very expensive arbitrations over the building of a railway line from Cairns to Herberton and the Atherton Tableland. In the order of precedence, one finds in the history of Queensland the traditional pre-eminence of the Attorney-General and the recognised support by the Solicitor-General. Indeed, that was reflected in the fees that were paid because, generally, the fees of the Attorney-General in England were £1,000 more than the fees of the Solicitor-General. In the seventeenth century, the Solicitor-General was appointed Acting Attorney-General because the demands of his private practice had taken the Attorney-General virtually out of action and made him unavailable to appear on behalf of the Crown. In later years—in the eighteenth and nineteenth centuries—it became a matter of course for those two chief law officers of the Crown to be present at Parliament and to be available to advise Parliament in a neutral and professional manner about the effects of proposed laws—to be summoned to the House of Lords whenever independent advice was needed and available to the House of Commons—and it became the practice that one or other, or both, were in fact members of the House of Commons.

Mr Davis: I am glad you mentioned Sir Samuel Griffith. I am sorry I was not here when you did.

Mr INNES: I will mention him again very shortly. The honourable member will be surprised at the fashion in which I mention him. It will not be totally laudatory.

Mr Davis interjected.

Mr INNES: The Liberal Party still concentrates on quality.

So the Attorney-General and the Solicitor-General became members of the House of Commons. In fact, Mr Deputy Speaker, history records a number of instances in the House of Commons of the Solicitor-General also being the Speaker. It became a peculiarity of the office of both Attorney-General and Solicitor-General, whether in or out of Parliament, that the distinction between their responsibilities to the Crown and to the whole community, and their participation in the political process, became a matter of emphasis and a matter of general repute and fame. The holders of those offices have to maintain a clear understanding of that distinction because, when they act, they take part in the political process—no doubt in the party rooms and elsewhere they have a responsibility to take part in the general law-making policy on behalf of the Government to which they are attached—and they also bear a very great responsibility to the maintenance of public order, to the institution of Parliament and the institution of Government, to give independent and honest advice, having regard to the professional qualifications that they hold and having regard to the traditional eminence that the holders of those offices had in their profession.

Queensland is unusual; it is probably unique among Westminster-derived Parliaments in not having one of the law officers of the Crown in the House in the last 50 years. I do not know of any other Parliament in the Westminster system that in the last 50 years has not had a Solicitor-General or an Attorney-General who was a lawyer. In Queensland or in any other State, when a person who is not a lawyer holds the office of Solicitor-General, a particular burden is thrown on that person. The Solicitor-General

becomes the sole source of professional advice that is given to the Crown. Nowadays, because of the burden of political office and of Cabinet membership, it is customary for the traditional obligation of the Attorney-General to represent the Crown in its chief court cases to be left to other professional advocates. Members of the private bar are frequently retained to represent the Crown in criminal and civil proceedings.

Solicitors-General outside Parliament have a more contemporaneous history of appearing on behalf of the Crown. Sir Maurice Byers, who was the Solicitor-General of the Commonwealth of Australia, appeared frequently in the High Court for the Commonwealth of Australia. T. J. Ryan was probably the last Queensland Attorney-General to appear before the courts of this land. I think that he appeared before the High Court. In 1930 or 1931, Neil Macgroarty was the last Queensland Attorney-General with legal qualifications to appear before the courts.

The Bill is important. It gives honourable members an opportunity to mention some of the fundamentals. Whoever occupies the position of Attorney-General, whether or not he is a lay person, must bear in mind that he has two responsibilities. He is not just a political functionary. The textbooks will give an indication of the traditional role. In the leading tome, "The Law Offices of the Crown", to which I referred earlier by way of interjection when the honourable member for Windsor (Mr Comben) was speaking, that point is made constantly. The reputations of the various office-holders revolve principally round the way in which they demonstrate their ability to be honest, totally fair and impartial as to their advisory role compared with their participation in a political role. If it is a toss-up between party politics and the independent pursuit of the law, there is absolutely no question as to what has to happen with an Attorney-General or a Solicitor-General—the law and legal obligations come first, totally irrespective of any loyalty that they might have to party or other politics.

As there is no alternative legally trained law officer, the position of Solicitor-General in this State is important. The responsibility is devolved upon him to give the best advice—the only advice—to the Government. It is obvious that, to achieve that end, the Solicitor-General cannot do everything; recourse will be quite properly had to the private bar or to other persons employed by the Crown.

The recognition by statute of this office does nothing to change the quality of the obligations and the nature of the functions of the role. Like the former Attorney-General, the honourable member for Mount Coot-tha (Mr Lickiss), I address a few words to the subject of private practice. Historically, the Attorney-General and the Solicitor-General were allowed to practise privately. I refer historically to the period from the fourteenth century to about the nineteenth century. The later tradition—and a very clear tradition—is that the position moved away from the right of private practice towards full-time ministry to the Crown. There was a very good reason for that. The expansion of Government and Government departments led to such demands for advice, which occurred so frequently and perhaps unexpectedly, that the Solicitor-General and Attorney-General had to be on tap, available for advice. Obviously, with that development, came a requirement to alter remuneration.

I refer to "The Law Offices of the Crown" and quote the learned author's words—

> "And we may accept Professor Sayles' theory that the fee of £20 payable annually to the King's Serjeants—"

and that was back in the fourteenth century—

> "was quite inadequate and incommensurate with their position and talents, unless there was complete freedom to augment it by private work."

In those days, of course, £20 was a great deal of money. The author continues—

> "It is not without significance that the same argument was consistently invoked by successive Law Officers throughout the nineteenth century when battling to avoid the inevitable acceptance of the position, now regarded as axiomatic, that the

Attorney-General and Solicitor-General hold office as full-time salaried Ministers of the Crown."

That is the position in Great Britain, and it has been the postion since the nineteenth century.

One could ask, "Are things different in Queensland?" Obviously, being Attorney-General or Solicitor-General in a place as populous as the United Kingdom in the nineteenth century put far greater demands for advice on a single person because of the multifarious transactions of the population and trade centres. Queensland was then a quieter pocket.

Sir Samuel Griffith, as Attorney-General—and, in fact, as Premier of Queensland—conducted private practice. In those days parliamentary remuneration was very low, even for Ministers of the Crown. Even Sam Griffith, who had rare talents, got into trouble. After he moved into politics, he had to augment his income to keep himself in the style he was used to at the top of his profession. Because of the conflict of interest, adverse comment was made about his maintaining a private practice. In the arbitration I referred to, Sir Henry Norman, the Governor of Queensland, in a private letter to Lord Ripon was very critical of the arbitration over the railway to Atherton and critical of the involvement of Griffith and Byrnes.

Mr Jennings: When was that?

Mr INNES: That was in 1892. They received very large remunerations as fees for days of service from the Government of Queensland—from the Crown coffers. In a smaller colony, when there were, shall we say, less-complicated transactions, the lay person could not understand a man who one day in Parliament advocated a policy when the next day in court he appeared to be arguing against that policy on behalf of a client. It led to conflicts which observers—even very intelligent observers—found difficult to reconcile. It led to conflicts and presumptions about the level of emoluments and the length of cases in which they became involved. They received criticism even from the Governor of the State.

Mr Comben: Was the other barrister attached to the office of the Solicitor-General?

Mr INNES: Two counsel were involved: one was Griffith, and one was Byrnes. The Attorney-General appeared with the Solicitor-General on behalf of the Government of Queensland.

Things have not become easier; they have become worse. Australia has become a federation, and the demands of modern Government bring with them a need for constitutional advice, commercial advice and, nowdays, advice arising out of the tens of thousands of pages of legislation that is passed at an increasing rate. I join with other honourable members who have said that any substantial right of private practice is inconsistent, as the British Government has found it to be, with modern demands of government.

That leaves the Attorney-General with a real problem about the level of inducement that should be offered for a barrister to leave the private bar. If, as is traditional, the Government wants to appoint the person who is at the top of the profession as the Solicitor-General or one of the principal law officers of the State, it must pay the cost. The cost associated with appointing one of the leaders of the private bar is very high. In the case of appointments to judicial office, inducement is a mixture of prestige and security offered at a time when people reach a certain age and wish to get away from the intensity associated with private practice. The Attorney-General's dilemma is making the position attractive to people who have the best talents, and that remark is in no way intended as denigration of the talented people who are available in the Solicitor-General's office or in the Department of Justice at present. However, when the Minister examines the total range of legal talent available, he should bear in mind members of the private profession who would not be attracted to the position unless an appropriate

salary and other remuneration is provided. I appreciate the Minister's dilemma, and I suggest that it is a problem that must be solved.

Members of the Liberal Party will not oppose the Bill. One can conceive of occasions on which the Governor in Council would permit a person to continue to engage in private work. I would like to provide honourable members with an illustration based on the recent appointment of Mr Des Sturgess, QC, to the position of Director of Public Prosecutions. Mr Sturgess drafted a Criminal Code for the Northern Territory Government. One might think that such ability would not be inconsistent with the workload undertaken on behalf of the Crown and Queensland. No conflict would arise, because the code relates to another jurisdiction and the work could be carried out in his own time, substantially by reference to his very extensive experience, when the Queensland Government did not need advice urgently. On the basis of that illustration, the Liberal Party is prepared to support the legislation as it has been presented in terms of the right to private practice. But it ought to be understood that that support is qualified. The right of private practice should be limited to the extent that no conflict would emerge between the obligations involved in holding a very busy and very prestigious office, funded by the public purse in Queensland, and the time involved in private work.

The salary package that has been offered to make the position attractive has been based upon a rule of thumb applied by the Minister, and I suggest that that basis is too inflexible. The Minister should equip himself with a discretion over the remuneration that may be offered. If the Minister wishes to appoint without security of tenure the person who is at the top of the heap, it might be necessary to accept the proposal put forward by the Opposition, that is, that the salary should be based on the Supreme Court judicial scale. If the Minister cannot find someone at the top of the heap who wants the job, he should not pay a top-of-the-heap salary. If the Minister is unable to attract to the position someone at the private bar, there would be no need to provide a high level of financial inducement because he would be able to appoint someone in the public service. That would result in a significant increase in wages for such a person. I again point out that my comments are in no way a denigration of members of the public service.

In short, the Liberal Party believes that there should be a market factor involved so that the Government gets what it pays for and that whoever is appointed receives enough money to recognise the prestige of the office and to reflect his talents, which should be outstanding. It might be that the Government does not have to pay somebody on the basis that he is at the top of the profession, because it might not find people at the top of the profession prepared to accept the position.

The Liberal Party thinks that that approach is too rigid. In the future the Government might well find that it wants more flexibility, and could conceive amendments. We strongly urge that the Governor in Council, in exercising its discretion under the Act, should not do so in favour of a barrister being allowed to practise privately, as a matter of course, in the courts in ordinary litigation. Certainly there could be particular circumstances with regard to practice, such as the ones I have already outlined, in which it might be appropriate to allow for some very limited right of general practice. But, in short, we make the following points: the position is extremely important; it is ministerial; it is very important in Queensland because of peculiar circumstances in this State; private practice should not be allowed, and the salary package is too rigid. Perhaps the Minister could consider amendments that would help him to overcome those shortcomings.

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (3.16 p.m.), in reply: I thank honourable members for their contributions. I will address my remarks to those honourable members who have commented, in particular the Opposition spokesman for the Justice portfolio today, the honourable member for Salisbury (Mr Goss).

The honourable member referred to the position of Solicitor-General as a part-time job. It is intended that it be far from that. An indication has been given that the

appointee will have a very limited right to private practice. As the honourable member for Sherwood (Mr Innes) just said, it needs to be. That is spelt out quite clearly in the Bill.

The role of Solicitor-General will be quite different from that of the past. The new Solicitor-General will be divorced from the administrative responsibilities which have, until now, burdened his office. The Director of Legal Services and the Crown Solicitor will assume those responsibilities. I ask honourable members to take note of the fact that the Solicitor-General's status and salary level will in fact equate with that of the present office of Solicitor-General.

The Opposition would serve the community well if it joined with the Government in convincing the Federal Treasurer (Mr Keating) that he should take measures to enable leading counsel to move from a very high income bracket—everyone acknowledges the income level of senior counsel at the bar to be of such a level—to a much lower bracket, even though it be at a level of remuneration as high as that of a judge or Solicitor-General.

Let me look, however, at the other States. The only criticism of the Opposition and the Liberal Party seemed to be directed at the fact that the office will not be a totally full-time position. The Solicitor-General in Queensland will have the right to very limited private practice. In Tasmania the person holding the office of Solicitor-General is not precluded from holding an office or engaging in employment where he is expressly authorised by the Attorney-General in writing to do so. In other words, Tasmania has recognised the need to allow its Solicitor-General to have the right of private practice, with restrictions, just as restrictions will be imposed here.

I turn then to South Australia where, under the Solicitor-General Act 1972—

"The Solicitor-General—

(a) shall at the request of the Attorney-General—

(i) act as Her Majesty's counsel;

and

(ii) perform such other duties as are ordinarily performed by counsel;

and

(b) shall not, except with the consent of the Attorney-General, engage in any other remunerative employment."

The Attorney-General in South Australia also has the ability to engage in remunerative employment.

In Western Australia, which is under the leadership of the ALP as is South Australia, the Act provides, in section 6—

> "Except in the performance of the functions or duties of his office or with the approval of the Governor the Solicitor-General shall not engage in the practice of a barrister or solicitor or engage in any other paid employment."

In Western Australia, provision is made once more for the Solicitor-General to engage in employment outside his responsibilities directly to the Crown.

The Solicitor-General's Bill before us, in clause 16, provides that other employment is curtailed but, with the approval of the Governor in Council first had and obtained, the Solicitor-General may engage in the practice of his profession as a barrister otherwise than in discharge of his functions. As honourable members are aware, quite restrictive provisions are set.

At least three other States have acknowledged the necessity to give their Solicitors-General an opportunity to engage in remunerative labour outside their direct responsibility to the Crown. Obviously the appointee will be very restricted in any remunerative employment that he is able to accept apart from his responsibilities to the Crown.

I draw to the attention of the honourable member for Salisbury the fact that there is no impediment—either now or in the future—to a member of the public service being appointed to the position of Solicitor-General. In fact, specific provision is made for such an appointment.

In considering the salary to be paid to the Solicitor-General and his terms of appointment, including the right of private practice, I also draw to the attention of honourable members the fact that the term is a limited one. Unlike an appointment to the District Courts or the Supreme Court, in the case of the appointment of the Solicitor-General the term is limited, being up to five years in the first case and, in the case of a suitable employee, I should hope that the term would be extended, as it certainly can be. A specific provision is provided in the Bill to allow the Solicitor-General to go onto the bench if that is the decision of the Governor in Council.

My colleague the honourable member for Lockyer replied very well to the matter of conflict of interest raised by the honourable member for Salisbury. He correctly drew attention to the fact that the Opposition spokesman appeared not to have absorbed the contents of my speech.

The honourable member for Rockhampton (Mr Braddy) referred, as did the honourable member for Salisbury, to clause 16. I take this opportunity to invite the attention of the honourable member for Rockhampton to the situation in Tasmania, South Australia and Western Australia. I also invite his attention to the remarks of the Opposition spokesman as to the need for the integrity of an appointee. The qualities of integrity and professionalism of the very highest order possessed by the appointee, as Solicitor-General, will be such that there can be no doubt that such a person would not allow conflicting or competing interests to arise. The concerns raised by the honourable members for Salisbury and Rockhampton are quite inappropriate and unfounded.

I also invite the attention of the honourable member for Rockhampton to clause 11, concerning remuneration. The remuneration will be based on an aggregate of salary and allowances. I do so because I would not like the honourable member to be misled. It is not purely the salary of a Supreme Court judge; it is an aggregate of that salary and the allowance which is paid to a Supreme Court judge. As the honourable member correctly said, it is 80 per cent.

The honourable member for Rockhampton indicated that the Opposition's only problem concerned the right to engage in the practice of his profession as a barrister otherwise than in discharge of his functions. It has been suggested that the decision to allow the right of curtailed practice is based on a desire by the Government to save a few dollars—about $17,000. I assure honourable members that that is not the case. The honourable member for Sherwood (Mr Innes) put his finger on the point when he addressed the Chamber a few minutes ago.

In commenting on the remarks of other honourable members, including the honourable member for Salisbury, I have explained that very real financial problems have to be overcome in making appointments both to the bench and to the position of Solicitor-General. As I have indicated, assistance could be given in that area by the Federal Treasurer. I think that Government and Opposition members should turn their minds to that matter and speak to their respective colleagues in the Federal Parliament. It is something that is not common to Queensland; it is common to every State in Australia and to the Federal courts' in the area of Federal law.

I turn to the comments of the honourable member for Mount Coot-tha (Mr Lickiss). I must say that I was unaware that some years ago a move had been made to appoint a statutory Solicitor-General, and I thank the honourable member for mentioning it. As he said, conditions must have changed since then. I assure him that conditions have changed since then. He would know that Queesland no longer has a coalition Government. The National Party Government is achieving reforms that simply were not attainable during the time of the coalition.

I point out to the honourable member for Windsor (Mr Comben) that perhaps his stay in this Chamber just may be long enough for him to witness some more history being made. Indeed, in the present session, he is witnessing history in the making. Perhaps, in future, he will be able to give lessons on history. He should not be so self-centred as to believe that other people are not interested in the happenings of the Queensland Parliament; nor should he believe that his academic qualities are such as to place him loftily above others in this world. Undoubtedly, he reflects the attitude of the Australian Labor Party of today. It is largely a body of academic know-alls who have no understanding of, or closeness to, the average supporter of the Australian Labor Party, and I am referring to the true Labor Party of 20 or 30 years ago. Unlike some honourable members at whom I am looking at present, the honourable member for Windsor does not represent the true Labor Party. He is an academic who believes that no-one else has knowledge of these matters. It is interesting that some of the material in my second-reading speech actually came from the very book that the honourable member was holding in his hands. So much for the capacity of the honourable member for Windsor to carry out research!

The question was raised about the appointment being by letters patent. The decision to make the appointment by letters patent was based largely on tradition. I have no hesitation in admitting to being a supporter of the role of tradition in our society. I am not ashamed of tradition.

Opposition Members interjected.

Mr HARPER: Opposition members are ashamed of tradition. They want to do away with the traditional Australian flag and with our ties to the Crown. I am not afraid to say that I oppose those philosophies. The Bjelke-Petersen Government is proud to adhere to tradition and to make the appointment by letters patent.

I thank the honourable member for Southport for his support and complimentary remarks. The role of Solicitor-General should be filled only by a person of the highest reputation at the bar, and so it shall be. He will undoubtedly have ability and he will demonstrate integrity. I have no fear of that.

I take the point of the honourable member for Sherwood in regard to the order of precedence of the Attorney-General and Solicitor-General. However, I make the point that the honourable member is incorrect in saying that Queensland has not had a law officer of the Crown in this House for 50 years. The Attorney-General is the first law officer of the Crown, and I am a member of this House.

I also take up the honourable member's point about appearance before courts. Since becoming Attorney-General, on a number of occasions I have appeared before the court as leader of the bar. I understand the context in which the honourable member for Sherwood made his comments, and I accept them in that context.

I return to the question of the right of private practice. I point out that that right may not be so for future appointees. That will be a matter for consideration. The Federal Treasurer could assist, and I am led to believe that the British Chancellor of the Exchequer does so with appointments to the bench in Great Britain. That is of extreme importance to every State and to the Commonwealth itself.

One point made by the honourable member for Sherwood at the conclusion of his remarks worried me a little. He suggested that a degree of flexibility in regard to the salary or remuneration available to the Solicitor-General should apply because, in the future, a top person may not be prepared to accept the position. This Government would not be prepared to appoint to the office of Solicitor-General a person who was not among the top in the profession. I assure the honourable member for Sherwood that the appointee will be a person who is at the top of the legal profession.

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 10, as read, agreed to.

Clause 11—Remuneration—

Mr GOSS (3.33 p.m.): I move the following amendment—

"At page 5, line 10, omit the words—

'per annum that is 80 per centum of'

and substitute the words—

'equal to'."

The amendment is dependent on and linked with the amendment that has been foreshadowed to Clause 16.

If passed, clause 11 will read—

"The Solicitor-General shall be entitled to be paid salary at a rate equal to the aggregate rate per annum of salary and allowance payable from time to time to a Puisne Judge of the Supreme Court."

That is, he will be paid at an equal rate rather than 80 per cent. The Opposition believes that the position should be full-time and not part-time and should attract a full-time salary.

In his reply, the Minister tried to argue that it is not a part-time position, and made reference to three other States. The difference arising from the Queensland legislation is such that the Opposition is not persuaded one bit by the arguments put up by the Minister. In Queensland, he has in mind a specific individual who already has a complex, wide-ranging, demanding and highly lucrative practice.

Because of the amount of other work this person has in his practice, one can see the obvious potential—the inevitable potential—for competing interests and also conflicts of interest. The person in question—indeed, any member of the bar, particularly any senior member of the bar—would be very keen to avoid any conflict of interest. However, as has been pointed out in the second-reading debate, a matter could be taken on, an interest could be pursued and at first not be in conflict. No conflict may arise for several months. A conflict will be inevitable and unforeseen, even with the best of intentions. The member for Lockyer said that it would not involve court appearances pursuant to the Solicitor-General's private practice.

Mr FitzGerald: Not necessarily.

Mr GOSS: If that is what the Government intended, its legislation should provide that. If that is not what the Government intended, it means that the Chamber can attach the same weight to the comments of the member for Lockyer as it has come to attach to them in the past.

The member for Southport made a statement that the Solicitor-General, having the right to private practice, would somehow be given greater independence. I will not bother to deal with that ludicrous argument. Quite clearly that was one of the lesser briefs that the Minister has handed out in his time here. I do not think I need to pay any attention at all to the comments of the member for Southport. Nor should I pay any attention to the superficial remarks in relation to supporting tradition because, in reality, this appointment is a break with the tradition of this office in Queensland. That is because the Government has a particular individual in mind. I challenge the Minister to say whether the Government proposes to give this opportunity—this special and unique benefit—to other public service departmental heads. I am sure many would appreciate the right to engage in private consultancy.

I have covered the amendment that the Opposition has moved in relation to the salary entitlement that will pertain to the appointment. The argument of the Opposition is that it should be a full-time position. The amendment is linked to a foreshadowed amendment to clause 16.

Mr INNES: We in the Liberal Party believe that, again, the proposal is too rigid. I have already canvassed the flexibility that the Liberal Party would wish. If one looks at the history of the office, such as the appointment of Sir Samuel Griffith to the bench, one simply cannot take a blanket approach. As I recall it, 80 per cent of the aggregate of a Supreme Court judge's salary is less than the salary of a District Court judge. I reflect upon the fact that two of the present High Court judges were Solicitors-General of States, namely, Western Australia and Victoria. Therefore, it is unlikely that people of potential High Court judicial appointment quality will be procured for something less than the salary of a District Court judge with no security of tenure. If one is looking at a senior member of the bar, one would hope that he is a person with some lengthy experience in practice, somebody in his forties or fifties who is probably at least mindful of the problem of security, because if he is at the top, he will be leaving a highly remunerative occupation for lower remuneration without the full scale of security that is provided for judges.

I can see many reasons why a person who is at the very top of the profession would not want to accept the position of Solicitor-General. If the appointee is not from the very top of the profession, there is no need to pay absolutely top dollar. Some flexibility would be quite proper and quite consistent with history in terms of what is paid. If somebody from the top of the private profession where the incomes are far greater—and the sacrifice is greater—cannot be found and somebody from a lower level of the public service is promoted, the remuneration of that person will increase by tens of thousands of dollars.

Again, it might be that the quality of the person in the Crown law office is of the highest order. I suppose we need to focus on talents that by their very nature are rare or at the top of a group of several hundred men.

Mr Davis: How do you reckon Sam would have gone?

Mr INNES: He would have gone to the top.

The amount proposed would seem to be too little to attract the quality of person that the Government wishes to attract. It seems to be agreed by the Minister and by the honourable members who have taken part in this debate that substantial, extensive or significant private practice is out and that it is incompatible with the job and its obligations. The Minister ended up between the devil and the deep blue sea. If, because of other reasons, the Minister cannot attract somebody from the top of the private profession, there is no need to pay a salary equivalent to that paid to a Supreme Court judge.

The Liberal Party's reaction could be described as a market reaction: pay what has to be paid to get the quality that is wanted. The salary should be at least that paid to a District Court judge and, in particular circumstances, the salary paid to a Supreme Court judge. The salary will certainly be lower than the $91,000 paid to the Solicitors-General in other States. If the salary is as high as that paid in other States, because of the sheer amount of money offered, persons of the highest quality will be attracted to the position.

The problem is a vexed one. Any automatic, regimented approach does not necessarily bear in mind the public purse and the need to reduce spending. I understand that opposition to finance led to the failure of attempts by the honourable member for Mount Coot-tha (Mr Lickiss) to have a similar Bill passed. A proposal was put forward by a Liberal Attorney-General, but it fell foul of a Cabinet in which the National Party had the dominant numbers. The Minister can scarcely excuse himself from total liability for rejection of the proposal in the past. One must look at the public purse. The Minister

should not pay any more than he has to pay; but he may have to go higher than he has suggested. Unless the salary suggested by the Minister is significantly supplemented by private earnings, the quality of person who is wanted cannot be attracted.

Mr LICKISS: I assure the Attorney-General that I was trying to make a helpful contribution, not a critical one. I had about four and a half years as Attorney-General. My service as a member of this Assembly extends over a longer period than his five minutes in both capacities. I repeat that what I said was said in the spirit of being helpful, not nasty, as I detected from the Minister's voice.

I noticed with some interest the Minister's statement as to why the legislation was not passed earlier. He said that it possibly did not get through because of the coalition. Let me say that the National Party had the numbers and probably used them to stop the legislation.

My colleague referred to the need to attract the right person to the position. I wish to refer to some of the positions that are available to senior members of the legal fraternity. If my figures are correct, and I think that they are, a Supreme Court judge receives a salary of $84,200 as well as an expense allowance of about $4,000. If 80 per cent of that sum is to be the salary paid to the Solicitor-General, as a District Court judge receives a salary of about $74,000, the salary of the Solicitor-General will be less than that of a District Court judge. Appointments to the bench stem from a number of sources. Appointments have been made to the District Courts of very competent barristers who have not taken silk and, of course, appointments have been made to the Supreme Court of senior members of the bar who have taken silk.

All in all, if, to fill this very high office, the Government is looking for someone who could ultimately go to the Supreme Court bench, we are attempting to be helpful in saying that a better inducement than 80 per cent of a Supreme Court judge's salary and allowances is required.

That brings me to another point. The Minister compared the appointment of Solicitor-General under this proposal with the appointment of Solicitors-General in other States. I say quite clearly that not only is it the Government's intention to allow a Solicitor-General in this State to practise under certain conditions but also that the way in which the law is written—the Minister has referred to conditions under which Solicitors-General are allowed to practise in other States—it gives encouragement to him to engage in private practice. I ask the Minister to deny that at a later stage when that clause is under discussion.

Mr HARPER: I assure honourable members that, in advising the Government on this aspect of the legislation, I had regard to a number of discussions that I have had during the past 18 months with senior counsel at the bar, and certainly not just one or two. I make that point since the honourable member for Salisbury (Mr Goss) alluded to a particular person. Many senior members of the bar visit me in my office. During the last six months, when detailed consideration has been given to an appointment and to the Bill, I have been visited by at least four very senior counsel at the Queensland bar, any one of whom I believe would fulfil the functions of Solicitor-General admirably. It is wrong for members of that school across the road from Comalco House, because they see someone walk through the doors and apparently go into my office, to assume that he is to be appointed to a position. I regret such speculation by that school of law. It does not help the Government and it does not help the individual.

The Opposition proposition is simply not appropriate in today's circumstances—I indicated earlier that it may be appropriate at some future time—and cannot be accepted by the Government.

Question—That the words proposed to be omitted from clause 11 (Mr Goss's amendment) stand part of the clause—put; and the Committee divided—

AYES, 47		NOES, 29	
Ahern	Lester	Braddy	Wilson
Alison	Lickiss	Burns	Yewdale
Austin	Lingard	Campbell	
Bailey	Littleproud	Casey	
Bjelke-Petersen	McKechnie	D'Arcy	
Cahill	McPhie	De Lacy	
Chapman	Menzel	Eaton	
Cooper	Miller	Fouras	
Elliott	Muntz	Goss	
FitzGerald	Newton	Kruger	
Gibbs, I. J.	Powell	Mackenroth	
Glasson	Randell	McElligott	
Goleby	Row	McLean	
Gunn	Simpson	Milliner	
Gygar	Stephan	Palaszczuk	
Harper	Stoneman	Prest	
Harvey	Tenni	Price	
Henderson	Turner	Scott	
Hinze	Wharton	Shaw	
Innes	White	Smith	
Jennings		Underwood	
Katter		Vaughan	
Knox	*Tellers*	Veivers	*Tellers*
Lane	Kaus	Warburton	Davis
Lee	Neal	Warner A. M.	Comben

Resolved in the affirmative.

Clause 11, as read, agreed to.

Clauses 12 to 15, as read, agreed to.

Clause 16—Other employment curtailed—

Mr GOSS (3.55 p.m.): This afternoon members have seen an example of what the Liberal Party calls flexibility. It called for flexibility in the operation of the position of Solicitor-General. After two Liberal Party members joined in the Opposition criticism about the position being part-time instead of full-time, the Liberal Party turned tail, somersaulted and voted with the Government. If that is what the Liberal Party calls flexibility, it is obviously just a polite way of saying that it has no firm position on anything at all.

The situation is that the job, as it is being proposed and in relation to the person who seems likely to be appointed, will be a part-time job and that, as the Opposition has said, is unsatisfactory. I do not propose to repeat the arguments that I raised in relation to clause 11, but they still apply. Accordingly, I move the following amendments—

"At page 6, omit all words from and including 'Other' in line 5 to and including 'the' in line 21 and substitute the words—

'Other employment excluded. The' ";

"At page 6, omit all words comprising lines 26 to 33."

Mr INNES: The member for Salisbury (Mr Goss) is throwing a little tantrum because the Liberal Party did not support his previous amendment. The Liberal Party has reservations about clause 16. It has said that it can see circumstances in which it could operate without any problems at all. I gave the specific instance of the sort of brief given by the Northern Territory Government to Mr Sturgess to draft its new Criminal Code. That could be performed without any compromise or jeopardy to the full-time position of Solicitor-General of Queensland, and it could certainly supplement income.

In response to the Minister's earlier reply to the Labor Party's reservations about clause 16, and its submission that the Governor in Council should not use his discretion except on very rare occasions, I make the point that the wording of clause 16 is quite

different from the wording that the Minister read out. It applies to at least two other jurisdictions. The words "Except with the permission of the Governor in Council" would seem to suggest that the normal rule is that there will be no other employment but that of Solicitor-General—except with the permission of the Governor in Council, the Solicitor-General shall not take other briefs or practice, or whatever the words were—but it was certainly framed in a way which made the exception to be the case of taking the private brief.

The wording of clause 16 as it stands is not of the same order. It commences with the words, "With the approval of the Governor in Council first had and obtained the person may engage in the practice", not the words "Except with the permission of the Governor in Council he shall not". It is "With the approval . the person may". There is quite a different mood and emphasis in the phraseology. The Liberal Party makes the point that it sees some ability to allow a Solicitor-General to supplement his income by the pursuit of certain very restricted work as a barrister, but it believes that the Governor in Council who, of course, acts on the advice of Cabinet, should not be advised by Cabinet to exercise the discretion except in this very rare and restricted sort of circumstance.

Mr BRADDY: The honourable member for Sherwood suggested that the member for Salisbury, in speaking to the amendment, was indulging in a small tantrum. It is obvious that the member for Salisbury, and Labor Party members generally, can count. That is certainly not an attribute possessed by members of the Liberal Party. In recent years, their ability to count has been very limited.

The member for Salisbury was very much aware when he moved the amendment that, even with the support of the members of the Liberal Party, it would not be carried. He was suggesting—and I am agreeing with him—that it was reasonable for the Liberal Party, after its criticism of the Bill, to vote against the Government. But the Liberal Party had its traditional 50 cents each way and voted with the Government.

The Minister spoke on the right of private practice and referred to the traditions in Tasmania, South Australia and Western Australia. He also cited the legislation that enables the Solicitor-General in each of those States to engage in private practice. It will be noted that the legislation in those States has a degree of antiquity and that the population of those States is much smaller than that of Queensland.

In dealing with the role of the Solicitor-General, the Government must be prepared to move and change with the times. In a State the size of Queensland, there is no longer a role for a part-time Solicitor-General. Honourable members may recall that the Minister for Justice and Attorney-General was unable to cite the role of the Solicitor-General in Victoria or New South Wales as being part-time. Queensland has such a complex legal system and such a large population that honourable members should be insisting on the appointment of a full-time Solicitor-General. The citing of States with smaller populations and older legislation does not convince anybody that Queensland does not need a full-time Solicitor-General

The honourable member for Sherwood spoke about the discretion that he would leave with the Government under Clause 16. Such a discretion would not in any way take away the disquiet that the legal profession and members of the public might well have when they do not know the roles a private practitioner might play in his private practice in addition to advising the Government. The Opposition suggests that, on balance, difficult and all as it might be, it is necessary to retain a full-time Solicitor-General. The Government has not convinced members of the Opposition. I suggest that it will not convince the public by citing the smaller States and older legislation as examples.

It is very obvious that the Government has fixed its sights on one, two, or three members of the bar who have set such a condition as the price of taking on a position. That is a pity. The Opposition treats this office very seriously. It is so important that it should carry with it higher remuneration. The amendment proposed by the honourable member for Salisbury would take care of the problem.

Mr GOSS: I remind the Minister of the invitation that I issued twice earlier, namely, that he should tell the Committee whether this is a precedent for the public service. Will he tell the Committee whether the head of the Mines Department will be entitled to set up a private consultancy to advise the multinational companies on energy matters? Will the Commissioner of Police be allowed to set up a private investigation service? Opposition members are very interested in learning whether this is to be a precedent, or whether it is to be one-off, special legislation.

Mr HARPER: Although there is no need for me to respond to the honourable member for Salisbury (Mr Goss) on that point, I shall do so. As Attorney-General, I have responsibility for the Justice Department. In advising the Government on this legislation, I put to it the proposition that is contained in the Bill whereby an appointee to the position of Solicitor-General will have a very limited right to private practice. I do not doubt that if other Ministers, in discharging their responsibilities, see a similar need, they will put that proposition to the Government and the Government will make a decision. I am not in a position to indicate whether the Government would accept such a proposition from any other Minister. All that I can indicate to the Committee is that the arguments that I put to the Government were sufficiently compelling for it to agree to the Bill as it has been presented to honourable members.

Mr GOSS: The Minister said that the right to private practice would be very limited. I invite him to tell the Committee how it will be limited. Will it be limited by the amount of income that the appointee derives from private practice? Will it be limited by the number of court appearances and the number of briefs for advice that he takes? Will it be limited by the time, in terms of days, that the appointee attributes to his private practice? How will the matter be reviewed?

From the time of the appointment, will carte blanche be given to him, pursuant to clause 16 (3), to practise privately until such time as the Minister thinks he should be reined in, or will he be given a limited right of private practice from the outset? If so, what will be the limitations? Can the Minister assure us that the right to private practice will be limited? Furthermore, do I state the position correctly when I say that no restriction is placed on the appointee's appearing in court or giving private advice?

Mr HARPER: The honourable member has sufficient knowledge of the law to understand that a person of high integrity with a sense of responsibility, whose prime responsibility is to the Crown, will have great difficulty in fulfilling other than a very limited role in the private area of his profession.

Mr LICKISS: I shall quickly recount the way in which a position such as this one of Solicitor-General might be advertised. Clause 16 (1) states—

> "With the approval of the Governor in Council first had and obtained the Solicitor-General may engage in the practice of his profession as a barrister otherwise than in discharge of his functions. "

An advertisement for a position such as this could read, "Application for the position of Solicitor-General with possible limited rights of private practice." That would happen if the position were advertised, and I cannot see any reason why it should not be advertised. Of course, it could be filled by invitation.

I shall address a few remarks to some members of the Opposition. What the Liberal Party has endeavoured to do is point out respects in which the legislation might be improved. At the outset, the Liberal Party said that it supported the legislation in principle, and it continues to do that. That is why the Labor Party is disappointed that the Liberal Party is not voting with it.

The person who will occupy the position of Solicitor-General could, with the approval of the Governor in Council, practise his profession as a barrister, and certain prohibitions will be placed upon him. If a prohibition is placed on the type of practice in which he might engage, who will judge whether he is devoting sufficient time to the position of Solicitor-General, and whether the job is being efficiently carried out?

As the honourable member for Sherwood said, the right of private practice must be severely curtailed if the position is to work satisfactorily. The question would then arise about the remuneration that is part and parcel of the job of Solicitor-General. That would comprise the salary paid by the Crown and that which he could obtain from his limited practice.

Question—That the words proposed to be omitted from clause 16 (Mr Goss's first amendment) stand part of the clause—put; and the Committee divided—

AYES, 47		NOES, 29	
Ahern	Lester	Braddy	Wilson
Alison	Lickiss	Burns	Yewdale
Austin	Lingard	Campbell	
Bailey	Littleproud	Casey	
Bjelke-Petersen	McKechnie	D'Arcy	
Cahill	McPhie	De Lacy	
Chapman	Menzel	Eaton	
Cooper	Miller	Fouras	
Elliott	Muntz	Goss	
FitzGerald	Newton	Kruger	
Gibbs, I. J.	Powell	Mackenroth	
Glasson	Randell	McElligott	
Goleby	Row	McLean	
Gunn	Simpson	Milliner	
Gygar	Stephan	Palaszczuk	
Harper	Stoneman	Prest	
Harvey	Tenni	Price	
Henderson	Turner	Scott	
Hinze	Wharton	Shaw	
Innes	White	Smith	
Jennings		Underwood	
Katter		Vaughan	
Knox	*Tellers:*	Veivers	*Tellers:*
Lane	Kaus	Warburton	Davis
Lee	Neal	Warner, A. M.	Comben

Resolved in the affirmative.

Second amendment (Mr Goss) negatived.

Clause 16, as read, agreed to.

Clause 17, as read, agreed to.

Clause 18—Suspension of Judges' pension—

Mr INNES (4.18 p.m.): I ask the Minister to explain the thinking behind the insertion of clause 18.

Traditionally the profession has had some reservation about people who have accepted judicial office returning into practice, in whatever role. In brief, I ask the Minister what was going through the minds of himself and his advisers when the clause was inserted.

Mr HARPER: The only thought that was going through our minds when this provision was included was to make provision for some exigency that may occur. It is just in case, for some reason or other, a decision may be taken to invite a retired judge to take on the role of Solicitor-General. I am sure that the honourable member for Sherwood and the honourable member for Salisbury would also appreciate that at the present time appointees to the bench are of a very young age and it could well be that, at some time in the future—certainly not in the foreseeable future—a person who has retired as a judge could be invited to take up the position of Solicitor-General.

Mr INNES: I am trying to recall the provisions in the Judges' Pensions Act. As I recall it, a judge would have to be 60 years of age and have served more than 10 years as a judge before he is entitled to retire with a pension. Am I right?

Mr HARPER: Not entirely. The honourable member was right when he said that a judge would have had to serve 10 years before receiving the full pension entitlement. If a judge has served in excess of five years and up to 10 years, he is entitled to pension benefits on a pro rata basis.

Mr INNES: I thought that a judge had to be 60 years of age, and that he could not retire until then, except on medical grounds. He must have served for at least five years, but he must be 60 years of age before he is entitled to a pension. Is my recollection right?

Mr HARPER: Yes. I draw the honourable member's attention to the fact that provision is made in the Bill for an appointee to the position of Solicitor-General not having reached the age of 65 years.

Clause 18, as read, agreed to.

Clauses 19 to 21, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

DIRECTOR OF PROSECUTIONS ACT AND JUSTICES ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 19 March (see p. 4099) on Mr Harper's motion—

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

Mr GOSS (Salisbury) (4.23 p.m.): The Opposition accepts the need for the legislation and accepts the legislation.

Mr SIMPSON (Cooroora) (4.23 p.m.): The legislation contains three small machinery proposals. The Act contains a misdescription in the reference to the Legal Practitioners Act 1968-1977. The correct reference should be to the Legal Practitioners Act 1881-1984.

The second proposal relates to mechanical arrangements for termination of the services of a director, deputy director or Crown prosecutor. It is felt that it is better to spell it out in detail now so that it will be understood in the future. It is desirable that it is not vague or unclear. Although that does not always happen, it is something that should always be done. The law should be made clear so that one can determine what it says and does not end up with a large number of hassles in a grey area.

The third proposal deals with two sections of the Justices Act, which will include reference to the Director of Prosecutions.

The Bill contains machinery amendments, and I am pleased that the Opposition supports it.

Mr INNES (Sherwood) (4.25 p.m.): I hark back to the introduction of the Director of Prosecutions Bill a few months ago. It will be recalled that, at that time, the Government was under attack over child pornography in the police force. The Opposition proposed a royal commission, which predictably the Government rejected.

The record shows that in that debate I, on behalf of the Liberal Party, proposed that one of the first jobs that should be given to the new Director of Prosecutions, because of his extensive experience in the criminal law and in investigation, should be the pursuit and investigation of the matters relating to child pornography. Subsequently the Minister asked the Director of Prosecutions to take that matter on board. Apparently, he has pursued it with his usual diligence and brought to bear his great forensic training.

The Liberal Party applauds the Government's adoption of its suggestion. The Government has clearly accepted it as being sensible. It appears that, with his diligence and normal alacrity, Mr Sturgess has moved into the investigation stage prior to reporting to the Minister with solid proposals to attempt to remedy the law in these areas and, it is hoped, to stop this sort of desperate situation being produced in the House again. Liberal members applaud the Minister's adoption of that proposal and support the Director of Prosecutions and the Minister in their pursuit of an answer and effective legal response to what clearly appears to be an abominable passage in the history of Queensland.

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (4.27 p.m.), in reply: I thank honourable members for their contributions. I thank the Opposition for its support. As the member for Sherwood (Mr Innes) indicated, on my advice, the Government decided that the Director of Prosecutions should address the problem of the sexual abuse of children. That is proceeding. I place on record my appreciation of the attitude adopted by the Director of Prosecutions to the task. He has worked untiringly to provide me with an interim report. He began his investigations at the end of February. He did not spare himself in his efforts. He is continuing his task. Fortunately, he is now in a position to devote more of his time to the responsibilities for which he was initially appointed as Director of Prosecutions. However, the matter of the sexual abuse of children is still exercising his mind and will be the subject of further reports to me before his final report. I assure honourable members that the Government is acting appropriately in its response to the inquiries carried out by the Director of Prosecutions.

Motion (Mr Harper) agreed to.

Committee

Clauses 1 to 10, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

ORDER OF THE DAY

Hon. C. A. WHARTON (Burnett—Leader of the House): I move—

"That Order of the Day No. 3 be postponed until a later hour of the sitting."

Motion agreed to.

ELECTRICITY (CONTINUITY OF SUPPLY) ACT AMENDMENT BILL

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy): I seek leave of the House to move a motion without notice.

Leave granted.

Sir WILLIAM KNOX: I rise to a point of order. Is there some degree of urgency about this motion?

Mr DEPUTY SPEAKER (Mr Row): Order! The Leader of the House moved for the postponement of Order of the Day No. 3, and that was agreed to by the House. I have no jurisdiction over further questions that may be put.

Suspension of Standing Orders

Hon. I. J.GIBBS (Albert—Minister for Mines and Energy): I move—

"That so much of the Standing Orders be suspended as would otherwise prevent the immediate presentation to the House of a Bill to amend the Electricity (Continuity

of Supply) Act 1985 in certain particulars; the passing of such Bill through all its stages this day; and that the following times be alloted for the remaining stages of the Bill unless those stages be concluded sooner on this day's sitting: (a) conclusion of second-reading debate by 6 p.m.; (b) report from the Committee and third reading by 7.45 p.m. If the debate on any stage of the Bill be not concluded by the time so specified, Mr Speaker, or the Chairman, as the case may be, shall forthwith put the remaining questions on that Bill without any further amendment or debate."

Sir WILLIAM KNOX: I rise to a point of order. I raise the question of urgency. Honourable members should be given some explanation as to the question of urgency. None has been given to us behind the chair, and none has been given to us in the House. Surely there should be some explanation from the Minister as to the question of urgency and the curtailing of the debate to an inordinately short time.

Mr DEPUTY SPEAKER: Order! I believe that the Minister has moved a legitimate motion, and I shall put that motion to the House.

Question—That the motion (Mr I. J. Gibbs) be agreed to—put; and the House divided—

AYES, 38	
Ahern	Lingard
Alison	Littleproud
Austin	McKechnie
Bailey	McPhie
Bjelke-Petersen	Menzel
Booth	Miller
Cahill	Muntz
Chapman	Newton
Cooper	Powell
Elliott	Randell
FitzGerald	Simpson
Gibbs, I. J.	Stephan
Glasson	Stoneman
Goleby	Tenni
Harper	Turner
Harvey	Wharton
Henderson	
Katter	*Tellers*
Lane	Kaus
Lester	Neal

NOES, 34	
Braddy	Prest
Burns	Price
Casey	Scott
Comben	Shaw
D'Arcy	Smith
De Lacy	Underwood
Eaton	Vaughan
Fouras	Veivers
Goss	Warburton
Gygar	Warner, A. M.
Innes	White
Knox	Wilson
Kruger	
Lee	
Lickiss	
Mackenroth	
McElligott	
McLean	*Tellers*
Milliner	Campbell
Palaszczuk	Davis

Resolved in the affirmative.

First Reading

Bill presented and, on motion of Mr I. J. Gibbs, read a first time.

Second Reading

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy) (4.43 p.m.): I move—

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

At the time the Electricity (Continuity of Supply) Act 1985 was passed by this House I did not anticipate the level of harassment and violence involving union organisers, delegates and other former SEQEB employees that has taken, and is taking, place.

I knew that there had been some harassment and violence by a few thugs who were associated with the union, but I did not believe that the incidents which I am about to describe could happen anywhere in Australia, let alone in Queensland. Certainly I knew that it was necessary to have provisions in the Act to make harassment illegal but I did not for one moment believe that it would be necessary to give the police power to arrest offenders without a warrant. Sadly I have been proved wrong.

Just one example of what I am talking about was the incident which occurred on the Fisherman Islands access road on Thursday, 21 March 1985, in which SEQEB

employees were subjected to sustained, vicious and dangerous forms of harassment which affected both their ability to complete their work and the safety of their work on the site. This harassment took the form of threats against the workers that accidents would occur to them, their wives and their children, that they could expect sudden fires at their homes and damage to their private property and their vehicles, that photographs taken by the harassers would be distributed to clubs, schools, etc., of which the workers and their families were members, and that sudden accidents would occur to the workers in the future. I have other examples that are just as sickening.

Although evidentiary material was collected in respect of this incident, it was not possible, under the present legislation, to take action on the spot to prevent continuance of that harassment and to provide immediate support and action to the work team to continue to work safely. This protection will be available if the police have powers to arrest without warrant.

As stated previously, the incident reported above is but one of many and continuing forms of harassment against SEQEB employees and contractors, which have resulted in employees resigning or failing to return to work and in contractors being forced to withdraw their services.

There is no doubt that there is very heavy pressure on SEQB employees, and that this will continue. Already there are many examples of picketing and overt threats in a majority of locations against employees, their wives and their families; intimidating and harassing telephone calls; sabotage to the network; vandalism not only of SEQEB property but also of private property belonging to employees, and threats which relate to their working at any time in the future.

More insidious is the threat made to energise dead lines when employees are working on them or threats to remove ladders when men are working up poles.

The continuation of various forms of harassment, including picketing, are deterring the return to work of former SEQEB employees who have expressed to supervisors a wish to return but do not dare do so in the present climate. This is also having a serious medical effect. A number of employees are having break-downs and a number of existing employees going off sick.

In summary, what is needed is the ability at the site of the occurrence to take immediate action which will enable the continuance of safe work.

SEQEB is currently facing the most serious form of industrial violence seen in its history. Protection of the rights of those employees and contractors who have continued to serve the community must be maintained. Therefore, the Government is introducing this Bill which in clause 4, after the introductory clauses (clauses 1 to 3), provides—

(a) for a member of the police force to arrest offenders without warrant;

(b) for a member of the police force to demand from a suspected offender, a person in his company or a person who may be able to help in the investigation of a suspected offence against the Act, his name, address and date of birth, and to require him to produce evidence of the correctness of such information.

I now refer to some headlines that appeared in the press. An article in the "Daily Sun" of 11 March 1985 was headed, "Strike Off! Top secret union plans for guerrilla war on Joh". An article in the "Daily Sun" on Wednesday, 13 March 1985, under the heading "ACTU steps into power row", stated—

"Queensland's Trades and Labor Council yesterday announced plans for a guerrilla war against the State Government.

The campaign of sudden strikes and bans would continue indefinitely.

Swift

TLC secretary Mr Ray Dempsey said the industrial action would be swift.

'We are not going to telegraph our intentions,' he said."

In the same article, it was reported that—

> "Mr Crean said any industrial action would be directed at getting the sacked power workers reinstated, re-opening discussions, and the maintenance of 'hard-won' working conditions."

In the "Telegraph" of 13 March 1985, under the heading "We'll Give Them Hell—Unions aiming now for Cabinet", it was reported that—

> "Cabinet Ministers are expected to be prime targets in the renewed power dispute industrial campaign.
>
> 'We plan to make their lives hell', union sources said."

In "The Australian" of 14 March 1985 it was reported—

> "Details of the ACTU campaign, as yet undisclosed, are believed to include guerilla-style tactics such as snap stoppages, bans, protest rallies and marches. The campaign may be waged on a national basis."

In the "Daily Sun" of 21 March 1985, under the heading "Power Faces New Threat", this was reported—

> "Mr Dolan said union action already had been set in motion and the first effects would be felt 'very soon'.
>
> He said companies known to be sympathetic to the government had been singled out for action.
>
> One company had already been warned that it would be hit and others would follow.
>
> 'It will be a guerilla campaign of industrial action,' Mr Dolan said."

The ALP and the union movement must bear a great responsibility for the action that the Government has been forced to take with the introduction of this Bill. They are one and the same.

In this House, honourable members have repeatedly heard statements by members of the Opposition that have openly incited the dismissed South East Queensland Electricity Board workers to fight on and take action against their former employers. In other words, they are fighting the people of Queensland.

Only last week, after a meeting of national unions, the national secretary of the Electrical Trades Union (Mr Ray Perriam) said—

> "After this meeting the gloves are off. We will hit back whenever and wherever we can."

If that is not an incentive to violent action, I do not know what is.

At a meeting on 16 March at the Roma Street forum, the general secretary of the Trades and Labor Council (Mr Ray Dempsey) urged workers to fight the establishment. I leave honourable members to draw their own conclusions from that statement.

It is well known and it has been widely published that the TLC and the ACTU have planned a guerrilla war against SEQEB and the Government. In doing so, it is waging a war against workers who are trying to do their jobs responsibly and who are mainly union members. It is also waging war against honest, hard-working employees of the board and contractors, who have no fight with the unions and do not want to become involved in any disputes. All honourable members will have read the headlines in the newspaper about violence looming in the power strike. That violence is now fact. Labor members opposite should stand up and be counted and denounce the intimidation and harassment of SEQEB workers by sacked ETU members and other thugs under the control of the union movement. Opposition members should reveal where they stand on the issues of law and order and whether they condone violence and stand-over tactics.

I will make it very clear to the people of Queensland what these amendments involve. They involve the use of the police force to rightfully protect and safeguard

workers in the electricity supply industry. If the Opposition wishes to oppose these amendments, it should say so for, by doing so, it will reject the protection of the innocent in favour of the bully and the thug. Opposition members, in effect, will be saying that anyone who opposes a union direction deserves to be hounded and assaulted. This is the Labor Party's real idea of law—the law of the jungle. The Government will not tolerate such a situation, and I commend the amendments to the House. From my remarks, honourable members will note that the Bill is necessary, and I commend it to the House.

Mr VAUGHAN (Nudgee) (4.54 p.m.): This is the second occasion within a very short period on which the House has had before it legislation dealing with the continuity of electricity supply in this State. On Tuesday, 5 March, the Minister introduced legislation that he is now, three weeks later, amending.

In his second-reading speech the Minister said—

> "At the time the Electricity (Continuity of Supply) Act 1985 was passed by this House I did not anticipate the level of harassment and violence involving union-organisers, delegates and other former SEQEB employees that has taken, and is taking, place."

It is not inconceivable that the Minister did not understand what he was doing when he introduced the type of legislation that he introduced on 5 March. It also is not inconceivable that he had no knowledge of the manner in which industrial relations are conducted and of the fact that, from time to time, a lack of industrial relations creates difficult problems. Members on the other side of the House, in particular the Minister for Mines and Energy, the Minister for Employment and Industrial Affairs and, indeed, the Premier and Treasurer, are so lacking in knowledge of the manner in which industrial relations should be conducted that the State is now confronted with these circumstances.

Long before the current disputation over the State's power supply, I am on record as saying in the House that, because of the actions and attitudes of this Government that I had witnessed during the period since 1977, when I entered this place, I firmly believed that this State was on the road to being compared to Northern Ireland. Many people have joked and said that that is ridiculous; but the fact is that, when a Government introduces legislation such as the House saw introduced on 5 March and on two occasions last week, with the Industrial Conciliation and Arbitration Act Amendment Bill and the Electricity Authorities Industrial Causes Bill, virtual industrial slavery now exists in this State. The Premier is very proud of the fact, as he stated in the press yesterday, that workers in the electricity industry and outside the electricity industry are being forced into virtual industrial slavery. It seems that the Government, with it extremist attitudes, will go to any lengths to introduce legislation that will suppress working people.

The amendments to the Industrial Conciliation and Arbitration Act virtually remove the right to strike. No-one, not even the most militant working person, chooses to go on strike without a reasonable cause. At times, industrial disputation takes place over a particular set of circumstances; but a check of the records will reveal that, in the majority of cases, industrial disputation in an industry, in a workshop, or on a construction project, comes about because the workers have become frustrated. That industrial disputation involving direct action—strike action—is in reality a type of safety valve. The direction in which the Government is heading at present does not allow for a safety valve.

Whether the Government believes it is warranted or not, by taking the type of action and introducing the type of legislation that it is, the Government is heading for trouble. The Minister for Mines and Energy said that he was surprised at the action that has been taken and that he did not think it would come to this. Of course the Government did not think it would come to this. It thought that, by having the State incur a bill of $1 billion through an industrial dispute, that would be the end of it.

Even though the Minister, the Premier and Treasurer, the Cabinet and the Government have tried to convince the people of this State that they were not the ones who caused

such a huge financial burden on the economy of this State, that can be proved. A perusal of the record shows that, on 10 February this year, the industrial dispute in the SEQEB could have been resolved. During previous debates I have outlined exactly what happened.

The record shows that, at a conference on Sunday, 10 February, SEQEB representatives accepted the terms of settlement of the dispute. Those terms of settlement were conveyed to the Government. However, the Government refused to accept them and, instead, proceeded on Monday, 11 February, to dismiss approximately 1 500 SEQEB employees. It turned, in industrial terms, a relatively small dispute into a major one. The Government extended the dispute over the use of contract labour. Although the dispute was resolved on 10 February, as far as the Government was concerned it had not been resolved. It turned a relatively minor dispute into a major dispute and extended it throughout the length and breadth of the State. Because of its previous experience in extending and creating industrial disputes in this State, the Government knew that the dispute would be extended. The dispute was extended for the Government's own political gain. The Government wanted to divert attention to the Rockhampton by-election and away from the problems, such as unemployment, bankruptcies and road carnage, which were confronting the State. The Government also wanted an opportunity to retrench a number of SEQEB employees and, as I said, to create industrial disputation for its own political purposes.

Honourable members have seen how the Government set about bypassing the State Industrial Commission, which, until 7 February, was handling the dispute. Before the order issued by the Industrial Commission on that day could be relayed to the employees, a state of emergency was declared. The Government proceeded to issue Orders in Council to give the SEQEB power to sack the striking employees and to engage "scabs", as they are termed in the industrial movement, to do the work of the men who were in dispute. I understand that many categories of workers were recruited. I understand also that one person who was over 65 years of age put his age back so that he could obtain a job. He was very seriously injured and he is now in hospital. People came out of the woodwork to do the work of 1 500 skilled, trained people.

The Minister, in his second-reading speech, referred to the serious medical effects on people and the break-downs that people are suffering. Of course there are serious medical effects and break-downs. One needs only to speak to the SEQEB superintendents, foremen and supervisors who have had to weather the storm through which SEQEB has gone at the Minister's instigation. Those persons can outline the trauma that they have experienced in trying to cope with the situation in which they have lost their trained and skilled men who were sacked and treated mercilessly by the Government. One fellow told me that if half of the Government members had been generals in World War II, they would never have taken prisoners. It goes without saying that many of them would never have been generals because they would never have gone to fight for their country.

Mr Casey: They would have been on the other side.

Mr VAUGHAN: As I said in this Chamber on another occasion, a couple of them had some sympathies for the people on the other side in World War II. Some had some Nazi or nasty tendencies and sympathies. When so many trained men have been dismissed by an employer, one can only expect problems to arise. People will become frustrated. What happened after 11 February when the Premier and Treasurer decided that he would sack the 1 500 men and show the unions who was boss?

The other day the Leader of the Opposition acknowledged that the Premier and Treasurer has won, so why does he set out to persecute the men? Why does he set out to grind so many men, their wives and their families into the ground? I wonder how some people sleep at night when they think about what they are doing not only to the men and their wives and children but also to SEQEB.

No wonder there are break-downs and all sorts of other medical conditions. The majority of them are not attributable to any harassment alleged by the Minister. I

question the extent of the harassment to which he has referred. If there had been harassment to the extent that he has alleged, more incidents would have been reported in the press. The media would have been overwhelmed with reports. There has been isolated picketing. Of course there will be picketing. However, if the Minister wishes to research the position in which he has placed the State, he should ask people in England about the aftermath of the coal-miners' dispute there. Certainly Mrs Thatcher won, but it has left a trail of carnage and a mountain of problems and hatred. Things will never be the same again. It will take years and years to solve the problems.

Why might men feel so strongly as to seek out and harass people and vent their feelings? The Government has taken away their livelihood. The dispute could have been resolved; but, for reasons best known to itself, the Government extended it. It did so for political purposes. The Government thought it might be able to succeed in the Rockhampton by-election. It did not. What has happened? Subsequent to taking jurisdiction away from the Industrial Commission by Orders in Council and subsequent to refusing to accept recommendations of the Industrial Commission, the Premier and Treasurer put forward a proposal on behalf of the Government on Thursday, 21 February. Part of that proposal was contained in an advertisement, the contents of which show the lack of industrial knowledge on the Government side.

Mr Fouras: They are naive.

Mr VAUGHAN: Industrially naive, yes.

In "The Courier-Mail" on Friday, 22 February, an advertisement appeared. A formal announcement had been made by the Premier and Treasurer at lunch-time on 21 February. Discussions had taken place but, of course, the Industrial Commission's hands were tied until the 21st. The unions had indicated the extent to which they were prepared to go before there would be a restoration of normal work. That was not good enough for the Premier. In the advertisement he said that the first condition for restoration of normality within SEQEB was—

> "Power station operators would be required to restore full power and become staff employees with a no-stike agreement."

The second point was—

> "30 days after the staff agreement has been achieved action would be taken to offer re-employment to dismissed SEQEB employees who wish to re-apply for positions."

Several other points were mentioned, which I will touch on later. One would expect that the first condition would be that—

> "Power station operators would be required to restore full power and become staff employees with a no-strike agreement."

It is well known that, on the night of 21 February, the power station operators restored full power. However, have all the staff employees in the power stations signed no-strike agreements? I would say that they have not and never will. If they do not sign no-strike agreements, under the terms of the proposals put forward by the Premier and Treasurer, there cannot be a resumption of normal work in SEQEB, because he said—

> "30 days after the staff agreement has been achieved action would be taken to offer re-employment to dismissed SEQEB employees who wish to re-apply for positions."

What has taken place? Certain SEQEB employees have returned to work without any loss of conditions and without a requirement that they sign no-strike agreements. Other employees who have returned to work have been forced to do so because of a wish to preserve superannuation entitlements in the light of family responsibilities, and have been required to sign confessions. If ever anything smacks of pre-war Hitler's Germany, and the events that occurred subsequent to the commencement of the Second World War, that does. Adult men who have been forced to return to work have been forced to sign confessions that state (a) that they have been harassed, and (b) that they had

been forced to go on strike—notwithstanding that the Government did not choose to conduct a strike ballot subsequent to 7 February, as provided for under section 98 of the Industrial Conciliation and Arbitration Act.

The Government did not want to know about the attitude of the rank and file members of the union, and that is the easy way out. It is easier to blame the so-called union bosses, and such a course of action suits the overall aims and intentions of the Government.

The men were forced to sign these confessions, and were even forced to inform. Another Hitlerism! The men were asked to inform about who harassed them, but many did not do that, and refused to sign such a form of confession. However, the point that I make is that none of this should have occurred because the first criterion for a return to work was that the power station operators were to sign no-strike agreements. I asked a question upon notice of the Minister today, and I will again ask him to comment: Have all staff in the power stations signed no-strike agreements? If they have not, how does the Government propose to get round the problem of not offering re-employment to SEQEB employees until 30 days after the no-strike agreement has been signed.

The SEQEB employees have been persecuted by the Government, which has set about making an example of those employees. Although it has been acknowledged that the Government has made an example of them, the Government will not let up; it continues to persecute them. The Premier and Treasurer has put a proposal about a return to work, yet has gone outside that proposal. The result has been that no-one knows what will happen next and, in such circumstances, why would not employees be frustrated?

Mr Scott: No-one else is safe.

Mr VAUGHAN: No-one else is safe in the State of Queensland, but the Government will continue with its methods of rolling persecution and suppression until the whole State is brought to its knees.

I am on record as having said previously that the Government thrives on division. From the time that the Government came to power, it started to divide the State. The Government has divided city people from country people and Queenslanders from the rest of Australia, and from other parts of the world. Yesterday, the Premier and Treasurer spoke about taking action to secede from the Commonwealth. This morning, the Leader of the Opposition (Mr Warburton) asked the Premier and Treasurer, "Can Queensland really secede?" The Premier and Treasurer talks about it, but Opposition members know that Queensland cannot secede from the Commonwealth. I would like to see the Premier and Treasurer try it.

Mr Scott: Which nationality is he?

Mr VAUGHAN: The Premier and Treasurer says that he is Danish. He was born in New Zealand, but I understand that his family name was not Bjelke-Petersen. It was previously Petersen.

Mr Comben: He is not an Australian.

Mr VAUGHAN: He is certainly not an Australian. Citizenship has never been sought by him, although it may have been granted. The Premier and Treasurer has never sought citizenship and he wonders——

Mr Underwood interjected.

Mr VAUGHAN: His name had certain obnoxious connotations, but I will not elaborate upon that.

Mr FitzGerald: You are just name-calling.

Mr VAUGHAN: I am not name-calling. The fact of life is that Sir Joh Bjelke-Petersen's father's name was Petersen, and he changed his name to Bjelke-Petersen because he did not want it to be related to any German ancestors, as I understand it—or, should I say, to any Nazi ancestors.

The legislation before the House today amends the Electricity (Continuity of Supply) Act. The Governor has given assent to the legislation that was passed recently in the House despite disagreement from the Opposition, but with the support of the Liberal Party. I see that only one Liberal Party member, the honourable member for Yeronga (Mr Lee), is in the Chamber, and he is asleep.

As I was saying, the legislation was passed, with the help of the Liberals, the Opposition voting against it. The Governor assented to the legislation before the state of emergency expired on Thursday, 7 March; yet this obnoxious additional legislation has now come before the Assembly.

The original legislation gave the Electricity Commissioner the right to take whatever steps he considered necessary to have labour forced into the electricity industry in this State. It imposed penalties of summary dismissal and a fine of up to $1,000, and all sorts of other obnoxious provisions. The Minister has said that this Bill is necessary; but, of course, everybody in this State knows that it is the Government's intention to try to give as much power as possible to the police in this State. Many police officers find it repugnant to have to enforce the legislation that is introduced into this Chamber from time to time.

I turn now to the legislation itself. As the Minister said, clause 4 enables a member of the police force to arrest offenders without warrant. Therefore, police officers have the power to walk up to a person and arrest him without warrant. Contrast that with the problems one has in getting members of the police force to act in the community generally, even when people are threatened. I know that that is supposed to be covered by the Peace and Good Behaviour Act: but when one tries to get a police officer to intervene in a domestic dispute, even if some one is being threatened with a rifle, he cannot act. That is a different kettle of fish, though, because that affects only the people at large. On the other hand, the Government sees no reason why it should not introduce legislation such as this today allowing members of the police force to arrest offenders without warrant.

The Minister said also that a member of the police force may demand from a suspected offender, a person in his company, or a person who may be able to help in the investigation of a suspected offence against this obnoxious Act, his name and address and date of birth, and require him to produce evidence of the correctness of such information. Are all people going to be required to carry round with them their birth certificates? Is that the Government's intention? Will a member of the police force be able to say, "I want to know your name, address and date of birth, and I want to see your birth certificate."? Will an extract from the certificate be sufficient, or will the police officer require a full certificate of birth? Is that what the Minister wants?

Queensland is fast becoming a police State, and it is about time that the community realised what this Government is about. Not only is it about persecuting people to the nth degree and about creating industrial disputation for its own political purposes; when it runs into a problem and realises the type of divisions that it is creating within the community, it gives the police greater powers. I repeat: Queensland is fast becoming a police State.

Other Opposition members wish to speak in this debate. As only 40 minutes remain for debate on the second reading, I reserve further remarks till the limited period of half-an-hour allotted for the Committee stage.

Mr FITZGERALD (Lockyer) (5.18 p.m.): It is true that the Electricity (Continuity of Supply) Bill passed through this Chamber only last week or the week before, and it is regrettable that this amending legislation has had to be introduced within such a short

period. However, it is fairly simple and straightforward legislation. The main provisions of the Bill are directed towards the prohibition of obstruction or harassment, and it spells out what may not be done.

The Bill also gives greater powers of arrest to police officers—powers, regrettably, found necessary as this dispute has continued.

The Opposition spokesman (Mr Vaughan) said that the dispute could have been settled on 10 February 1985, and he blamed the Premier and Treasurer (Sir Joh Bjelke-Petersen) for intervening and ensuring that the dispute was not then settled. I challenge the honourable member to prove that the dispute about the continuity of electricity supply could have been solved on that date. All that could have been done was to obtain peace in the industry similar to that obtained by Chamberlain in Europe in 1939. All honourable members know what type of peace that was. Chamberlain came back to England and said, "We have peace in our time. We have signed a document." Where did that lead him? Where did it lead Europe? The problem was in no way solved. Leaders can always cave in and sign, but I assure the House that the response I received from housewives after the electricity dispute was in these terms: "I don't mind tossing out a freezer full of meat and other frozen foods on this occasion, but if the Government does not attempt to ensure that the situation does not recur in six months' time, if it does not try to solve the problem, we will have no faith in it. We will not have this State run by lawless unions." That was the message that came through loud and clear. The housewives realised that it was a very serious dispute. If the Government had not acted to find a permanent solution to the problem, it would have suffered the wrath of the electorate at the next election, and it would have deserved to do so.

In the circumstances, the Government and Government members needed the intestinal fortitude to say and do what had to be done.

The Electricity (Continuity of Supply) Act was passed in this House. It is to be regretted that it now needs amendment. The honourable member for Nudgee (Mr Vaughan), the spokesman for the Opposition, said that he doubted whether there had been harassment. I assure him that if there has been no harassment, and no harassment takes place, the Bill will have no effect on those law-abiding citizens, law-abiding workers, law-abiding unionists and ex-unionists who used to belong to the ETU—the men who are out of work. If they are law-abiding and are not harassing anybody, if they are out looking for other jobs or intend to apply for reinstatement, they will be protected completely. This Bill will have nothing to do with them.

Mr Davis: Oh, rubbish!

Mr FITZGERALD: If those men do not harass anybody they have no worries. It is only because of people such as the member for Brisbane Central, who is trying to distract my attention, that additional protection is needed.

Last night, one of the television stations ran a film showing former SEQEB workers standing by while an electricity pole that was rotten was pulled out and replaced. Naturally enough, they were making comments about the work being done at the time. It is easy to imagine that, every time an electric wire falls down or a pole has to be replaced, the workers on the job will be harassed. That too, would draw the television cameras.

The situation is much the same as that engineered by friends of the Opposition who demand the right to march. It is only when punches are thrown or a police officer has to restrain someone that the television cameras appear. The television cameramen thrive on—virtually demand—the excitement of the crowd and the melee that follows. They love it. When a melee occurs, the cameras are trained, the photographs are taken and they appear in the press and on television. I repeat that if there is no harassment, the citizens of whom I am speaking will have no worries.

I can understand the frustration of Opposition members when they see cartoons such as the one in today's "Telegraph" indicating the reaction of the Prime Minister of

Australia to the plight of the Queensland unions. A great deal of publicity was given to a bus load of unionists going to Canberra to put their case and try to get Bob Hawke to come to the rescue. Much was made of what they intended to do to get the Federal Government to over-ride the State's right to legislate in this field. The unionists may have seen Mr Willis, but I do not think that he has yet made a statement. I have not heard one peep from the Prime Minister on this issue. That is a very vexed question for the people who thought that they would call on him to assist. What did they find? They found that the Prime Minister will not interfere in the matter of State rights. He is standing back and watching what is happening in Queensland. The other Premiers of Australia also are watching what is happening in Queensland.

Mr Henderson: With envy.

Mr FITZGERALD: As the honourable member for Mount Gravatt says, they are watching with envy. They are waiting to see the outcome of this dispute in Queensland.

I can understand the frustration of the workers who now find that they were misled by some irresponsible union bosses, who thought that they would enhance their position in history. Some of those leaders in the union movement will never be forgotten. I know the spleen that eventually will be vented by those men who now realise that they have been misled. I understand their frustration.

Some of the union leaders will be as popular as Pat Mackie was when he returned to Mount Isa about 12 months after the Mount Isa strike. Nobody wanted to know him. At the time of the strike he was a hero and, when he walked down the street, he was cheered by mobs of people. They followed him everywhere. About 12 months after the strike ended they did not want to know him. I can assure the union leaders in Queensland and their friends in this Chamber that they also will not be popular for leading the men into the predicament in which they now find themselves. There are many good men out there, and I wish them all the best in finding suitable employment. I hope that the better men return to the system.

I have sympathy for those men. They have been misled by idiots and nincompoops in the trade union movement, cheered along by some Opposition members. How many Opposition members went to Perry Park the other day to support the men? It was a well-advertised function, and I believe that only about 300 people attended the barbecue. That is what I call real support! I understand the men's frustration. Not only is Hawke not backing them; the Labor Party is not supporting them.

The success of this legislation will determine the future viability of this State. I have often said in this Chamber that Queenland's competitiveness in the world scene depends on its efficiency. Unless a continuity of supply of electricity is guaranteed in this State, Queensland will not be able to compete with the rest of the world in the very competitive market that is developing.

It has been said that the Government wants to crush the working people. The Government is sticking up for the working people. By this legislation, the Government is attempting to protect jobs in Queensland. It is attempting to protect those people who work for small businesses and for large enterprises. The Government is protecting the workers' right to work. If a continuous supply of electricity is not guaranteed, how many people will be stood down? How many housewives will be able to cook their evening meal? Opposition members know where the sympathy of those people lies. This Government is sticking up for housewives, small businesses, farmers and primary producers.

The person who signs the wages cheque has some rights. In this instance, it is the consumer of electricity. He has some rights. He is the person who pays his electricity bill every quarter. He demands some rights. He wants a guaranteed continuity of supply of electricity. The Government, through these amendments, is attempting to ensure that the Electricity (Continuity of Supply) Act is effective and that people being supplied with electricity will be guaranteed a continuity of supply.

Mr CASEY (Mackay) (5.29 p.m.): One hundred years ago, my ancestors came from troubled Ireland to this State of Queensland to avoid the type of legislation that has been introduced into this Chamber today. They came to what they believed was the free colony of Queensland. It certainly was at that time. Today, members are witnessing the worst step backwards of all times—even worse than those that were taken last week and the week before.

The Premier and Treasurer claims that workers are being stood over. His Government is standing over the workers. The Minister for Mines and Energy has spoken of harassment. More workers in this State are being harassed today by his Government than by any other group or person since the foundation of the State.

What is the Government's answer to all of these problems? Its answer is arrest without warrant and gaol without trial. That is the answer of the Bjelke-Petersen Government to the problems facing Queensland today. What justice is there in that? It is wrong of me even to mention justice.

Mr Newton: They would shoot them elsewhere.

Mr CASEY: A Government member just said that elsewhere such people would be shot; that is the next step. That is what this Government would love to do. It would like to be able to reintroduce firing-squads, and with this legislation, that is the direction in which the Government is heading. Unless the people of Queensland become aware of what is happening and pull the Government into gear, that situation will develop. Indeed, unless Government back-benchers pull the Government into gear, it will happen. I do not blame the Premier and Treasurer or the Minister for Mines and Energy for this legislation; I blame the weak-as-water back-benchers on the Government side who sheepishly vote on every occasion that this type of legislation is introduced, despite what their consciences may tell them. I know that many Government back-benchers have no conscience. As long as their coffers are filled, they could not care less about ordinary people.

Mrs Chapman: You are the ones without any conscience.

Mr CASEY: The honourable member for Pine Rivers, who is interjecting, is a classic example. I ask honourable members to imagine her in charge of the poor old Jews in the gas chambers at the Belsen concentration camp. She would be a beauty standing over those people!

The legislation provides for arrest without warrant, and that is serious enough on its own. However, it goes further. It provides for arrest without warrant if a person cannot verify the correctness of the information that he is giving. The honourable member for Nudgee (Mr Vaughan) touched briefly on that point.

The legislation states that any person can be arrested by a member of the police force without warrant if he fails to produce evidence of the correctness of any particulars, including his name and address and birth date. The only way that a person can verify correctness is to reveal his birth certificate. Even that may not be sufficient indication. In Queensland, a person will need to carry a passport, which contains a photograph that indicates that he is the person whom he claims to be.

Unless a person can produce evidence of the correctness of that information, a policeman can arrest him, take him to the watch house and throw him into gaol without a warrant, and without reason or cause. That is a travesty of justice. What is the Government coming to when it brings legislation such as this into Parliament?

If a person is seen to be in the company of somebody who may have been referred to by the Electricity Commissioner, he can be arrested. In other words, a person cannot walk along with a member of the Electrical Trades Union, with an electrician or with anybody who is involved in the electricity industry without fear that a policeman can get hold of him and charge him under this legislation.

A Government Member interjected.

Mr CASEY: The legislation goes further than that. It is no good Government members saying that such things cannot happen, because, under this legislation, they can. Recently in this place the Minister for Transport (Mr Lane) said that certain railway accidents could not happen. At that time, I said that accidents could happen, and at Trinder Park on Saturday morning an accident that was a tragedy for so many people did occur.

Government members claim that what I am saying concerning this legislation cannot occur, but the legislation provides for the incidents that I have described. A member of the police force can arrest any person whom he finds in the company of a person who is engaged in the electricity industry, as is provided for in the Act. How far does that go? A person could be at a football match sitting with a member of the ETU or an electrician and be arrested. A person could be sitting or praying in church alongside such a person, and be arrested. The legislation does not specify a place or a time. It gives members of the police force power to arrest any Queenslander in this manner. If that can happen, surely that is the ultimate travesty of democracy on the Government's part.

I tell Government members not to say that it cannot happen. My colleague the honourable member for Nudgee referred to Nazi Germany and the way in which the Gestapo went into houses and churches and attended sporting matches and grasped people without warrant. They were arrested, and, in some cases, those people were never seen again. If the will of the honourable member for Caboolture, as he expressed it a moment ago, comes into being, the State will have firing-squads and people will never be seen again. That is what he said that he would like to be able to do. He expressed that will in this Parliament. That is the sort of thing that can happen.

An even worse provision in the Bill provides that a member of the police force, who is making inquiries or investigations with a view to establishing whether or not an offence has been committed against section 5, has the power to require a person's name and address. An early morning knock on the door, which is answered by a child who is asked if daddy is there, could lead to that child's being arrested without warrant. Under this legislation the policeman merely has to say that be believed that the child was not giving correct information. The Government has given police the power to take children away without a warrant. That is what the legislation does. It is there and nobody can deny that it is there.

All honourable members know that style of police questioning now occurring in this State at the behest of the Bjelkle-Petersen Government. The door is open for the police to be able to do absolutely anything and walk away scot-free. That is the type of provision that is written into this Bill. Why is that not extended to the Government? If that were to happen, the first to be arrested would be the Minister for Transport, who has his henchmen going round the countryside at the moment questioning railwaymen. He is carrying out a heresy hunt to find out who within the Railway Department has been talking to me about the Trinder Park train disaster. He is trying to harass electricians in the Railway Department. That has happened. Today I have received two calls from employees of the Railway Department who have been so treated. It has happened previously.

Mr DEPUTY SPEAKER (Mr Row): Order! I ask the honourable member to return to the Bill.

Mr CASEY: Mr Deputy Speaker, I am drawing comparisons.

I wish to draw another comparison. I draw to the attention of the House to what has become known as the Pointing case in the United Kingdom. That man gave information that the Government had deliberately lied and misled the Parliament of the United Kingdom in relation to the Falkland war and the "Belgrano" battleship, which was sunk when it was returning to port. Under the Maggie Thatcher Government, he

ended up being prosecuted in court. Because the Ministers had misled the Parliament to protect the Government's reputation and their own, he was found not guilty. That is what the Minister for Mines and Energy is trying to do with the introduction of this legislation.

Mr DEPUTY SPEAKER: Order! The honourable member for Mackay is suggesting that the Minister has improper motives. The Standing Orders clearly set out that an honourable member must not impute improper motives to a Minister. I have to ask the honourable member to withdraw his last comment.

Mr CASEY: I will withdraw my last comment and I will impute an improper motive to the whole of the Government, not just the Minister, in the legislation that is now before the House. Mr Deputy Speaker, surely you cannot say that arrest without warrant is a proper motive.

What has happened to the common law rights of every individual in the community? Once more I say that it is no good saying that it will not happen in this State, because it will happen.

Mr Scott: It happened to your railwaymen. There is no doubt about that.

Mr CASEY: It is happening to my railwaymen now.

The Government introduced an innocuous little amendment to the State Transport Act and has since implemented it. What is it? It is the right to declare a state of emergency in Queensland. It is an innocuous little provision hidden away in the State Transport Act. What does the House have before it now—the innocuous little Electricity (Continuity of Supply) Act Amendment Bill.

By this provision the Government can use its Electricity Commissioner to force arrest without warrant on any citizen of this State for any reason, not just because he is working with an ETU employee, not just because he might have been praying in church with an electrician or somebody connected with the electricity industry, but because a policeman believes that he may have been so doing. Under this legislation, that policeman has the power of arrest without warrant. It is absolutely tragic legislation.

As I said earlier: Who is to blame? It is not the Premier and not the Minister, but those back-bench members of the Government who have been prepared to sit there and support the Premier and the Minister every inch of the way in all of these dastardly moves.

It will be those back-bench members who will have to go out and report to their electorates when the persons in their electorates begin to be arrested by the police without a warrant being executed, without reason and without proper motive. The Bjelke-Petersen jackboot will come down upon them.

Hon. Sir WILLIAM KNOX (Nundah) (5.40 p.m.): I want to speak forcefully on this Bill. As to the limitation of time—it is fairly difficult for honourable members to deal with a Bill of this nature when no statement of urgency has been presented to this House either in front of Mr Speaker——

Opposition Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! There is too much disturbance in the Chamber. If honourable members keep shouting abuse, I will warn them.

Sir WILLIAM KNOX: It makes it extremely difficult for honourable members to decide whether or not there should be limitation of time of debate when no expression of urgency is given either behind Mr Speaker's chair or in front of it. On this occasion neither of those things occurred. Honourable members will recall that I rose twice in my place to ask for an expression of urgency; it was not given, and the Liberal Party opposed the limitation of time. Honourable members will also recall that an expression

of urgency has been expressed on other occasions and the Liberal Party has supported the limitation of time. The Liberal Party did not support the limitation of time order during the debate on the amendments to the Industrial Conciliation and Arbitration Act, because there was no urgency in that matter. There is no urgency with this amendment. The Bill could have been introduced an hour ago, it could have lain on the table, the matter could have been considered after the dinner recess, and the debate could have gone into the night without any trouble.

Mr Scott: You are talking about irrelevancy.

Sir WILLIAM KNOX: I am not talking about irrelevancy, I am talking about the limitation of time. It has made it extraordinarily difficult for members of the Liberal Party and, I am sure, for other honourable members in this Chamber who are not on the Government's side to find out what is in the Bill. Members of the Liberal Party have held a party meeting and examined the Bill. We have consulted the authorities. We have made inquiries elsewhere and we find that we can support the legislation. The Opposition has not examined it.

There are no grounds for urgency, but for a number of reasons there are certainly grounds for supporting the legislation. Firstly, I am sure that every member of this Chamber would be opposed to harassment, intimidation, coercion and violence in the streets.

Mr Comben interjected.

Sir WILLIAM KNOX: There is, indeed.

Mr Comben: But why do you need these extra things?

Sir WILLIAM KNOX: The honourable member should listen carefully to what I have to say.

Recently this Parliament approved section 5 of the Act, which refers to obstruction or harassment being prohibited.

Mr Fouras: Some of this Parliament approved it. Don't put us in that situation.

Sir WILLIAM KNOX: I said that this Parliament approved it; I did not say that everybody approved it.

This Parliament approved a piece of legislation that provided for the prohibition of obstruction or harassment. Like all legislation that is put through this Chamber without proper preparation, a gap existed. On that occasion I raised this matter in my speech. The Bill contained no definition of the powers of the Electricity Commissioner. I said that the Electricity Commissioner would not have the opportuntiy to give directions personally to people at places that might be some distance from his office. I raised that matter in my speech and I asked the question: Who would police the provisions when the Electricity Commissioner was miles away, possibly at a conference or at his office and nowhere near the scene of the action? The legislation provided for directions to be given to the Electricity Commissioner. If those directions were defied, penalties could be imposed. In my speech I pointed out that the Electricity Commissioner could not possibly go round and issue all those instructions. The gap has now been filled by the provisions of this amending Bill. It proposes a procedural arrangement, which should have been embodied in the original legislation, empowering the police to take action when an instruction is defied, when people are trespassing or when people are being harassed, coerced or intimidated. They are all matters quite beyond the physical capacity of the Electricity Commissioner. I raised that matter in my speech on the second reading of the original legislation. It is now being remedied. It should have been attended to at that time.

Mr Vaughan: You didn't raise that in your previous speech.

Sir WILLIAM KNOX: I did indeed. If the honourable member for Nudgee were to read "Hansard", he would see that I pointed out that it was quite impossible for the commissioner personally to issue directives. He would need to have agents to do so on his behalf. The agents in this instance happen to be the police, because it is an offence.

Opposition Members interjected.

Sir WILLIAM KNOX: Otherwise it could only have been dealt with under the Justices Act. That would have taken considerable time. In the meantime, the man being coerced would be up a pole trying to get down, his ladder having been removed, with the possibility of his family being threatened. Because action would have had to be taken under the tortuous processes laid down in the Justices Act, nobody would have been there to help him. It is not unusual for a provision such as that contained in proposed new section 5A to be in enactments of this State. It already exists in a number of pieces of legislation which require the handling of such disturbances.

Under the Vagrants, Gaming, and Other Offences Act, the Traffic Act and the Criminal Code, it is possible for people who misbehave to be dealt with; but it is not possible under those Acts for offences laid down in this legislation to be treated in the way in which they ought to be; that is, promptly, for the protection of people and property. That can only be done by the use of police officers.

Mr Comben: The onus of proof is reversed.

Sir WILLIAM KNOX: The member for Windsor is completely off the beam. He should go back to the library, where he disturbed the staff at lunch-time and prevented them from having their lunch, and do some more homework.

The House is dealing with a simple, technical problem that should have been attended to in the original legislation. There is nothing unusual about these provisions. I do not care how much the Opposition rants and raves and carries on about untoward legislation. This provision appears in a number of Acts in the statute-book to cater for circumstances requiring the presence of police officers. It is not unusual at all. I hope that Opposition members will stop the nonsense of the expressions that they have adopted in relation to the legislation.

Mr I. J. GIBBS: Mr Deputy Speaker——

Mr SCOTT: Mr Deputy Speaker——

Mr INNES: Mr Deputy Speaker——

Mr DEPUTY SPEAKER (Mr Row): Order! I call the Minister.

Mr MACKENROTH: I rise to a point of order. I move—

"That the member for Chatsworth be heard."

Question put; and the House divided—

AYES, 35		NOES, 41	
Braddy	Scott	Ahern	Lester
Burns	Shaw	Alison	Lingard
Casey	Smith	Austin	Littleproud
Comben	Underwood	Bailey	McKechnie
D'Arcy	Vaughan	Bjelke-Petersen	McPhie
DeLacy	Veivers	Booth	Menzel
Eaton	Warburton	Cahill	Miller
Fouras	Warner, A. M.	Chapman	Muntz
Goss	White	Cooper	Newton
Gygar	Wilson	Elliott	Powell
Innes	Yewdale	FitzGerald	Randell
Knox		Gibbs, I. J.	Simpson
Kruger		Glasson	Stephan
Lee		Goleby	Stoneman
Lickiss		Gunn	Tenni
Mackenroth		Harper	Turner
McElligott		Harvey	Wharton
McLean		Henderson	
Milliner		Hinze	
Palaszczuk	*Tellers*	Jennings	*Tellers*
Prest	Davis	Katter	Kaus
Price	Campbell	Lane	Neal

Resolved in the negative.

Mr SCOTT (Cook): I move—

"That the member for Cook be heard."

Mr DEPUTY SPEAKER (Mr Row): Order! The question of the division having been resolved in the negative, the Minister now has the call. I do not intend to accept any further motions.

Mr SCOTT: I rise to a point of order. I have moved that the member for Cook be heard.

Mr DEPUTY SPEAKER: Order! I have determined that the Minister has the call.

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy) (5.56 p.m.), in reply: In answer to some of the points that have been made, I simply say that the unions have let their men down. There are only a few thugs; the majority of the men are good people. But the thugs are stopping them from going to work. They are trying to flog those people who stayed at work and kept the industry in good repute. They are stopping some men from being re-employed.

No-one has any worries at all if he is acting lawfully under the provisions of this Bill, which will be applied only to stop the thugs, who are the friends of the ALP, and the union leaders who encouraged them. It was noticeable today that the honourable member for Nudgee (Mr Vaughan) said that the men were acting out of frustration. If one extends that principle, most cases of rape occur out of frustration, so the honourable member supports rape. He ought to be ashamed of himself.

The Fisherman Islands affair involved 10 dismissed workers belonging to the Electrical Trades Union. They travelled in three cars, one of which was yellow. The numbers of the three cars were taken, and I am quite sure that they will be proved to belong to members of the ETU.

Reference has been made to industrial slavery, but when one examines the awards under which ETU members work, one finds that nothing could be further from the truth. Opposition members are supporting the unions, the thugs and the people who stone trucks and threaten people in an attempt to destroy the industry. They will never get away with it. The legislation is in place and the Government will play the game at whatever level the unions want to play it. The Government did not believe that this legislation would be needed but, if the unions want to play rough, knock about and abuse decent people, and threaten children at school, they will not get away with it. The Government will take whatever action is necessary to bring peace to the industry.

Question—That the Bill be now read a second time (Mr I. J. Gibbs's motion)—put; and the House divided—

AYES, 46	
Ahern	Lane
Alison	Lee
Austin	Lester
Bailey	Lickiss
Bjelke-Petersen	Lingard
Booth	Littleproud
Cahill	McKechnie
Chapman	McPhie
Cooper	Menzel
Elliott	Miller
FitzGerald	Newton
Gibbs, I. J.	Powell
Glasson	Randell
Goleby	Simpson
Gunn	Stephan
Gygar	Stoneman
Harper	Tenni
Harvey	Turner
Henderson	Wharton
Hinze	White
Innes	
Jennings	*Tellers*
Katter	Kaus
Knox	Neal

NOES, 29	
Braddy	Warner, A. M.
Burns	Wilson
Casey	Yewdale
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Goss	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Prest	
Price	
Scott	
Shaw	
Smith	
Underwood	
Vaughan	*Tellers*
Veivers	Davis
Warburton	Campbell

Resolved in the affirmative.

Sitting suspended from 6.6 to 7.15 p.m.

Committee

Mr Randell (Mirani) in the chair; Hon. I. J. Gibbs (Albert—Minister for Mines and Energy) in charge of the Bill.

Clause 1—Short title—

Mr MACKENROTH (7.16 p.m.): This legislation, the Electricity (Continuity of Supply) Act Amendment Bill, is designed to protect scabs. That is really all it is. It has been brought in to protect people——

The TEMPORARY CHAIRMAN: Order! I consider that word to be unparliamentary. I ask the honourable member to withdraw it.

Mr MACKENROTH: It is not unparliamentary, Mr Randell. I am not referring to any member of Parliament.

The TEMPORARY CHAIRMAN: Order! I think it is unparliamentary. I ask the honourable member to withdraw it.

Mr MACKENROTH: I will withdraw it. In the past, that word has been ruled unparliamentary in this Chamber when Opposition members have been referring to the honourable members for Wavell and Merthyr. I am speaking now about people outside. Quite frankly, I think that your ruling in this instance is wrong. I am speaking about people who are scabbing on their fellow workers, not about members of Parliament. That is exactly what I am speaking about—people who have taken the jobs of fellow workers in Queensland in the electricity industry. They will have to live with it. This legislation was introduced today because those people cannot live with what they have done. Every time they see one of their former fellow workers drive past the job, they think that they are being harassed. That is really what is happening. When the Minister spoke earlier about the bullies——

Mr Elliott: You do not honestly believe that.

Mr MACKENROTH: I certainly do.

In his closing remarks, the Minister referred to——

The TEMPORARY CHAIRMAN: Order! I draw the honourable member's attention to the fact that clause 1 deals with the short title.

Mr MACKENROTH: I am speaking only about the title of the Bill. Honourable members are discussing the continuity of supply of electricity—the legislation that the Minister put before us three weeks ago and this legislation. I know that you will try to sit me down, Mr Randell, because you voted just before Parliament rose for the dinner recess to stop me from speaking. If you really want to debate this legislation, how about letting Opposition members get up and speak about it? For the last three weeks we have been sat down and stopped from speaking about this dispute.

The TEMPORARY CHAIRMAN: Order! I warn the honourable member under Standing Order No. 123 (4).

Mr MACKENROTH: It is 123A that you mean.

The TEMPORARY CHAIRMAN: Order! The honourable member's remarks are a reflection on the Chair. I ask him to withdraw them.

Mr MACKENROTH: What remarks were they, Mr Randell?

The TEMPORARY CHAIRMAN: The honourable member knows the remarks.

Mr MACKENROTH: I do not know the remarks. I am asking you what remarks.

The TEMPORARY CHAIRMAN: Order! The honourable member is reflecting on the Chair.

Mr MACKENROTH: No, I am not.

The TEMPORARY CHAIRMAN: Order! The honourable member is reflecting on the Chair.

Mr MACKENROTH: I am sorry.

The TEMPORARY CHAIRMAN: Order! The honourable member will sit down. I am asking him to withdraw the remarks.

Mr MACKENROTH: I withdraw the remarks, although I honestly do not know which specific remarks. I am not trying to be smart in saying that. I honestly do not know to what you are referring, Mr Randell.

I was saying that, before the dinner recess, the House voted on whether I could speak to this legislation. The Opposition lost the vote. This is the fourth piece of legislation relative to the electricity dispute to come before the House. This is the first opportunity that I have had to speak to the legislation. Other Opposition members have also wanted to speak to the legislation. It is ridiculous that honourable members have only half an hour in which to speak to the clauses of the Bill.

The Minister talked about the bullies and thugs in the Electrical Trades Union. The only bullies and thugs in this whole dispute are the members of the National Party Government in Queensland, and the worst political thug is the Premier and Treasurer of Queensland. Quite truthfully, I cannot understand what the Government has against trade-unionists. It seems to have a deep-seated hatred of them.

The TEMPORARY CHAIRMAN: Order! I am warning the honourable member for a second time that he is wandering away from the clause under discussion. If he continues to do that, I shall sit him down.

Mr MACKENROTH: Quite frankly, I do not think that the Government will get a continuity of supply of electricity under this legislation or any other legislation. Unions and unionists just do not work like that. If the Government continues to introduce this type of legislation, even the people working in the electricity industry now will not continue to do so.

Mr INNES: The Electricity (Continuity of Supply) Bill was introduced into this Chamber, by leave, on 5 March 1985. Now, 21 days later, an amendment is being made to that Bill. The reality is that I also was on the list of speakers for the last five pieces of industrial legislation, and this is the first occasion on which I have been able to make a submission on such legislation.

Mr Simpson interjected.

Mr INNES: I have no doubt that the word "wastes" has a very special meaning to Government members.

The TEMPORARY CHAIRMAN: Order! I point out to the honourable member for Sherwood that I warned the previous speaker that he should stick to the clause under discussion.

Mr INNES: With respect, I was responding to an interjection from the Government side of the Chamber. Perhaps the even-handedness could be extended.

The reality is that the Liberal Party in this Chamber has had very little time to attempt to come to grips with this Bill. When we voted against the allocation of time, we did not know whether the Bill contained 150 pages or two pages. We have come to

grips with the two pages that it contains and have found that it is such that it should really have been incorporated in the previous Bill.

Mr Scott: Your boss said that.

Mr INNES: I will make the point in my own way. There is one thing for sure: after listening to the contributions from the Opposition, it is apparent that it is incapable of understanding what is involved in the legislation.

The Opposition made two significant speeches on the Bill. One was a diatribe by the honourable member for Mackay (Mr Casey), who suggested that the power of arrest involved in this legislation was inconceivable, that it spelt the end of democracy and that it was making major changes to the criminal law in this State. After the lengthy research that the honourable member for Windsor (Mr Comben) customarily gives to legislation, he interjected and suggested that the onus of proof had been reversed.

The TEMPORARY CHAIRMAN: Order! Once again, I warn the honourable member that clause 1 deals with the short title of the Bill. I cannot allow him to range far and wide. I think that, in the interests of the debate tonight, he should return to the clause under discussion.

Mr INNES: I refer specifically to this Bill, and I submit that in the debate on the short title, as long as I confine myself to the Bill, I am within the bounds of the rules of debate. That is a custom of this Chamber.

The Bill revolves around the enforcement of the powers that were referred to in the principal Act. The power of arrest, which is incorporated through this Bill into that Act, applies to a variety of offences of a very minor order throughout the statute law of Queensland. I refer to the Vagrants, Gaming, and other Offences Act for an illustration of the level of offences——

The TEMPORARY CHAIRMAN: Order! I suggest that the honourable member for Sherwood return to the clause that is under discussion.

Sir WILLIAM KNOX: I rise to a point of order. With the greatest respect, Mr Randell, I point out that debate on the short title of a Bill is traditionally a debate on the contents of the clauses; that is what the honourable member for Sherwood is doing. He is referring to the clauses under the title of this Bill.

The TEMPORARY CHAIRMAN: Order! I have made a decision. I ask the honourable member for Sherwood to relate his comments to the short title of the Bill or I will ask him to resume his seat. I have made that ruling, and it will apply to all honourable members.

Mr INNES: In view of the time given for debate on this Bill and the time allowed by the Government for consideration of its contents, I suppose it would be appropriate to debate its short title.

I submit that this Bill is interesting because it does not appear to amend or deal with the principal Act. I wonder whether the Minister for Mines and Energy (Mr I. J. Gibbs) could explain how this Bill can be distinguished from the principal Act, which is entitled the Electricity (Continuity of Supply) Act 1985.

Mr SCOTT: Once again, the Liberals fiddle while Rome burns. In this case, Rome is the Government of which they were previously a part. The Liberals quibble over a minor argument as to whether this Bill should have been part of the principal Act.

The title of the Bill is most important because it will hang round the Government's neck and eventually bring the Government down. It will have two negative effects: it will not work and it will not have the desired result. It represents the last nail driven into the coffin of the Government's reputation. The Government is getting closer to

fascism, and legislation of this sort will do that job for it. Every person who is part of the Government——

The TEMPORARY CHAIRMAN: Order! I draw the attention of the honourable member for Cook to the ruling that I have made. The honourable member will return to discuss the short title or I will take appropriate action.

Mr SCOTT: I am not departing from the title of the Bill.

The TEMPORARY CHAIRMAN: Order! I have made a decision, and I will not permit the honourable member for Cook to debate that with me. If he does not refer to the title, he will bear the consequences.

Mr SCOTT: Thank you, Mr Randell, for your advice.

Because of this legislation, every member of the Government will wear the same label. It has been hastily brought in and its title is that of the parent Act. I do not know whether this Bill is the result of an omission or whether someone has told the Minister that the principal Act did not go far enough. Unfortunately, the Minister will bear the brunt and cop the blame, and public servants will be dragged into the mire.

Under this title or under any title, this Bill is police-State legislation, and the Government knows that it is.

One question that is asked in modern history and one that is raised so often in this House is: Why was Hitler able to come to power in an enlightened state such as Germany?

The TEMPORARY CHAIRMAN: Order! The honourable member is splitting straws. I will ask him once more to return to the title of the Bill.

Mr SCOTT: Mr Randell, I take your advice.

My theme hinges on the title of the Bill, which is what is currently under debate. With due respect, Mr Randell, I believe it does, because one can argue that it is legislation of this nature under this type of a title that allowed Hitler to come to power. That had the effect of dragging the German people into World War II. Everyone wondered why people supposedly as nice as the Germans sat back and allowed that to happen. People will ask the same question here.

The TEMPORARY CHAIRMAN: Order! I ask the honourable member to resume his seat.

Mr I. J. GIBBS: The comments made thus far on the short title of the Bill have been fairly fruitless and have said nothing. The honourable member for Sherwood asked how the Bill will be integrated into the Act. Of course, the Bill is an amendment and will be integrated into the Act. No doubt it will become the one piece of legislation without amendment, which is the usual procedure. It is nothing different.

Clause 1, as read, agreed to.

Clause 2, as read, agreed to.

Clause 3—Amendment s. 5; Obstruction or harassment prohibited—

Mr VAUGHAN (7.32 p.m.): This clause seeks to amend section 5 of the original legislation, which is now an Act of this place, having been assented to by the Governor on either 6 or 7 March after the Government, using its numbers, pushed the Bill through the House on Tuesday, 5 March. As the Opposition said at the time the original legislation was before the House, the Bill was hurried and ill conceived. Some three weeks later, the Minister, on behalf of the Government, has to come before the House and seek to amend the provisions of the original legislation.

Mr FitzGerald: You would not have suggested this amendment.

Mr VAUGHAN: As the member for Lockyer is aware, we in the Opposition oppose the legislation. It is significant that the member for Lockyer deserted the members of SEQEB at the Gatton depot who were involved in the initial dispute that triggered off the whole issue. I will be interested to see how the member for Lockyer will respond when prior to the next State election he is asked by those employees how he could sustain his defence of the actions of the Government in introducing this type of legislation.

Mr Alison: Do you believe in thuggery?

Mr VAUGHAN: I hear the member for Maryborough, who brings his accounting business down to this House and carts it with him around the corridors of this place. I ask him to stand up and show honourable members his brief-case, which he carries around with him in order to conduct his accountancy business while he is supposed to be in this place to represent his constituents.

Mr ALISON: I rise to a point of order. I find those remarks quite offensive. They are totally incorrect and I request that they be withdrawn.

The TEMPORARY CHAIRMAN: Order! The honourable member finds those remarks offensive and I ask the honourable member for Nudgee to withdraw them.

Mr VAUGHAN: I withdraw them. The brief-case has probably changed.

The TEMPORARY CHAIRMAN: Order! I ask the honourable member for Nudgee to come back to the clause.

Mr VAUGHAN: I will withdraw. If the honourable member for Maryborough chooses to interject with inane remarks, he has to be be prepared to cop it.

The Government is changing the provisions of clause 5 (1) (b) of the Bill—

The TEMPORARY CHAIRMAN: Order! The honourable member will return to clause 3.

Mr VAUGHAN: I should have referred to section 5 of the Act. I am referring to an amendment to section 5 (1) (b) of the Act, which is in clause 3. The reason why I keep referring to it as a Bill is that it was only three weeks ago that the legislation being amended was introduced. It is now an Act of Parliament.

Mr Mackenroth: Normally we would only be debating it now.

Mr VAUGHAN: The honourable member is right. At this time we would probably only be debating it.

The Government wishes to elaborate on section 5 (1) of the legislation that was introduced on 5 March. The Act refers to—

> "any act that is calculated to obstruct or interfere with the proper provision of services . . of any person or persons or performing work in compliance with a direction given by the Electricity Commissioner."

Section 5 of the Act hinges on the Electricity Commissioner being able to give a direction that must be complied with. Clause 3 of the Bill, which amends section 5 of the Act, proposes to insert in paragraph (c) (ii), after the words "person or persons or" the words "his or her", so that it will read—

> ". . person or persons or his or her performing work in compliance with a direction given by the Electricity Commissioner."

I am concerned about the extent to which a person reading the Act will be able to interpret it. Honourable members must, in conjunction with clause 3, look at the other provisions that are being inserted into the legislation, particularly clauses 4 and 5. We must take into consideration the extent to which the police officer, who is referred to in the later clauses, will be required to interpret the Act. He will have to examine a

person who is performing work in compliance with a direction given by the Electricity Commissioner. I would like the Minister to explain how a police officer who is apprehending a person referred to in clause 4, which states that a member of the police force may arrest without warrant a person who is performing work that is in compliance with a direction of the Electricity Commissioner, having regard to the contents of the Act that was passed in this Assembly on 5 March, will be able to determine that the person being apprehended is carrying out the work at the direction of the Electricity Commissioner. The Minister is virtually saying that a police officer can arrest without warrant any person found by him to be committing an offence against section 5, which is now being amended——

Mr I. J. Gibbs: We are only on clause 3.

Mr VAUGHAN: I am referring to the provisions of clause 4 and its application to clause 3. Clause 3 amends section 5 (1) (b) of the Act by inserting the words "who is" after the words "person or persons or" so that it will read "person or persons who is performing work in compliance with a direction given by the Electricity Commissioner" Section 5 (1) (c) (ii), after amendment, will refer to "person or persons or his or her performing work in compliance with a direction given by the Electricity Commissioner." How will a police officer, when he attends at the scene, determine that that person has in fact been given a direction by the Electricity Commissioner?

This legislation gives police officers the power to arrest without warrant. It is designed to prevent the harassment and intimidation alleged by the Government. I ask the Minister to explain how a police officer determines that a person who is being harassed has been directed by the Electricity Commissioner to perform the work he is currently performing. After all, the Bill goes to great lengths to list a series of circumstances in which the police are given the power. I am not saying that the Government is not going far enough—it has gone too far already—but I envisage that in the not-too-distant future the Minister will again be seeking to amend the legislation when he finds that it does not cover the circumstances to which I have referred. Therefore, I am interested to hear the Minister explain how a police officer will be able to determine that somebody on whose behalf he is intervening has been given a direction by the Electricity Commissioner.

Mr I. J. GIBBS: That really was not a question; nor was it a statement. It certainly was not accurate. Probably the commissioner's power to direct will rarely be used. Under the Act, the police will be looking for thugs—looking for friends of members opposite—who have been harassing people. The Government is trying to protect those people who are working.

I point out that several sections of the Electricity Act already contain the power of arrest without warrant and require the provision of names, addresses and dates of birth of offenders or suspected offenders. Those provisions were not questioned by the Opposition when the Act was passed or from time to time when it was amended. For offences under the Electricity Act, the police have wider powers than those given to them under this Act. For example, there is the power to enter premises without a warrant, except in the instance of a dwelling-house. Even in the case of a dwelling-house, power is given to the police to force an entry if they have a warrant obtained from a justice of the peace. That is to do with safety and other important aspects.

Anybody who commits a traffic offence and is pulled up and asked for his name and address has to produce proof. If he does not, he is in terrible trouble. The Bill giving this power to the police is being introduced to enable action to be taken against those who harass and prevent people from working. It has no relation whatever to the commissioner's having the power to give orders.

The TEMPORARY CHAIRMAN (Mr Randell): Order! Under the provisions of the allocation of time order agreed to by the House in relation to the Bill, the time for debate on the clauses has now expired.

Question—That clauses 3 to 5, as read, be agreed to—put; and the Committee divided—

AYES, 45		NOES, 29	
Ahern	Lester	Braddy	Wilson
Alison	Lickiss	Burns	Yewdale
Austin	Lingard	Campbell	
Bailey	Littleproud	Casey	
Booth	McKechnie	D'Arcy	
Cahill	McPhie	De Lacy	
Chapman	Menzel	Eaton	
Cooper	Miller	Fouras	
Elliott	Muntz	Goss	
FitzGerald	Newton	Kruger	
Gibbs, I. J.	Powell	Mackenroth	
Glasson	Row	McElligott	
Goleby	Simpson	McLean	
Gygar	Stephan	Milliner	
Harper	Stoneman	Palaszczuk	
Harvey	Tenni	Prest	
Henderson	Turner	Price	
Hinze	Wharton	Scott	
Innes	White	Shaw	
Jennings		Smith	
Katter		Underwood	
Knox	*Tellers:*	Vaughan	
Lane	Kaus	Veivers	*Tellers:*
Lee	Neal	Warburton	Davis
		Warner, A. M.	Comben

Resolved in the affirmative.

Bill reported, without amendment.

Third Reading

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy): I move—

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

Question put; and the House divided—

AYES, 46		NOES, 29	
Ahern	Lester	Braddy	Warner, A. M.
Alison	Lickiss	Burns	Wilson
Austin	Lingard	Campbell	Yewdale
Bailey	Littleproud	Casey	
Bjelke-Petersen	McKechnie	Comben	
Booth	McPhie	D'Arcy	
Cahill	Menzel	De Lacy	
Chapman	Miller	Eaton	
Cooper	Muntz	Fouras	
Elliott	Newton	Goss	
FitzGerald	Powell	Kruger	
Gibbs, I. J.	Randell	Mackenroth	
Glasson	Row	McElligott	
Goleby	Simpson	McLean	
Gygar	Stephan	Milliner	
Harper	Stoneman	Palaszczuk	
Harvey	Tenni	Price	
Henderson	Turner	Scott	
Hinze	Wharton	Shaw	
Innes	White	Smith	
Jennings		Underwood	
Katter		Vaughan	*Tellers*
Knox	*Tellers*	Veivers	Davis
Lane	Kaus	Warburton	Prest
Lee	Neal		

Resolved in the affirmative.

PUBLIC OFFICE (AGE QUALIFICATION) BILL

Second Reading—Resumption of Debate

Debate resumed from 19 March (see p. 4104) on Mr McKechnie's motion—

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

Mr UNDERWOOD (Ipswich West) (7.57 p.m.): This is new legislation amending a number of Acts. Opposition members have considered the Minister's comments, particularly those concerning Mr Rod O'Loan. We agree with the Minister's views on the role that Mr O'Loan has played on various trusts such as the Queensland Performing Arts Trust and the Brisbane Cricket Ground Trust. We support the proposition that Mr O'Loan should be granted due recognition for the time and effort that he has devoted to those activities. Rod O'Loan is a decent bloke who has done a good job, and the Opposition believes that he should be feted at the forthcoming opening celebrations at the Performing Arts Complex.

Opposition members considered the other matters raised by the Minister in his short speech. On doing so, they found great difficulty in accepting that this legislation is necessary to enable Mr Rod O'Loan to be given due recognition in the forthcoming celebrations. Opposition members believe that people can be given due recognition by having their names incorporated in programs and inscribed on plaques and by being seated on the stage or mentioned in speeches at functions. In the circumstances, Opposition members do not believe that the legislation is necessary.

The Minister said that the legislation is designed to remove anomalies involving a number of boards, and he referred to the Board of Trustees of the Queensland Art Gallery, the State Library of Queensland, the Queensland Museum, the Queensland Film Corporation, the Queensland Cultural Centre Trust, the Queensland Performing Arts Trust, and the Brisbane Cricket Ground Trust.

The legislation really abolishes the mandatory retirement age of 70. It is basically open-ended. The legislation provides that, if the Government wishes to place on a board a person who it believes is a fit person to hold the position, it will be able to appoint him, irrespective of his age. That sounds fine; but unfortunately, we all know the track record of this Government.

We have seen the types of people whom the Government has appointed to boards. Usually, they are people of the same political philosophy and thought as the Government and would support the Government 100 per cent. That is not the sort of person who is required on those boards. The people who should be appointed to those boards are those who will stick up and fight for the principles in which they believe, to ensure that the various facets of the arts get their fair share of the cake.

It is a common problem that most Governments do not allocate a fair share of their Budgets to the arts. Recently, the Australia Council reallocated money between the various facets of the arts, and we know the ruckus that created. One side of the arts supported the decision of the Australia Council and the other side opposed it. State Governments are not pulling their weight in supporting the arts.

The Minister will say, as he has done in the past, that an enormous amount of money has been spent on bricks and mortar in the building on the other side of the river. That is good for the State and the people of the State. However, there is more to the arts than bricks and mortar. Bricks and mortar just provide a nice place in which the various activities of the arts can take place. The people in the arts and the activities in which they engage require support.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber and also in the galleries.

Mr UNDERWOOD: That is why legislation is needed that will not intimidate members of those various boards and prevent them from speaking out on behalf of the section of the arts with which they are associated. Of course, the Minister will say that that does not happen. It does happen. We know the attitude that the Government adopts towards people who speak out about problems that they see in their area of responsibility.

I refer to the problems that confronted a train-driver in Ipswich. He dared to appear on television and discuss the problems that train-drivers faced when they drove their electric trains through Goodna. They were pelted with rocks by the youths in that area who were causing a lot of trouble. What happened to that train-driver? He was demoted for daring to appear on television and speak about those problems. That is just one instance; there are many.

A member of a board might see the need for more Government action and think that it is time to speak out about it and draw public attention to it. He might say, "I want to put some leverage on the Government so that the people in my section of the arts can get a fair deal." One can imagine what would happen to that person. He would be ostracised by the Government. Politicial pressure would be brought to bear and other members of the board would start to ostracise him.

At present, seven members of the TAB do not want Sir Edward Lyons. Various pressures are being exerted in the TAB. We know what would happen to a person who spoke out. When he reached 70 years of age, he would not be reappointed under this legislation. He would be seen to be an enemy of the Government.

We all know what the Government has done with the various hospitals boards in the Brisbane area. It amended the legislation to deliberately exclude from those boards elected representatives of the Brisbane City Council. The Government appointed to the boards people who were sympathetic to its point of view. It knew that some problems would arise in hospitals and it did not want those problems brought to the attention of the public, because they would affect the Government politically. This legislation will bring that sort of situation into play, and the Opposition does not support that proposition at all.

Cabinet came to a resolution—for want of a better word—in support of the proposition by the Premier and the Treasurer that this legislation not relate in isolation to the Government and semi-Government authorities to which it refers. Office-holders can go on until they wish to retire or until the Government wishes to replace them, even if they may be over 70 years of age. After Cabinet came to that resolution, the Premier stated that it was one-in all-in and that it would apply across the board.

A battle is raging within the National Party between the Minister for Local Government, Main Roads and Racing (Mr Hinze), Sir Edward Lyons and the Premier over the reappointment of Sir Edward to the TAB. This legislation opens the gate for further legislation to be introduced, including that which will ensure the reappointment of Sir Edward Lyons and other strong supporters of the National Party, who are doing a good job holding the lid down on certain issues.

The problems that have surfaced recently in statutory authorities could have brought the Government down. Unfortunately, the press in Queensland does not think that city folk consider the problems in primary industry boards to be very interesting. As a result, those problems have not received the press coverage that they should have. Government appointees to those statutory authorities have kept the problems under the carpet. The honourable member for Ashgrove (Mr Veivers) will elaborate on that point.

I wonder whether the Government is in favour of abolishing retiring ages. That question must be answered because that is what this legislation points to. The Government has introduced a retiring age of 55 years for police officers, and the Opposition applauds that move. However, the conflict in Government policy must be pointed out. What is the Government's stand on retiring ages? On the one hand it says that police should retire at 55, because that is the end of the road.

Mr Miller: It is only an option.

Mr UNDERWOOD: It is an option, but it enables police officers to retire at 55, despite the shortage of police in Queensland. On the other hand, the Government is abolishing the compulsory retirement age of 70 for specific statutory authorities.

On his retirement as a member of Parliament, Mr Camm received the substantial amount of money that was due to him from the superannuation fund. He then accepted the job as chairman of the Sugar Board. Of course, he does not get peanuts working on that board. That type of example is what the Government must explain. The few paragraphs in the second-reading speech of the Minister are just not good enough. These questions should be answered by him.

I will take the scenario further. I am sure that the Minister believes the simple explanation that he has given for this short piece of legislation. However, it is well known that no Minister, other than the Premier and Treasurer, can direct the Cabinet what to do; he does not have the final say. The Minister has told the House one thing. The Premier, through this Minister or through other Ministers—I suggest that it will be through other Ministers—will introduce legislation that is in line with this Bill. I accept that the Minister made his comments in good faith. However, the Opposition warns the people of Queensland and the Parliament about the real intent of the legislation.

With foresight, the Premier has planned this legislation as the instrument to prepare for his retirement from office. It may also be used by other Ministers. With this legislation, the Government will be able to give its members plum jobs because it sees itself going out of office.

As I have pointed out, the job given to Mr Camm really is a plum job. In a number of instances, the appointees are more than duly rewarded. On the other hand, some appointments are not plum jobs and people are required to put in a great deal of hard work. Rod O'Loan is one of those people, and I pay due respect to him.

Innocuous legislation introduced by the Government is not to be trusted by the people of Queensland. The Opposition certainly does not trust it, and that is why I have gone into this matter in some detail.

One apparently very innocuous piece of legislation amended the State Transport Act. Over the last month, the people of Queensland have witnessed what that has done to the State. That amendment to the State Transport Act enabled the declaration of the state of emergency, which was kept in force for some time. That caused total dislocation of the State and dislocation of the lives of many Queensland families. The Government has tried to insert many provisions into various pieces of legislation such as the Justices Act without mentioning their real intent. For that reason, I want some answers from the Government. My colleagues will raise additional matters.

Hon. Sir WILLIAM KNOX (Nundah) (8.11 p.m.): Members of the Liberal Party welcome this legislation. The history of legislation of this type is interesting. Some years ago, the feeling was that perhaps people of senior years should not hold office in public bodies. It was assumed that once anybody reached the age of 70 years, he was not fit to hold office, or perhaps that there was some doubt as to his ability to hold office.

I am rather pleased with the new thinking of this subject, because the older I get, the more respect I have for older people. Of course, people are living longer.

Mr De Lacy interjected.

Sir WILLIAM KNOX: I do not think that the honourable member for Cairns can fly a helicopter; the Premier can. The technical qualifications required to fly a helicopter are very exhausting. I doubt whether the honourable member for Cairns could pass the test, apart from the fact that he is probably frightened of helicopters, anyway.

People are healthier and are living longer. They are living to a healthy old age. Age should not be the test of whether a person is or is not capable of doing a specific task.

Mr Miller: It depends on the individual.

Sir WILLIAM KNOX: It depends on his or her health. The circumstances are different in each case. Some people who are much younger than 70 are not fit to hold their present jobs, as has been seen from time to time.

Discrimination on the basis of sex and handicap has been eliminated, and this legislation is the beginning of the elimination of discrimination by age.

Mr Miller: Some people are very old mentally at 55; other people are quite young at that age.

Sir WILLIAM KNOX: How does the honourable member classify himself?

Mr Miller: When I get to 80, I will tell you.

Sir WILLIAM KNOX: It depends on what the honourable member is trying to do.

Some tasks are difficult for those in the senior age group. Because of the sedentary nature of other occupations, age is not necessarily a hindrance. After all, if one looks at the leaders of the world, such as the leaders of China, Russia and the United States of America, one sees plenty of people of senior years as political leaders. Apparently they enjoy the confidence of their countries.

Mr De Lacy: They are senile. Ronald Reagan is senile.

Sir WILLIAM KNOX: They are not. That is where the honourable member displays his ignorance and prejudice. The people of those countries have the opportunity of voting for or against those leaders. I think it is about time that the honourable member eliminated his prejudice against the aged. That is one of the virtues of the legislation.

I understand the policy will be that each Minister will have to examine the boards and public bodies over which he has legislative responsibility to see whether or not he needs to amend individual Acts. It should be noted that this applies only to people who hold an office which does not attract a salary or a wage. I take it that that is the uniform policy of the Government in relation to all the other boards and public bodies of a like nature.

Honourable members would be concerned that there is no limitation of time. In my experience, years ago many people in their eighties were removed from boards when limitation of age provisions were inserted into Acts. At regular intervals, there was a need to revise the situation of people continuing in office. The reason for inserting a formal time was simply to avoid the embarrassment of having to tell people that they were no longer able to carry out the duties that they had previously been capable of performing.

On a number of occasions, I had the responsibility of calling people in and asking them to retire or letting them know that they would not be reappointed because of their failing health, which they had not been able to recognise. That is something to which this Assembly and the Government will have to attend. No matter how well-liked people are individually, sooner or later, simply because of deterioration of health, not because of age, they become unable to carry out some of the duties with which they are entrusted. That is possibly something that other Ministers might examine in legislation of this type. They should be examining the health of the people, not their age, and their capacity to carry out the duties involved.

Of course, those persons mentioned by the Minister in the Bill are quite capable of carrying out their duties. They are known to me personally. They are people of considerable stature both in the public service and in the community. I am sure that the Minister has discovered that their community service is valued. They have rendered

tremendous service and have more to give. I am pleased that they have been given continuity of service.

In the course of time, even they will face circumstances that will prevent them from carrying on their duties. When those circumstances arise, if there is not some period of review, it is always difficult to make a decision about the time to retire. In legislation of this type, it would be wise to set some time when the matter could be reviewed. It could be subject to review periodically by the Governor in Council, not by the Parliament, in the light of the experience of the people concerned.

Generally speaking, the legislation should have the approval of this Assembly. I hope that those people who are mentioned in the Bill by name and by title enjoy good health for many years and are able to give to the State the same wonderful service they have rendered in the past.

Mr SMITH (Townsville West) (8.18 p.m.): When I spoke on the Estimates of the Department of The Arts, National Parks and Sport last year, I gave the Minister rather a hard time. I assure him that I will not do that tonight.

There are a number of matters to which I must draw the attention of honourable members. I must acknowledge that, because of a lack of funds, the task of any board in Queensland in administering its responsibilities is difficult. I can only reiterate that Queensland's funding to art activities is the lowest of any Australian State. That is a great shame. It means that the people who have the responsibility of administering arts activities in Queensland need to have more talent than persons in other States in attempting to overcome the difficulties that they encounter.

The Opposition's shadow Minister referred to the subject of age and the recognition of the contributions made by some persons. I endorse those remarks. By the same rule, it must be accepted that nobody is irreplaceable. One has to look at the people who make up audiences to realise that the arts are patronised by all age groups. In fact, to a large extent young people are becoming more interested in the arts. For that very reason, younger people ought to be better represented at the decision-making level.

There is no doubt that art contributes a great deal to society. Culture is very important to life's education, so I support any activity that increases the opportunities for and the level of participation. It is an alternative to sport. I am very interested in sport, but at times I am concerned that in Queensland the attitude seems to be that it is acceptable to be keen on sport, but that anyone who is interested in the arts is suspect. An attempt should be made to counter the attitude that prevails. I realise that it is very much an Australian attitude, but it is certainly more prevalent in Queensland.

Sadly, for participators in or observers of the arts, the cost is high. It is a pleasant experience to attend a black-tie function. Nobody denies that, and I enjoy such functions myself. Somehow or other, such opportunities have to be made available to a wider segment of the community, across the board, covering people of all incomes. I am sure that someone will make a smart alec remark about what I intend to say. I look on this as a serious discussion and I do not intend making heavy political points. As the Minister knows, two years ago I went to the Soviet Union. In Moscow, I attended the Bolshoi Ballet.

Mr SPEAKER: Order! I ask the member not to digress from the principles of the Bill.

Mr SMITH: I am pointing to the opportunities in that country because of the direction given. The administration of companies in Russia is certainly undertaken by professional people. Perhaps there are also boards such as we have in Australia. I am not certain about that. Because of the number of companies, however, many opportunities exist for both performers and the public. In two of the major cities, for approximately $4 members of the public are able to attend performances that would cost $40 or $50 in Australia. The tab for subsidising those performances is picked up by the Government.

A moment ago I spoke about the importance of the arts as an employer. That employment area is important in Queensland. A surprisingly large number of people earn their livelihood in one way or another from the performing arts or cultural activities of some type. They could be performers, writers, technical people, administrators or managers. It is the responsibility of the boards covered by the Bill to ensure that, with the money available, the maximum opportunity is offered.

Without indulging in heavy criticism, I now touch on a couple of boards in Queensland that I am less than happy about. One is the Queensland Film Corporation. I did not have time to talk about it and its operation during the last debate on the Minister's Estimates. I take the view that some directions taken by the Queensland Film Corporation are incorrect. Although it is not lavishly funded—I do not claim that it is—much more emphasis ought to be given——

Mr McKECHNIE: I rise to a point of order. I do not wish to be difficult, but the Bill being debated is a simple one. It deals with age. The Queensland Film Corporation is not even listed as being covered by the Bill.

Mr SPEAKER: Order! I have already pointed that out to the honourable member. I ask him to return to the principles of the Bill.

Mr SMITH: Of course, Mr Speaker, I will observe your objection. The Bill, however, deals with the administration of cultural activity by boards. The matter of the age of the directors of those boards is in question. I take the view that one has to consider the performance of the boards as part of the overall debate. It is quite important.

As I have said previously, younger people are entitled to be members of these boards, and some people who have reached the age of 70 years may be able to make a contribution in other ways. Although nobody likes to tell people of that age to stand aside, perhaps the Minister ought to consider taking them on as advisers or offering them similar roles. Notwithstanding that, to have cemented into legislation the principle that people can go on and on serving on these boards would be making a great mistake.

I have examined the composition of some of the boards that have been referred to in the Bill and some that have been mentioned in the Minister's speech, and I notice that a broad spectrum has been covered. I believe that I am quite entitled to refer to activities in the fields that are represented by those boards.

I again make the point that I am concerned about the constitution of those boards because, in addition to the question of age, it was evident that prior to the 1983 election, one side of politics was more heavily represented than the Labor side of politics. Consequently, I have taken notice of the appointments that have appeared in the Government Gazette since 1983.

It is clear to me that, since the 1983 election, the people who have been appointed to these boards have been of one political persuasion, and that is National Party. The Liberal Party members are being displaced and, of course, Labor Party members do not appear at all. I suggest to the Minister that, irrespective of the age of people appointed to the boards, wider representation ought to be considered in order to achieve greater public acceptance of the roles of the boards. If that is not done, the Minister runs a great risk of alienating the community. I believe that wider representation is required.

I point out that all of the major performing arts companies in Queensland are recipients of Government money, both State and Federal. I take the view that the Government has a very clear responsibility to ensure that boards appointed by private companies to administer public money are performing their tasks in a professional manner.

Mr SPEAKER: Order! I must bring the honourable member back to the subject of the Bill once more. He has completely digressed, and it is very difficult to follow the respects in which he refers to the Bill.

Mr SMITH: Thank you, Mr Speaker. The opportunities for making one's views known are fairly limited in this place. I sought to widen the subject of the debate because Opposition members have always understood that, in the absence of an introductory debate, a wide-ranging debate at the second-reading stage would be allowed.

Mr SPEAKER: Order! I ask the honourable member to speak to the Bill.

Mr SMITH: I am to be denied that opportunity so, at this point of time, as I have virtually been gagged, I will sit down.

Mr VEIVERS (Ashgrove) (8.28 p.m.): Some very interesting points have been raised in the course of this debate.

I recognise—as I am sure everyone in the House does—that people over the age of 70 years are in many cases acutely aware, their faculties are good and they have a substantial contribution to make to society. I emphasise that those attributes are recognised. However, when people reach an age of more than 70 years, in many cases they deteriorate and usually wish to enjoy retirement. Whereas they do not wish to bow out of society entirely, they usually do not wish to continue in an active role.

Mr Milliner: The Premier is a classic example—over the hill.

Mr VEIVERS: Yes, he is deteriorating very rapidly.

Mr Rod O'Loan has been mentioned tonight as one of the people affected by this legislation. I have known Mr O'Loan for a number of years. As the member for Ipswich West (Mr Underwood) has already pointed out, Mr O'Loan is widely respected, and I agree with that statement. He has made a very substantial contribution to this State through the retailing industry and the various bodies with which he is now actively involved. One of those with which I am very familiar, of course, is the Brisbane Cricket Ground Trust.

I have a good deal of respect for Mr O'Loan. He has made a substantial contribution to this State, and I believe that that contribution should be recognised. But the Government does not need to give him that recognition—I understand that this legislation is not designed for him alone—by creating a special Act of Parliament. Why create a separate Act of Parliament just to recognise someone's contribution? I am sure that Mr O'Loan and other leading members of society can be more than adequately recognised, and can continue to fulfil their roles and make a contribution to the bodies on which they serve, without the necessity of having special legislation passed to protect their positions. Because I suspect that there may be other motives attached to it—I am almost certain that there are—I am concerned about this legislation.

The schedule to the Bill refers to the Libraries Act, the Queensland Cultural Centre Trust Act, the Queensland Performing Arts Trust Act and the Brisbane Cricket Ground Act. Clause 2 states that the Bill applies only to offices provided for under the Acts specified in the schedule. I ask the Minister: Will other Ministers introduce similar legislation to deal with the so-called anomalies of age to which he referred in his second-reading speech, or is he the only Minister who to this stage has had the foresight to recognise the problem? Will the Racing and Betting Act be amended to overcome the problem of Sir Edward Lyons's age? I know that that point does not come directly within the Minister's portfolio, but can he blame members on this side for wondering whether other Ministers will do what he has done? We are certainly entitled to ask: Is this a watershed? Is it the first of many pieces of legislation to cover this question of mandatory retirement age?

I turn now to what I see as Government interference in statutory bodies. At the last count I made there were about 687 boards, commissions, trusts, advisory bodies, quangos or whatever one wants to call them. This State is absolutely riddled with them and the Government continually interferes in their running. This Bill is an example of that interference. It alters the provision requiring the vacation of an office at a certain

age. There has been, particularly over the last 12 or 18 months, far too much interference by this Government in the activities of a number of statutory bodies. Substantial interference has occurred in the activities of local authorities and the Industrial Conciliation and Arbitration Commission. Comments have been made about people who contribute substantially to the welfare of the State and about the judiciary, the press and educational officials. These are serious matters.

If the people serving on boards and trusts are to have the protection of the statutes of Queensland, they must be able to run the affairs of such bodies without Government interference. They must be sure that the Government is satisfied with their appointment and they should feel that they can act on the bodies with complete confidence.

Although this legislation deals with the age requirement, many people will assume that other things can be done; that the Government can introduce special legislation and change it at will.

The Government is a strong supporter of free enterprise, but the Government's definition of "free enterprise" is very dubious. It seems to mean that if anyone is smart enough to get away with something, that is OK. In my book, that is not free enterprise. Very little is being done to come to grips with what is meant by free enterprise and the true meaning of competition and what it means in the way of betterment for the people of Queensland. When we are dealing with statutory authorities, these matters must be raised.

The Brisbane Cricket Ground Act is mentioned in the schedule to this legislation. I will now cite an instance of Government interference in the arrangement of a statutory body. In 1978, the Brisbane Cricket Ground Act was amended. Prior to that date the eight trustees were appointed on the basis of four Government appointees and four from the Queensland Cricket Association. For many years that proved to be a very successful arrangement. Under the 1978 amendment the Government changed the procedure. The number of trustees remained at eight, but three of them were Government representatives and another was a senior official in the State Government Insurance Office. In effect, that made four Government appointees. Of the four other appointees, two came from the Queensland Cricket Association, one came from the Queensland Cricketers Club and the other from the Gabba Greyhound Racing Club. At first glance that seems to be a democratic process, and it could be thought that the input to the Brisbane Cricket Ground Trust would be very good. However, section 5 (2) of the Brisbane Cricket Ground Act provides—

> "The trustees shall be nominated by the Minister and appointed by the Governor in Council by notification published in the Gazette. . . "

In effect, the eight trustees are Government appointees. That was not so prior to 1978.

As many honourable members know, I have been closely associated with the Brisbane Cricket Ground. The changes have caused considerable concern to the respective bodies. They have to submit a panel of names. By that I mean that the Queensland Cricket Association, the Queensland Cricketers Club and the Gabba Greyhound Racing Club each has to submit a panel of names. This matter does not come directly under the Minister's portfolio; however, the Brisbane Cricket Ground Act is mentioned in the schedule. A panel of names is submitted. Although the bodies are in the best position to determine who is the most capable person to serve on a trust, the Minister has the power to select from the nominees the person whom he wants on the trust. That is the point that I am making about Government interference in the appointment of members to statutory bodies.

I have not had time to look in detail at the Acts covering the various bodies, but I am fairly certain that I would find similar provisions in those Acts. I have given a concrete and good example of why, in many cases, appointees to boards lack confidence in the Government when it continually interferes with Acts or, in this instance, introduces a completely new Act to overcome so-called anomalies.

What will happen next? What other Minister will introduce legislation to overcome these so-called anomalies, to cement the appointment of a trustee who is favourably inclined towards the National Party? Under this legislation, the Minister will be able to appoint anyone he likes, and the track record of the Government indicates to me and to other Opposition members that that will happen. There is so much evidence to prove that the Government is appointing its own buddies to all those positions.

Hon. P. R. McKECHNIE (Carnarvon—Minister for Tourism, National Parks, Sport and The Arts) (8.42 p.m.), in reply: To answer the last speaker first—I was very interested to hear the comments of the honourable member for Ashgrove (Mr Veivers) about the Brisbane Cricket Ground Trust. He said, quite correctly, that the trust does not come within my portfolio, and he acknowledged that the appointments to it were not mine. He referred to the political affiliations of the people on the trust who represent cricket and greyhound interests. Recently, when I was in Sydney, I was talking to the New South Wales cricketers. Goodness me, the Australian Labor Party should never talk about political appointments to cricket associations!

Mr VEIVERS: I rise to a point of order. At no stage did I mention political interference there. The point that I was making was that the Government is asking the respective bodies to submit a panel of names. When I was speaking about that matter, I did not mention anything about political appointees. Those bodies are objecting to submitting a panel of names and to the appointments being made from that panel. That leaves them right out in the cold.

Mr SPEAKER: Order! There is no point of order.

Mr McKECHNIE: I was talking about political influence in New South Wales. The honourable member talked about the Government's selecting the members of the Brisbane Cricket Ground Trust in Queensland. I do not think that it pays any member of the Labor Party to talk about that, because when I was talking to the New South Wales cricketers, I was told that the cricket ground was taken off the local association by an Act of Parliament. I think that about 13 appointments were made to that body and that very few of those appointees had anything to do with cricket. I was told that one of the appointees was Gough Whitlam's son. The users of the ground, in total, have only four representatives on that body. They complain they can get nothing done. I am well aware of the concerns of cricketers in Queensland that they cannot elect their first choice to the Brisbane Cricket Ground Trust. However, compared with the treatment that the Labor Party hands out in New South Wales, that given to the cricketers in this State is very good indeed.

Opposition members have referred to political interference. I ask the House to consider the replacements who have been appointed to the various quangos administered by the Federal Government. Because of the political affiliation of those appointees, it ill-behoves the Labor Party to talk about political interference.

This Bill corrects an anomaly concerning many appointments. It is true that Rod O'Loan is affected by the Bill. It has been said by certain people that, although they like him, they think that the Government could honour him in some other way. It is only logical that the deputy chairman of the Performing Arts Trust would like to still be on that trust on opening day. That cannot be done in any other way than by amending an Act of Parliament.

Mr Underwood: He could still participate and he could be honoured in the way that people are usually honoured.

Mr McKECHNIE: No, he would like to remain on the trust, and this legislation facilitates that wish.

I ask Opposition members to take note of the case of Mr Connell Gill. Some Acts under my control permit board members to remain past the age of 70 and others do not. But for this Bill, Mr Gill would have to retire from the Library Board when he

reaches 70. However, after reaching that age, he could still serve on the Museum Board. This Bill simply corrects those anomalies.

I was pleased with the comments of the honourable member for Nundah (Sir William Knox) about removing discrimination against age. I do not want the retirement ages to be different on the boards under my control. That is what this Bill is all about, and I think that it is quite clear.

The honourable member for Nundah mentioned also that a time-limit should be imposed for board members over 70. He should be aware that the boards generally come up for review every three years. Board members must be either reappointed or not reappointed at that stage. Even if a board member turns 70 the day after his reappointment, his position will be reviewed at the latest at age 73. That angle is covered.

Mr Smith: You could have introduced yearly reviews for people over 70 and got over the problem in that way.

Mr McKECHNIE: I am certain that, if a board member is mid-term but is no longer capable of serving, I could solve that problem with existing powers. Naturally, I would seek to solve it by co-operation rather than heavy-handedness. That is not really a problem.

An Opposition member mentioned Sir Edward Lyons. This Bill has nothing to do with him. The honourable member asked whether or not another Act would have to be amended if he were to be reappointed. That is a decision for the Governor in Council. The relevant Act contains powers that would enable the reappointment of Sir Edward Lyons should the Governor in Council choose. That is completely irrelevant.

Mr Underwood: What you are doing is creating another anomaly by fixing up anomalies here.

Mr McKECHNIE: There is no anomaly. I am happy to have all board members under my control treated equally. That is what this Bill is all about. It just so happens that the Minister in charge of the Brisbane Cricket Ground Trust would like the anomaly that exists in that trust fixed up also, and he has agreed that I should do that for him.

Mr Underwood: Other boards have a prescribed age. That is an anomaly there.

Mr McKECHNIE: That is not my business; that is up to other Ministers. I am just looking after the anomalies within my department. Cabinet supports my view, and it is a very simple Bill.

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

AYES, 45	
Ahern	Lickiss
Alison	Lingard
Austin	Littleproud
Bailey	McKechnie
Booth	McPhie
Cahill	Menzel
Chapman	Miller
Cooper	Muntz
Elliott	Newton
FitzGerald	Powell
Gibbs, I. J.	Randell
Glasson	Row
Goleby	Simpson
Harper	Stephan
Harvey	Stoneman
Henderson	Tenni
Hinze	Turner
Innes	Wharton
Jennings	White
Katter	
Knox	
Lane	*Tellers*
Lee	Kaus
Lester	Neal

NOES, 29	
Braddy	Warner, A. M.
Burns	Wilson
Campbell	Yewdale
Casey	
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Goss	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Price	
Scott	
Shaw	
Smith	
Underwood	
Vaughan	*Tellers*
Veivers	Davis
Warburton	Prest

Resolved in the affirmative.

Committee

Mr Booth (Warwick) in the chair; Hon. P R. McKechnie (Carnarvon—Minister for Tourism, National Parks, Sport and The Arts) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—Application of Act—

Mr UNDERWOOD (8.57 p.m.): As the clause is unpunctuated, I seek clarification from the Minister as to its intent. Clause 2 states—

> "This Act applies only to an office provided for by or under an Act specified in the Schedule to which appointment is made by the Governor in Council and in respect of which the holder thereof is not entitled to be paid a salary or wage."

Can I take it——

The TEMPORARY CHAIRMAN (Mr Booth): Order! The honourable member is entitled to make his point so that all honourable members can hear.

Mr UNDERWOOD: The four Acts listed in the schedule are the Libraries Act, the Queensland Cultural Centre Trust Act, the Queensland Performing Arts Trust Act and the Brisbane Cricket Ground Act. Can those Acts be deleted or added to only by way of legislation, or can they be deleted or added to by regulation or other decision of the Governor in Council?

Mr McKECHNIE: By legislation.

Mr VEIVERS: I was not satisfied with the comments of the Minister during his second-reading speech. Reference was made to appointments to statutory bodies and so forth. I referred to a panel of names submitted prior to the amendment of a principal Act. Mr Booth, I think that the Minister is having difficulty hearing me.

The TEMPORARY CHAIRMAN: Order! I ask honourable members to cease conversations for a short time. Both the Minister and the honourable member are having difficulties in hearing. I think that a little common sense should prevail.

Mr VEIVERS: Prior to that, when bodies put forward a name, in their assessment that person was the most fitted to represent them on the statutory authority. That system has been changed. In some instances a panel of names has to be submitted and the Government or the Minister makes the appointment. That has altered the whole concept of appointments to statutory bodies.

Mr McKECHNIE: In my opinion, I have given an adequate reply to the honourable member for Ashgrove. I accept that that is what has happened. The honourable member spoke about the Queensland Cricket Association. The way in which its counterpart in New South Wales has been treated by his colleagues——

Mr Veivers: We are not in New South Wales.

Mr McKECHNIE: The member is a member of the Australian Labor Party, not the Queensland Labor Party. He is in the Queensland branch. If he wants to play that game, I point out that he is subject to Federal intervention.

It is valid to make a comparison between how the Queensland Cricket Association has been treated by this Government and how its counterpart in New South Wales has been treated by his colleagues. All the users of the cricket ground have only four representatives. It ill-behoves the honourable member to raise the matter when the Labor Party has treated cricket so shabbily in a neighbouring State over which it has control.

Clause 2, as read, agreed to.

Clauses 3 and 4, as read, agreed to.

Clause 5—Procedure on certain appointments—

Mr UNDERWOOD (9.2 p.m.) This clause verges on the farcical. It states—

"Where a person who is proposed for appointment to an office to which this Act applies—

has attained the prescribed age;

or

if appointed to the office for the maximum term permitted by the Act or regulations under which the appointment is to be made would attain the prescribed age before the expiration by effluxion of time of that term,

that fact shall be brought expressly to the notice of the Governor in Council at the time when the proposal for that person's appointment is submitted to him.

(2) Failure to comply with subsection (1) shall not affect any appointment made by the Governor in Council to the office in question."

On the one hand it says that the appointee should reveal his age to the Governor in Council—or to the Minister, who makes the recommendation. On the other hand it says, "Don't worry about it. It really doesn't matter." What are the relevant provisions in the clause? The Minister has said that he is remedying anomalies in his portfolio. We have accepted at its face value his statement about what he is trying to do. However, we have said—and we divided the House on the matter—that the Premier and Treasurer overrides his Cabinet. The Premier has made a statement to the Cabinet and Cabinet has come to a resolution, for want of a better term, that there will be changes along these lines. On the one hand, for reasons that I will list in a moment, we may find ourselves creating another anomally. If we supported the Bill—and we do not—we would be supporting changes. On the other hand, we are not in the business of giving Sir Edward Lyons and other undersirable people like him an armchair ride into a continuing rosy future. That is not what we are about. It is our intention to give instrumentalities a fair deal and fair and just representation.

Statements have been made by Mr Mike Evans, who is involved in the area of the performing arts, to the effect that the forthcoming festival associated with the official opening of the Performing Arts Complex will really be a show-piece for the Queensland Government to demonstrate how effectively governed and prosperous Queensland is. That is a straight-out political statement made by a person who is supposed to be performing a non-political role.

I am pleased that, in the Minister's second-reading speech, the admission was made that appointments are made on a political basis. I am also pleased that the Minister agreed with me when I said in the debate at the second-reading stage that politics is involved in appointments to boards. However, I point out that that does not augur well for the responsibilities that are prescribed and that should be carried out in the interests of the welfare of all Queenslanders. The Opposition must bring such things to notice.

Mr VEIVERS: My colleague the honourable member for Ipswich West has hit the nail on the head because the Opposition's concern is related to subclause (2) of clause 5, which provides—

"Failure to comply with subsection (1) shall not affect any appointment made by the Governor in Council to the office in question."

In other words, that really means that appointments are an open go, and that is my interpretation unless the Minister can provide me with a more adequate one. That subclause evokes a suspicion that the provisions of the Bill provide an open go for the Government to make political appointments.

On the Opposition side of the House, it is recognised that people over 70 years of age can and do make a major contribution to society, but that is not always the case.

Mr Milliner: There are exceptions, such as the Premier and Treasurer.

Mr VEIVERS: I agree that there are some exceptions, but I recognise that, as a general rule, that is not the case. The Opposition believes that appointments are made with overtones of a high political involvement.

Mr McKECHNIE: The Opposition spokesman said that I admitted that appointments have been made on a political basis. I did not.

Mr Underwood: You did so. You said that it is OK for us because it is done in New South Wales.

Mr McKECHNIE: I pointed out that it ill-behoves the Opposition to criticise the Government for making appointments that the Government believes are correct. I did not say that the appointees had to be members of the National Party, so the Opposition spokesman should not misquote me. I simply said that, compared with members of the Opposition, Government members are gentlemen.

The honourable member for Ashgrove again mentioned political appointments. However, what the Bill is all about is that the Government does not discriminate against age. Government members and members of the Liberal Party support the Bill by saying, in effect, that they do not discriminate about matters such as age, and that the Opposition does. That is really what the attitudes boil down to.

Clause 5, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

FIRE BRIGADES ACT AND FIRE SAFETY ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 7 March (see p. 3845) on Mr Tenni's motion—

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

Mr MILLINER (Everton) (9.10 p.m.): With your permission, Mr Speaker, I will digress and pay tribute to the firemen and other emergency personnel who were involved in the unfortunate tragedy that occurred on the Beenleigh railway line last Saturday morning. The members of the emergency services, particularly the firemen, did a magnificent job. Attending accidents of that sort is not a pleasant job, and it can be very dangerous, but those men did a magnificent job. They are the unsung heroes of that tragedy and, unfortunately, have not received the recognition that they deserve. This House should place on record its appreciation to all those emergency personnel involved.

I will now deal with the Bill, which the Opposition approaches with some caution. The Bill contains a number of amendments. The first replaces the State Fire Services Council with the Queensland Fire Services Association as the advisory body to the Minister for Environment, Valuation and Administrative Services. Previous amending legislation virtually stripped the State Fire Services Council of its role, and all its functions were placed with the Minister. The Opposition did not at that time oppose those amendments, because we believed that the Minister is more accountable to the public than was the council.

Another of the Bill's provisions requires a fire brigade board to advertise all vacancies occurring in that board throughout all the other boards in the State. The Opposition welcomes this move because a fireman who wishes to make a career out of his work but is required for some reason to move to another part of the State will now be able

to simply apply for a transfer and remain in his chosen career. If other boards advertise their vacancies, people wishing to live in a certain part of the State will now be able to apply for those vacancies. That is a progressive step, because in the past firemen in, say, Brisbane would not know what vacancies existed throughout the State, and vice versa. If for some reason a fire-fighter in north Queensland had to move to Brisbane, he would not have known whether a job was available here, but he will now know whether a job is available before he leaves the north. That is a desirable aspect of the legislation.

The matter of appeals is causing some concern to the Opposition. Another provision removes the consideration of seniority as the basis for promotion and appeal, and replaces it with efficiency and qualifications. The Opposition has no objection to the consideration of efficiency as the basis for promotion, because, quite obviously, the State needs an efficient fire-fighting service. The Opposition is concerned, however, that when two firemen of equal efficiency apply for a job, the legislation does not provide for an alternative method of selecting the appointee, and it believes that seniority should be included as a consideration. The Act presently provides that seniority shall be the basis for promotion, but this legislation removes that provision.

Mr Bailey: Aren't you assuming that the board is not sensible enough to assess the people if they have experience?

Mr MILLINER: No, but the Opposition is saying that if two people of equal efficiency apply for a job, there should be some other criterion by which the appointee is selected. This Bill removes the consideration of seniority as the basis for promotion.

The Opposition is saying that people should not be promoted just because of seniority. If two people apply for a job and one is obviously more efficient and has greater qualifications, he should get the job; but if two people are to all intents and purposes equal in efficiency and qualifications, the person with seniority should be given the job.

Mr Bailey: Do you feel that that should be legislated for, or is it just common sense?

Mr MILLINER: It is legislated for at the moment. The Act presently states that seniority shall be taken into account on promotion. This legislation removes the provision under which seniority can be taken into account. The Opposition believes that the seniority provision should remain in the Act.

The legislation also sets out provisions for the judging of efficiency. The Opposition welcomes them, but I foreshadow an amendment to provide that seniority may be taken into account for promotions and appeals.

The Minister said that the amendments provide "continuity of service for officers transferring from the employ of fire brigade boards to the Minister and vice versa" The Opposition does not object to that. If officers want to transfer from the employment of the boards to the Minister's employment, they should not be restricted. That falls in line with the Opposition's support for the advertising of vacancies. It believes that officers should be able to move from board to board and is pleased to see that continuity of service will be preserved.

To prevent confusion about the interpretation of "exemption", the legislation removes a definition for exemption of property from the funding provisions of the Act. The Opposition visualises no problem with that. Obviously, it relates to local authorities and what has been happening with them. Everyone liable to pay the levy should pay it. Exemptions should not be provided when the properties do not fall into the exemption category.

Pensioners are to be allowed a discount on the fire levy. The Opposition supports that provision in the same way as it always supports discounts for pensioners. The Minister may be able to extend the provision to provide a discount for people on lower

incomes. I realise that that cannot be done overnight, because it would require detailed investigation. However, the Opposition believes that the discount for pensioners will provide relief for many in the community who have been finding it difficult to meet the fire levy. Many pensioners' residences were underinsured. The levy was based on the sum insured, and, obviously, pensioners with underinsured houses were not paying so much in fire levy. The introduction of the fire levy meant that everyone had to pay the $48. That caused hardship to a number of elderly people.

The Opposition does not object to the levy being collected four times a year instead of twice a year. That may pose additional problems for the local authorities. However, I believe that they will overcome the problems and the fire levy will be remitted to the Government four times a year rather than twice a year.

The amending legislation to control the issuing and wearing of fire brigade uniforms is quite interesting. Recently, members of the fire brigades embarked on a campaign to collect signatures for a petition. In doing so, they acted very responsibly. The amendment will make it illegal for firemen to wear official brigade uniforms when engaged in activities outside their duties associated with the fire brigade.The amendment is a little petty, but honourable members on this side of the Chamber are not violently opposed to it.

The other amendments proposed in the legislation concern the Fire Safety Act. The Opposition envisages some problems. The Minister will be established as the sole authority for fire safety in Queensland and the sole employer of fire safety officers.

Honourable members may recall a fiasco about two or three years ago relative to the construction of the Sheraton Hotel. I am led to believe that it is a first-class international hotel. During its construction, problems arose over the issuing of an interim fire safety certificate. The following article appeared in the press on 15 April 1983—

> "The Brisbane Metropolitan Fire Brigade has refused a certificate of occupancy of the new $50 million Sheraton Hotel because its internal fire escapes are too narrow.
>
> The Administrative Services Minister, Mr Hewitt, who is responsible for fire brigades, confirmed this last night.
>
> He said this had been pointed out at a 'very early stage' to Sheraton.
>
> But construction went ahead with fire escapes approximately 1.5 m too narrow to cope in an emergency with the number of people who could be accommodated in the planned 30th floor restaurant.
>
> The fire brigade refused an interim certificate of approval last November. Mr Hewitt said the brigade requested a number of changes to the design and all points bar this one were solved amicably.
>
> He said Sheraton was entitled to proceed with construction despite the refusal of this earlier certificate.
>
> Sheraton said the rooftop restaurant—a standard Sheraton feature—would hold 140 patrons. The 2.5 m wide fire escapes were designed to handle 250 people.
>
> Under state building by-laws, it was calculated the restuarant's floor area could accommodate more than 400 people at special functions. On this basis the hotel needs fire escapes totalling just over 4 m wide."

At that time, the fire-escapes were 1.5 metres narrower than the width provided in the by-laws.

That controversy continued for a while. On 4 May 1983, the press reported that the by-laws had been eased for the new hotel. The article in the press continued—

> "State Cabinet yesterday changed the standard building by-laws in Brisbane to allow the new $50 million Sheraton Hotel to operate its restaurant.
>
> In approving the move, the State Administrative Services Minister, Mr Hewitt, strongly criticised the hotel builders for ignoring regulations imposed by the Fire Safety Act.
>
> In April, the Brisbane Metropolitan Fire Brigade refused to issue a certificate of occupancy for the Sheraton Hotel because its fire escapes were too narrow.

The Fire Brigade requested several changes to the restaurant, which would hold 140 patrons.

'I am critical of the builders Civil and Civic for disregarding the provisions of the interim certificate and I would expect better observance of the Fire Safety Act on any other building projects they embark upon in Brisbane,' Mr Hewitt said.

'I am insistent that no more than 250 people will be accommodated in this area, and I intended to review the provisions of the Fire Safety Act to provide meaningful penalties if ever that number is exceeded.

By that I mean the present penalties for non-compliance will be lifted from $500 to $10,000,' he said."

I certainly hope that the present Minister will follow up that matter to ensure that the penalties for non-compliance are substantially increased. If the penalty is only $500, it should be increased to $10,000.

The Sheraton fiasco prompted the writing of the following letter to the editor of a newspaper on 6 May 1983 under the heading "Hotel: Another case of bending the laws"—

"How many times have we seen standard government and local authoritry regulations bent or changed by the present government to favour big business?

The Sheraton Hotel fire escapes issue is yet another example where (in this case) a regulation designed to protect people's lives is amended to save the State Government Insurance Office thousands of dollars.

Certainly there is a case for investigation into the necessity of some building regulations, but surely a start should be made with the meaningless and expensive regulations which constantly thwart the small house builder or small developer."

I could not agree more with that. It is unfortunate that the rules were changed for that hotel. Obviously, we are talking about the lives of the people visiting the hotel as well as the lives of the people who would have to rescue them in the event of an unfortunate fire.

On 5 May 1983, the following editorial appeared in "The Courier-Mail" under the heading, "Movable rules"—

"State Cabinet might well have good reasons for ignoring the Metropolitan Fire Brigade over the new Sharton Hotel.

In doing so, however, Cabinet has set a dangerous precedent.

The Fire Brigade believed that fire escapes for the restaurant at the new hotel were too narrow. Cabinet disagreed and changed the building by-laws to accommodate the developers.

Such a move does little for public confidence or for good government. Fire regulations must be rigorously applied, not selectively altered."

I agree totally with the sentiments expressed in that editorial. Surely regulations, in particular fire safety regulations, are designed to protect people. It is unfortunate that changes were made to the regulations to suit the Sheraton Hotel, and I hope that a tragedy does not occur because of those changes.

The Minister for Environment, Valuation and Administative Services (Mr Tenni) has indicated that he will crack down on fire dangers in building units. I commend the Minister for that because a number of tragedies have occurred in the past, mainly in the older, timber units or flats. In many cases, old houses have been converted into four flats. I am concerned about what would happen if a block of flats was fully occupied when a fire began. Most of the premises are a mishmash and have been altered severely. Verandas have usually been closed in, and it would not be very easy to escape should such a building catch fire. I hope that fire safety officers do start paying visits to those places to enforce fire safety regulations. Many of the buildings to which I have referred have been built for many years and are probably fairly difficult to identify. I hope that,

in the near future, a campaign is embarked upon to ensure that those types of premises comply with fire safety standards.

The Bill transfers the employment of fire safety officers and equipment to the Minister. Concern has been expressed to me by fire brigade boards about the transfer of equipment to the Minister and any subsequent compensation. The boards have to pay interest and redemption on such equipment and, in some cases, fire safety officers are using vehicles that have been supplied by the board. As I understand it, they will be transferred to the Minister. I notice that the Minister has acknowleded that that will take place. I hope that he will clarify the position concerning compensation so that the boards know how to plan their budgets. Obviously, the boards are concerned that they will not be compensated for the money that they have outlayed on the equipment.

The Opposition is not violently opposed to the provision that transfers the employment of fire safety officers to the Minister. However, I express concern on behalf of the Opposition about the Bill generally. One reason for that concern is the Sheraton Hotel fiasco, to which I have already referred.

Each fire brigade is a separate unit in which the firemen have built up a code of mateship. The fire safety officer, who is part of that team, pursues his duties diligently because he knows that the lives of his workmates could depend on his carrying out his duties efficiently. It is to be hoped that close co-operation will be maintained between fire safety officers and the boards within a particular region. The Opposition would not like to see a situation develop in which the mateship that is depended on ceases to exist. At the Sheraton Hotel, the provisions of the Fire Safety Act were not complied with, and the fire safety officer had to evaluate that building. Although Opposition members do not oppose those particular aspects of the Bill, we express our concern and hope that fire safety officers will remain an integral part of the fire-fighting team.

Mr McPHIE (Toowoomba North) (9.29 p.m.): I was very pleased to hear—and I am sure that the Minister was, too—that at times the Opposition can give credit where credit is due. As I listened to the honourable member for Everton (Mr Milliner) speak to the Bill, at times I thought that he might have actually pinched some of my speech. He was very much in favour of many of the good features contained in the Bill to amend the Fire Brigades Act and the Fire Safety Act.

From my point of view, not the least of the good features is the pensioners rebate on the fire services levy. I was one of the members who wrote to the Minister and asked him whether he could consider it. Naturally, he was initially reluctant to do so. The matter was talked over and he gave an undertaking to have a good look into it to see the amount of money that was involved. The result is that the Government, through the initiative of the Minister, has been able to give needed and appreciated help to many pensioners who are not very well off. In fact, pensioners are the ones who are usually taxed by every new method of taxation and every new levy of stamp duty.

An interesting fact is that while the State Government is prepared to give pensioners a 20 per cent discount on the fire services levy, at present the Commonwealth Government has introduced an assets test which is taxing a large number of pensioners. Because of concern for what the assets test might involve, the ones who will not be subject to the new taxation have been caused no end of worry over the last three or four months. I have personal experience in this matter. Tonight my mother was in the gallery. She was one of the ones who had that worry. No matter how much I tried to tell her that the test would not affect her because her assets were not over the prescribed limit, she worried and worried. Many pensioners do not have sons to advise them.

As a former professional serviceman, I was interested in the provisions of the Bill relating to uniforms—both the issuing of a standard uniform for fire services throughout the State and the standardisation of requirements for wearing one. The bulk ordering of uniforms for firemen throughout the State will effect a considerable cost saving. To obtain those monetary gains makes the exercise well worth while. Another provision of the Bill allows officers of the fire brigade transfering to different brigades to maintain

their seniority in their career path planning. Firemen throughout the State will have standard uniforms. That engenders an esprit de corps and a pride that in some areas are very much needed in the fire brigade. When the provision is introduced, it will have a significant effect.

The point made by the honourable member for Everton about firemen not being able to collect petition signatures in the streets while wearing their uniforms is not very significant. I saw them in Toowoomba and I know what the petition was about. It was nonsense. Those fellows should not have been dressed in their uniforms in those circumstances. They were conning the people in the street into thinking that the fire brigade required the signing of that petition. That was not the case at all.

A more important provision of the Bill is the introduction of promotion on merit. I was very pleased that the member for Everton agreed that promotion on merit is what is required. For 20 years in the air force I worked under that sort of a system. I was able to get ahead of a few of my contemporaries, hopefully for that reason. The competition there was something that was far more important than just the seniority. I understand and share the concern of the old fellows in any organisation, be it military or paramilitary in structure. Seniority definitely counts. However, some of the older men who have a certain amount of experience want to know why they are not being promoted.

If they are efficient, they will surely be promoted. That is guaranteed under this system. I think that the honourable member for Everton is about to make a point about seniority. If people are assessed as being equally efficient, the promotion selectors must find one way to differentiate between them. They can choose one or more reasons. Although seniority can be considered, it is not the only matter.

A person who is near to retirement and who has years of seniority should not necessarily be given promotion over a younger fellow who has more years to serve. Each case should be judged on its merits. We hope and expect that a fair assessment is made every time. Seniority will be one matter that will be taken into consideration. If the persons carrying out these assessments do not take seniority into account, they are not doing their job properly.

The fire brigade is an operational force. Members of the fire brigades work in the field. The member for Everton (Mr Milliner) referred to the hiccups that are experienced. The best man must lead each level on the job. One cannot afford to have inefficient leaders. That applies more so to fire brigades than to any other jobs where promotion based on efficiency has been introduced.

I was interested to see that the Minister has retained the provision for appeals. Provision must be made for appeals against assessment of efficiency. The legislation is similar to legislation introduced relative to promotions in the Railway Department. It is the only way of retaining an efficient and capable force, irrespective of its past.

The Bill contains other initiatives to improve significantly the career structure of firemen and officers. I feel that Queensland is moving towards a State-wide fire service. At present, it is definitely controlled—and rightly so—and within the keeping of the fire services boards. One of the moves that are making the service a State-wide service is the requirement in the Bill for the advertising of vacancies among other boards above firemen level. That will give firemen above that level a chance to apply for transfer or for promotion where promotion involves service anywhere throughout the State. That opening up of careers will be a tremendous asset and provide great help.

The Minister for Lands, Forestry and Police (Mr Glasson) is in the Chamber. Within the Queensland Police Force, he knows how the requirements of a State-wide service are met with people being promoted and transferred. It is essential for the well-being of the police force. In the defence forces it was well known that such action was necessary. That was the way in which a person increased his experience and efficiency. He made himself more ready and more acceptable for promotion. As that will be introduced into fire services, it will be of great advantage.

Mr Price: Do you agree with compulsory transfers?

Mr McPHIE: The member for Mount Isa wants to know about compulsory transfers. If he would come along and sit down with me for two or three hours, I would run through the problems of man management at senior level with him.

Those problems were encountered in the air traffic control branch of the air force. Although one cannot say categorically "yes" or "no", compulsory service must be required at times for the well-being of the service or the force. In this case, if a need arises, it must occur.

Mr Price: Transfer under promotion?

Mr McPHIE: Transfer on promotion is an obvious one about which the Minister is thinking. With State-wide advertising of vacanices at different boards, the man in Toowoomba can see where a more senior position is available at Mount Isa. He can apply for that position. If he is good enough, he will obtain the position. He will be promoted and do a rattling good job in Mount Isa, as he has already been doing in Toowoomba.

No longer will each board area be a closed shop. That system has operated to the detriment of the service. Only those in the area knew of vacancies occurring. If a relatively small board area does not have a broad selection of men to choose from, and those men are not at the top of the pole in efficiency, dead wood will be promoted and the capability of the force will never improve. With a structure of rank, however, and when people can be brought in from outside by being promoted according to efficiency, the capability of the service throughout the State is enhanced. I am sure that the Minister would ensure that fair systems of proficiency reporting and applications for transfer will be considered at all times in selection for promotion.

The Bill has significant input in the field of fire safety officers, about whom the honourable member for Everton spoke. At present, fire safety officers are responsible to the local fire service board. Under the Bill, they will be directly responsible to the Minister. The Bill gives the Minister direct control over these very important people. He will be able to utilise their services and ensure a better distribution of their qualifications. The Bill will improve their career structure. Significantly, if any of the qualified firemen now out in the field become interested in fire safety work, they have a structure of their own to build a career parallel to, but not the same as, the standard fireman.

The Bill puts the administration of fire services throughout the State under one specialised division. That is a great advantage. I am very impressed with the fire safety officer structure that I have come to know in Queensland's fire brigades. It is a good one. The Minister is acting correctly by developing it further, both for the men and for administration and control.

The later provisions of the Bill deal with administrative matters, many of which are necessary. The Bill replaces the restricted membership of the State Fire Services Council with a new Queensland Fire Services Association, to which all of the State's 81 fire boards may belong if they wish. At the moment, 70 of them belong. I am quite sure that, when the new association is put into place, the others will join. The advantages to the Minister must be considerable. He will be receiving advice from a broad spectrum throughout the State. It will be truly representative.

The State Fire Services Council, though good, is not necessarily representative on a State-wide basis. The present council consists of a chairman, who is appointed by the Minister, and only three representatives of the fire boards. Under the Bill, 81 boards will be entitled to representation. It may be said that that is too large a number, but I am sure that they will not all be speaking at every meeting, as the honourable member for Port Curtis (Mr Prest) likes to do on every Bill introduced into Parliament. The present council also has two insurance representatives. They are necessary people, and

there will be input to the new association from representatives of the insurance industry. The present council also has one local authority representative and a State Counter-Disaster Organisation representative. The Rural Fires Board representative makes the ninth member.

Clauses dealing with other administrative matters were covered fairly by the honourable member for Everton (Mr Milliner), who spoke in favour of the Bill. The removal of confusion over certain classes of exempt property in the fire services funding scheme is desirable.

At the present time, the local authority officer who controls the collection of the fire services levy has to make the decision on the exemption of property. There is no way in the world that such an officer should be up to speed on fire service matters, and that officer should not be the one who makes the ruling. The Bill has removed that requirement.

The Bill contains a sensible provision that requires local authorities to remit money that has been collected on a quarterly basis, now that the scheme has been implemented. That was previously done on a half-yearly basis, and although it might be argued that local authorities have been missing out on interest, the important points to bear in mind are that the scheme is at the second stage of the levy-collection and that the improved cash flow is absolutely essential to the brigades. It is pleasing to note that an improved cash flow has been attended to.

The Bill contains not only interesting amendments but also many that are necessary and will be of tremendous advantage in the provision of fire services in Queensland. I congratulate the Minister and his staff, and I support the Bill.

Mr PREST (Port Curtis) (9.46 p.m.): It gives me great pleasure to speak to the Fire Brigades Act and Fire Safety Act Amendment Bill. Since March 1984, this is the fourth time that this kind of legislation has been brought before the House. Initially, I point out that the amendments proposed to be made are fairly numerous and important. However, it is unfortunately the case that honourable members seem unable to discuss amendments or the operations of State fire services with any degree of definite satisfaction.

In March last year, it was said that, within three months of the end of the financial year, a report by the board would be brought before Parliament. Nine months have elapsed since the end of the 1983-84 financial year, yet no report upon the activity or receipts and expenditures associated with the operations of fire services in Queensland has been forthcoming. It is now approximately three months before the close of the 1984-85 financial year.

Last year, important changes were effected in the method of funding. Opposition members spoke very strongly on the issue when the Minister introduced the system that imposed a levy of $48 per annum on properties in some residential areas of the State and covered four other lesser categories. At that time, Opposition members—and I in particular—suggested that the amount of money collected by means of the levy from Queensland rate-payers would result in a surplus.

In July 1985, the second stage of the levy system will be introduced, and neither the manner in which the levy will be calculated nor the rate for the different categories, such as industry, that were not mentioned in the first levy category which was imposed last year, are known. It is therefore difficult to discuss ramifications of what will happen in fire service operations in Queensland when information is not readily available.

When the changes were first proposed, one of the things that were raised in 1984 was the way in which the State Fire Services Council was being brushed aside. At that time, Opposition members were told that that suggestion was incorrect, that those predictions would not eventuate, and that membership of the State Fire Services Council was to be increased by one additional person who would be chosen from among country brigades. However, the stage has been reached at which the Fire Services Council will no longer exist. By enactment of this legislation, the council will be taken out of operation.

In contrast to that, the honourable member for Toowoomba North (Mr McPhie) said that its activities will be extended and that, because 81 fire boards presently operate in Queensland, membership of the Queensland Fire Services Association can be established.

That may be so, but what input will they have? They will not have the capacity to directly advise the Minister, as did the nine members of the State Fire Services Council. The member for Toowoomba North said that the 81 boards in Queensland could become members of the association. That would be something like the Local Government Association, with each board paying a certain amount for each year of membership, perhaps according to population. Probably the association will have a general meeting once a year, to be held in Brisbane or some other major centre, and that will be the only input that the brigades will have into the association. The brigades might be able to obtain information from the association or the board. However, the Bill states—

" the Minister shall be deemed to be a Board;"—

in other words, a board of one person.

Back in March 1984, when the Opposition said that the State Fire Services Council would be disbanded, honourable members knew that the Minister had two advisers who were making recommendations to get rid of the members of the State Fire Services Council who had done a wonderful job over the years. By disbanding the board, those advisers would create jobs for themselves. Of course, it was unfortunate for the Minister that one of those top advisers resigned as from 3 January 1985. That was the best thing that happened to the fire services in Queensland in the past two years.

As I said earlier, although it is almost nine months since the end of the financial year, the annual report of the State Fire Services Council has still not been tabled in this House and printed. In early 1984, the Minister was asked a number of questions relative to the Fire Prevention and Protection Research Unit. I was hoping to find further answers to those questions in the annual report. I was told by the Minister then that many large organisations were making money available by way of grant or gift for research into fire prevention and protection. He instanced one company that was making $50,000 a year available, and that company is entitled to know how that money is being spent, what research is being carried out, and who is carrying out the research. Members should not be asked to discuss amendments to fire services legislation unless the vital information contained in the annual report has been laid on the table and printed so that they can study it and thus make the best contribution they can towards the improvement of the fire services in this State.

The Bill will have far-reaching effects in a number of ways. For instance, it refers to the imposition by a board of fines on firemen. When boards imposed fines on employees, the employees could appeal to the State Fire Services Council against those fines. When the council ceases to exist, to whom will they appeal? Will it be to the Queensland Fire Services Association to which the 81 boards can belong? Will they appeal to the Minister or to one of his officers? What will be the qualifications of the person who will hear appeals against fines imposed by boards?

Local authorities will have to remit levy money four times a year. When the local authorities were asked to collect the levy, they were told that, in addition to receiving their percentage of the levy, they would be able to make a lot of money by investing it on the short-term money market. Because they had to remit the money only twice a year, they could invest the money for almost six months before remitting it. Within 12 months, changes are being made relative to arrangements entered into with the local authorities.

It is pleasing to note that the pensioners' needs have been noted. Unfortunately, they have been getting a raw deal under the $48 levy. The department's guilty conscience has prompted it to allow pensioners a rebate. If honourable members knew how much money had been collected under the levy in the last financial year, they would have some idea how the people are being ripped off and, no doubt, they would realise why the pensioners are being granted a 20 per cent rebate, or $9.60.

Late last year, the Government allowed local authorities to add interest to the accounts of people who did not pay the whole levy within 28 days. The Government is giving with one hand and taking away with the other.

I hope that the amendments will benefit the pensioners who have been getting such a raw deal. Elderly people who live in small, underinsured homes will pay considerably less for their insurance than they pay in levy. All that the pensioners are getting back is that which has been taken from them.

There are not enough fire safety officers to carry out the job efficiently and effectively. Those officers should work in conjunction with local authorities in inspecting buildings to ensure that new structures comply with fire safety requirements and, in particular, they should inspect buildings that are used for public entertainment to ensure that the buildings meet the fire safety standards.

Recently, a couple of chemical fires have occurred in Brisbane. It should be the responsibility of fire safety officers to ascertain what is stored in certain buildings. Also, local authorities should know what chemicals are stored in buildings and what effect a fire would have on them. In case a fire breaks out in any building, that sort of information should be readily available to fire brigades and to local authorities. They should know how the fumes will affect firemen.

The Minister for Health (Mr Austin) has rejected claims about a fire that occurred in a fertiliser factory at Zillmere. Twenty of the 68 firemen became ill after fighting that chemical fire.

Mr FitzGerald: Do you believe that a stock-take should take place every night?

Mr PREST: That is the sort of question that I would expect from the honourable member. He is called "Ginger Meggs"; I think that he should be called "Ginger goat".

It is up to factory-owners to supply the information. They could fill in a form stating the chemicals stored in their factory. That should be done to protect not only the firemen and the people who work in the factory but also the people who live in the surrounding area. People are entitled to know what is stored in a factory.

More fire safety officers should be appointed in this State. The Opposition spokesman on fire matters, the honourable member for Everton (Mr Milliner), referred to safety officers coming under the complete control of the Minister. I sincerely hope that the system works effectively and efficiently. I hope that the Minister will be able to answer the questions that have been raised about equipment being taken from the various fire brigade boards and also the amount of money being returned to them.

I do not intend to take up any more time of the House. I agree with the proposal to advertise positions for firemen throughout the State. The people employed in the fire services have done a magnificent job. They are interested in their work and will devote their lives to the service. The only way that those people will get on in the service and be happy in it is for the Government to extend to them the opportunity to transfer within the service. By applying for promotion, they will be able to transfer from one part of the State to another. I am certain that what is being done in this regard is in the best interests of the State fire service and of the firemen themselves.

I have been very easy on the Minister tonight. I sincerely hope that it will not be long before the report is presented to the House and that, when the House resumes later in the year, honourable members will be able to ask further questions of the Minister on the activities of the State fire services.

Mr BAILEY (Toowong) (10.6 p.m.): This is a very practical Bill. It is a little like the Minister for Environment, Valuation and Administrative Services—practical and efficient. He is somewhat misunderstood because he is a blunt character who speaks in blunt terms, but he has done some pretty practical things.

Mr Scott: That is not what you said in the corridors about him this evening.

Mr BAILEY: The honourable member should clear his ears out and get his act together, because he has not got it right tonight.

Mr Scott: You said that he was dreadful.

Mr BAILEY: That will go into "Hansard" and will be more nonsensical than the honourable member's usual comments.

The Minister is a practical man, and this is a practical Bill.

Mr Goss interjected.

Mr BAILEY: The honourable member should not say anything. If he wants to, he should hop onto his perch.

The Bill has seven basic tenets, and all of them are practical. The fire brigade is a practical service doing a practical job. It does a good job. I commend those men who work for the service, and the job that they do.

Doubt must be expressed about the efficiency of many of the 81 fire brigade boards in Queensland. The fire services must be rationalised, and that is what is occurring under this Minister.

Mr Davis interjected.

Mr BAILEY: I am sorry but I cannot hear the honourable member. I will have to stop speaking while he interjects.

Mr Davis interjected.

Mr BAILEY: I have the Minister's notes with me. The honourable member for Brisbane Central is welcome to come over here and see them, but he will probably feel awkward crossing the floor. I would be delighted to show the notes to the honourable member afterwards. He is not used to members speaking in an efficient and effective way and sounding articulate; but he will have to get used to it. Just because Opposition members are given notes, that does not mean that Government members are.

Mr Davis interjected.

Mr BAILEY: Et tu Brute! I gave the honourable member for Brisbane Central credit by thinking that his interjection would be worth while. I really wish that I had not done so. Apart from being an amusing person, he is usually very accurate in the sort of things that he says. If he keeps saying things such as that, I will not bother to stop again. Unless he has something to say, I ask him not to interject.

Vacancies within the service are to be advertised State-wide. That is a practical provision, and one does not have to comment on it. The Opposition spokesman, Glen Milliner, has been quite kind to the Bill. The main exercise of the Bill—its major benefit—is the use of efficiency as a basis for promotion and for appeals. I understand why Opposition members may find this difficult to accept, because unions state that people with years of service must be rewarded; not necessarily because they are good, bad or indifferent, but simply because they have been there for a long time. That leads to the sort of abuses that have occurred in the system over the years. People who are competent or worth while are not being promoted. Fire officers in the upper ranks are there because they have been in the service long enough to become senior members. The operations of fire services deal with people's lives and property. The Opposition is talking about promoting not necessarily the best people but those who have been in the service the longest. That is ridiculous.

Mr Shaw: I don't think you have a leg to stand on.

Mr BAILEY: I must admit that the honourable member has me there. Actually I have one and a half legs.

Mr DEPUTY SPEAKER (Mr Row): Order! I advise the honourable member that Standing Orders allow for a member to speak while seated.

Mr BAILEY: Thank you, Mr Deputy Speaker. I appreciate that. I will try to stand.

Mr FitzGerald: The last one who got that message was pregnant.

Mr BAILEY: I am certainly not pregnant.

Mr Davis interjected.

Mr BAILEY: Is Brian off again? Would he like to repeat that?

Mr Davis: From the ruling of Mr Deputy Speaker, half of the members of the National Party could sit down.

Mr BAILEY: At least that interjection is about 110 per cent better than his last.

The Bill is a practical one. The public service has the attitude that if a person is employed for long enough he should be promoted, regardless of his capacity. I am not necessarily being totally critical of the entire public service, because it contains a number of very efficient and very important people who have a great deal to contribute. Those people do get up the ladder. However, a number of people who have nothing to offer other than that they arrive every day still get up the ladder. They have very little to contribute. Because the fire services are responsible for saving lives and property, it is ridiculous even to contemplate promoting people on the basis that they have managed to stay in one fire station for a long enough period to be noticed.

The seniority system lends itself to numerous abuses. A fireman who takes a number of sickies does not have that noted against him. Firemen can abuse the sickies system without any trouble at all. However, every sickie taken in the fire service costs 14 hours of double time for the replacement fireman. With the number of firemen employed in the State and the percentage of them who take sick leave because they realise that it will not be held against them in the promotion stakes, that costs a great deal of money. The system encourages abuse.

I realise that the member for Everton was not being really critical, that he was simply saying that one should also take into account the seniority of a fireman. What I was trying to do by way of interjection was say that the boards would take into consideration the experience of those who are seeking promotion. I am sure that involves seniority. Seniority contributes to experience and skill. For that reason I do not believe that the Bill excludes the opportunity to use seniority as a basis for promotion. That is almost implicit in the definition of skill.

Certainly, skills and abilities are taken into consideration. For that reason I do not agree with the concept of the honourable member for Everton that seniority has to be specifically included in the Bill. I agree that seniority plays a very prominent part in the learning process of a good fireman. However, to use that as the criterion would be to the detriment of those who want to work hard, to learn and to try harder. The Bill does not exclude seniority. Seniority is only part of a man's qualifications. I did not wish to disagree with the honourable member earlier; I simply wanted to make that point. I think that is implicit within the Bill.

Mr Milliner: It was there before and it has now been taken out. It is excluded.

Mr BAILEY: I do not think it is. Experience is implicitly part of anyone's efficiency. I do not think that the Bill has to provide specifically that seniority must be taken into account. When somebody is interviewed, that is taken into account.

Mr Milliner: When two people are equal, don't you think there will need to be some method by which the appointment is made?

Mr BAILEY: Yes; but surely the board will reach its conclusion on the applicant's capacity. Seniority will be one of the measuring sticks, even though the Bill does not specifically provide that it must be taken into consideration. What the honourable member is doing is underestimating the capacity of those who have to make the judgments, that is, the members of the boards.

The honourable member for Everton believes that seniority should be included specifically in the Act. In most instances, it is a basic consideration. That assessment is usually made in any judgment.

Mr Milliner: It is not here.

Mr BAILEY: It does not have to be specified in the Bill.

I do not think that Opposition members object to the basic intent of the Bill. I was trying to clarify from my own point of view that the objections put forward are not really objections. They are probably qualifications of some aspects of the Bill. I do not think that the honourable member for Everton should be concerned about them. Most honourable members would agree that the basic philosophy and thrust of the Bill are very welcome within fire services. Without delving into contentious issues, I am delighted that efficiency rather than seniority is used as a criterion for encouraging people to perform better.

The community has a problem in trying to give people the incentive to perform better. That means that a person does not need to be 53 years of age before he is appointed as a senior sergeant or its equivalent in the fire services. If a person has no incentive, there is no reason for him to work very hard. All he has to do is stay in his present position, bludge and receive his promotion. The adoption of that philosophy is one of the reasons why the community is in trouble.

I would like the Minister for Lands, Forestry and Police (Mr Glasson) to listen to the debate and then implement a similar policy in the Queensland Police Force. It is imperative that such action be taken in the public service, because it already is being taken in private enterprise. If the Government is serious about being a private enterprise Government, steps should be taken in every Government department to encourage by financial reward those persons who have a capacity to perform better.

Mr Innes interjected.

Mr BAILEY: One always hopes that it happens here.

I wish to touch on one aspect of the Bill that was mentioned by the honourable member for Toowoomba North (Mr McPhie). He referred to pensioner discounts. Kev Davies and the Minister are to be commended for their initiative. Australia is very remiss in looking after the elderly, and a great deal more could be contributed to their welfare. Even though the discount involved is only 20 per cent, to someone who must pay out a great deal of money on a number of fixed costs the proposal contained in the Bill is a great step forward.

I hope that I am not the only member who is critical of a number of other Ministers. Perhaps the Minister for Mines and Energy (Mr Ivan Gibbs) might look at what is happening under the Fire Brigades Act relative to fire brigade levies and then have a close look at electricity charges. Pensioner discounts on electricity charges would be accepted more excitedly than would a discount on the fire levy. I commend the Minister for using his initiative. It is something that we as a Government should examine more often.

The subject of uniforms was covered adequately by the honourable member for Toowoomba North. There are advantages to be gained by buying in bulk. If one argued more thoroughly the argument advanced by the honourable member for Toowoomba North, one would hope that the Australian Government would buy in bulk. A standard uniform should be provided, and a standard accounting procedure should be adopted

to enable uniforms to be bought at a reasonable price. If members of each division of the fire services wear the same type of uniform and are identified in the same way, there is no objection to buying uniforms in bulk.

I am surprised that it has taken so long to introduce some of the practical measures contained in the Bill. I support the Bill and commend the Minister, who, on many occasions, is abused unfairly in this Chamber.

Mr PRICE (Mount Isa) (10.19 p.m.): I join the debate to seek clarification on a few points. The member for Toowong (Mr Bailey) is a manifestation of the Achilles heel of the National Party. Like the party, within a few months, he will be a has-been.

I wish to speak about four of the seven major points raised by the Bill. First I speak about fire safety officers. The principal point at issue is the potential for the creation of a bureaucracy. I am not criticising the isolation of those officers under the direct control of the Minister. However, I ask: How much mobility will they have within districts? Recently, a fire was to be investigated in the very small town of Urandangie, 200 km south west of Mount Isa. Mount Isa had a fire safety officer who was perfectly capable of doing the job; yet, because of the district restrictions, a district fire safety officer had to be sent by road from Emerald, which is possibly a round trip of 2 000 km. How farcical! I hope that the Minister directs his attention to that issue. I ask: As the fire safety officers are to be made independent, how will their districts be determined? Will they be determined by the fire districts themselves? Will the areas of jurisdiction be separate from the fire districts or will there still be a stratified system?

Mr Tenni: Any fire safety officer can be sent anywhere in the State. There will be no problem.

Mr PRICE: From now on?

Mr Tenni: When the Bill becomes law.

Mr PRICE: My second point relates to the transfer of safety officers. Will they be stuck in the system?

Mr Tenni interjected.

Mr PRICE: So a fire safety officer may apply for a transfer from district to district?

Mr Tenni: Yes. As well, he may rejoin the normal fire-fighting service.

Mr PRICE: My question really is aimed at the mobility of the fire safety officers from district to district. Will that be based on the transfer system?

Mr Tenni: There will be no problem.

Mr PRICE: My third point relates to local authorities. All honourable members recall that two or three years ago, at a meeting of the Local Government Association, the Minister's predecessor raised the matter of the fire service levy. Hundreds of representatives from throughout Queensland attended the conference, but the proposal was passed by a majority of two.

Mr Tenni: One.

Mr PRICE: Was it?

This is a very hot potato with the Local Government Association. The late Fred Rogers advocated having nothing to do with it. The State Government was encouraging local authorities to act as collection agencies. Regardless of the incentive being offered by the Government, Fred Rogers advised local authorities very strongly against being part of it. However, when voting was conducted, the matter was resolved the other way. The National Party Government's very able use of the majority promoted acceptance

of the legislation when it was brought forward at a later stage, and the system was imposed upon local authorities.

One of the attractions of the scheme was the use of the money after it was collected on a six-monthly basis. The honourable member for Toowoomba North mentioned that factor as a relatively minor one. My view differs from his. I believe that the extent to which local authorities will miss out by virtue of a quarterly remission to the State Government will total——

Mr Tenni: May I explain that for your elucidation?

Mr PRICE: Certainly.

Mr Tenni: Stage two of the levy system takes effect from 1 July and will include sections of industry and commerce. At present, local authorities do not receive funding from those sources at all. From 1 July, local authorities will derive benefit from the funding, which will more than make up for the loss occasioned by the quarterly pay-out. However, I must admit that small brigades located in areas that contain very little industry or commerce will not derive that benefit.

Mr PRICE: The Minister's statement is not justification for local authorities being deprived of money that has been promised. The Government is actually taking away funds that had already been allocated to local authorities and has applied them to the interests of the State Government. The system of fire services levy collection is an imposition on local authorities.

Mr Tenni: That action has been co-ordinated.

Mr PRICE: That is a debatable point. Approximately 50 per cent of local authorities have said "Pooh" and do not want the system to be implemented because it will become an imposition.

It should be remembered that Governments can change. Local government elections will be conducted next Saturday, and it will be interesting to see whether a similar proposition is put to the local government conference next year. The point I make is that implementation of the system is an imposition on local authorities, and the State Government is taking away a benefit that had been used as a bargaining point in endeavours to persuade local authorities to collect the levy in the first place.

I was pleased to note the provision that relates to pensioners, and it is interesting to note that the National Party Government has taken up a policy espoused by the Labor Party. Pensioners live in regions which do not fall into the less expensive categories of levy, and the imposition is heaviest particularly for services such as telephones and electricity. Although those categories do not come under the subject of discussion tonight, I am pleased that the Minister has addressed one problem and is endeavouring to do something about it.

I also mention the possibility of the amalgamation of ambulance and urban and rural fire services, in some cases under one roof. The potential for such a step was mentioned last year. I ask the Minister whether that proposal will go ahead, because I have reason to believe that Cabinet has moved positively in that direction. I understand that, for certain areas, a system of grants or some equivalent fiscal amalgamation is being devised.

Mr Tenni: For fire services and ambulance services?

Mr PRICE: Yes, ambulance and rural fire services.

Mr Tenni: No, definitely not.

Mr PRICE: I will take the Minister's word for that, but I was informed by the Minister for Health (Mr Austin) that a Cabinet minute had come into existence on that subject.

Apart from those comments, I join with the other members of the Opposition in commending other points that the Minister has put forward.

Mr WHITE (Redcliffe) (10.30 p.m.): The Liberal Party supports the legislation, but there are a few matters to which I want to draw the attention of the Minister.

Firstly, the Minister is to be commended for the introduction of a career structure, which many members of the Liberal Party feel is a move in the right direction, to give firemen the opportunity to advance through the ranks. The creation of that opportunity is welcomed, certainly by those fire officers in my area of Redcliffe whom I have met and with whom I have discussed this proposition. Obviously fire officers have some concern about the changes. I understand that a number of discussions have recently taken place on the subject.

As the Minister outlined in his second-reading speech, there is a movement towards the establishment of a single authority. I hope that the new system will not be too rigid, and will take into consideration the particular needs of various geographical areas of the State. There is always the danger with the centralising process—moving to one authority—that it can at times become too rigid and lose sight of the peculiar needs of different areas. I hope that the Minister and his departmental personnel will take that fact into consideration.

The move towards the consideration of efficiency as the basis for promotion is welcomed by the Liberal Party. The service should be encouraging people who are efficient and are prepared to make a contribution rather than relying on seniority for promotion. For a great many years in the public service, efficient people with the ability to make an input have been overlooked for promotion because of the problems caused by the consideration of seniority as the basis for promotion.

Mr Davis: The Liberal Party tried to change the system.

Mr WHITE: The member for Brisbane Central is incoherent, as usual. That reminds me of an occasion on which I called at his Solo discount service station and was kept waiting a long time to be served.

Mr Innes: The only thing he served is time.

Mr WHITE: It was a great move when the member for Brisbane Central was returned to Parliament. The poor, unsuspecting motorists were relieved of the inefficiency and delays at his service station.

The new funding scheme that was promulgated and introduced by the former Liberal Party Minister (Bill Hewitt) seems, in the main, to be working well. Any changes of that nature always produce initial problems but, despite the difficulties that were predicted by local authorities when the new scheme was first proposed, they basically seem to have been overcome, and certainly in my area of Redcliffe the local authority seems to be administering the scheme well.

I understand that there is some difficulty with commercial buildings. I do not profess to know a good deal about it, but some people are concerned about the funding arrangements for commercial premises. Perhaps the Minister might like to comment on that matter in his reply.

Mr Tenni: What are they worried about?

Mr WHITE: Many of them are concerned that they are paying a higher premium. They do not understand why that should be so.

Mr Tenni: But they are not paying it yet. We do not bring it in until 1 July, and we haven't even worked out the actual funding.

Mr WHITE: I guess that they are pre-empting a potential problem, and I will give the Minister some detail about that later on.

The Government's decision to give age pensioners a discount is welcome. The Liberal Party is very happy about it. I have raised the matter in Parliament on several occasions. In certain areas many pensioners experience difficulty in making ends meet. The rebate will mean a little extra help that may keep many of them in their own homes.

The Minister may care to comment on the fire that occurred some time ago at the Tower Mill Motel. I am informed that most units on the north side and on the mid-south side were involved in that fire. That raises the question of whether or not we have sufficient capacity to handle two major fires at the one time. The Tower Mill Motel is but one of many high-rise buildings in the city of Brisbane.

I bring to the Minister's attention an article that appeared recently in "The Redcliffe Herald" under the headline, "Cuts spark fears for fire safety" The article reads, in part—

> "The safety of Redcliffe residents and firemen could be in danger from moves by the State Government to cut state fire services costs.
>
> United Firefighters Union Redcliffe branch president and state junior vice-president, Mr. Allan Pike, said the Redcliffe station was understaffed and needed another four firemen to bring it to a safe staff level.
>
> Despite strong population growth in the city over the past 10 years, the station had not been allocated any extra staff. Seventeen firemen and seven officers served a population of about 46,000, he said.
>
> 'We have one officer and two men on at night. One of those has to operate the switch panel at the station. If there's a job on only one officer and one firemen can go. There should be two firemen for safety.' "

That article raises the question of whether or not an adequate staff level is maintained at the Redcliffe Fire Brigade to provide proper services for the area. Quite a deal of concern has been expressed by the unions and some of the Redcliffe City Council aldermen.

The Liberal Party supports the legislation, but I would appreciate the Minister's reply to the matters I have raised.

Mr TENNI: Mr Deputy Speaker——

Mr SMITH: Mr Deputy Speaker——

Mr MILLINER: I rise to a point of order. Mr Deputy Speaker, I seek the Minister's indulgence. I ask him to allow the member for Townsville West to make a contribution. He was on my list of speakers but, unfortunately, he is not on the list that was presented to Mr Speaker. I ask the Minister to give him an opportunity to speak.

Mr TENNI: Very well.

Mr SMITH (Townsville West) (10.38 p.m.): In recognition of the Minister's indulgence, I will be brief. The issues have been well canvassed. The matter of the fire safety officers' being taken from the boards and being basically Government employees is two-sided. It cannot be approached in the simple way in which it has been tonight. I would be the first to concede that the appointment of the officers to a central authority should lead to uniformity or to a co-ordinated approach. It is to be hoped that the change will improve the standard of training and the specification of buildings and equipment. However, it could also mean that an officer who was directly accountable to a more senior officer could come under pressure from that man in a remote area who knows little about the local situation, and he could be overruled. That is a danger. I am not quite certain how that problem can be overcome. The matter has to be looked at seriously.

There are other examples, particularly in local government. Recently, local authorities throughout Queensland have been overruled——

Mr Tenni: What are you referring to?

Mr SMITH: Fire safety officers will be directly accountable to the Minister. The decision of one of those officers may be over-ridden by a senior officer within the department. The lack of information being transferred from one officer to another officer could lead to an incorrect decision being made. I am pointing that out as one of the disadvantages of the scheme that the Minister is proposing.

I agree that a career structure is highly desirable and should lead to more professionalism in the fire brigade service. Obviously, the advertising of positions will help.

One matter about which I am concerned—it has already been raised—is the question of appeals against promotions. Seniority will not be considered when promotions are made. Appointments will be made solely on the basis of efficiency. I find it difficult to accept that proposal for fire officers. Generally speaking, they do not possess formal qualifications. They receive in-service training. Efficiency will be very much a matter of subjective judgment. It would be more acceptable to me if appointments were considered on the basis of professional qualifications. The Minister is running a grave risk in introducing this system for fire officers. I very strongly urge him to look at incorporating at least some component of seniority in the appointment area.

The honourable member for Port Curtis (Mr Prest) referred to membership of the Queensland Fire Services Association. In his speech, the Minister referred to fire brigade boards having the opportunity to become members of the association. I would have thought that it was imperative that each board had equal representation in the association. I am not clear as to why that has not been provided. I cannot see why boards have to make application to become members of the association. I would have thought that they would be in it automatically.

I said that I would be brief, and I will. The Minister is amending the legislation relative to uniforms. It seems to me that that is a matter in respect of which the Minister has legislated when legislation is not necessary. Over-legislation can make a situation difficult to control. It is costly and usually inefficient. If the Minister is attempting to create improved professionalism within the fire brigade service, that sort of legislation should not be required.

The only other matter on which I wish to comment relates to pensioner rebates. If property values were equal, what the Minister has done would be a fairly efficient way in which to collect revenue. However, within a radius of a mile or two, property values could vary from $15,000 to $200,000. A large number of people living in fairly low-cost areas are being hit with costs that they can ill afford to pay. Although the Minister talks about efficiency in the overall cost of collection, a human factor is involved. The rebate of 20 per cent is welcome, but it is far from being satisfactory for that low-income group in the community.

Hon. M. J. TENNI (Barron River—Minister for Environment, Valuation and Administrative Services) (10.45 p.m.), in reply: I thank honourable members for their contributions. In common with the honourable member for Everton (Mr Milliner), I pay a tribute to the firemen, in particular, who worked on the train crash on the Beenleigh line at the week-end. Yesterday afternoon, when opening a new fire station on the south coast, I commended publicly Mr Kev Bayliss, the fire chief in charge of the South Coast Fire Brigade Board who took over responsibility at the crash scene, and his men for their excellent job. They were on the scene very quickly, and I was pleased to note that some of the equipment and firemen used at the scene of the accident came from the new station at Loganlea, which I opened last Monday week. That is evidence of the Government's foresight in placing fire stations at strategic locations in cities and towns.

I cannot agree with the comments of the honourable member for Everton about the basis for promotion. Efficiency is more important than anything else. All boards throughout the State will receive notification of the basis for determining efficiency and promotion. As soon as this legislation is passed, that information will be passed on to the boards.

Fire brigade boards will lose fire safety equipment that is used solely by fire safety officers, but not when such equipment is used only part-time and the utilities are required by boards when the fire safety officers have been removed. It must be remembered that boards pay for the equipment with money provided not by the boards but by the people of Queensland. My department will take over the equipment used by fire safety officers and any related debts. In fact, the money comes from one pool, so it does not make much difference. I thank the honourable member for Everton for his comments.

The honourable member for Toowoomba North (Mr McPhie) commented on the pensioner discount, as did most honourable members. That was one aspect that my committee considered very closely, and it was thought that such a provision was necessary. A 20 per cent discount will be brought in. That is in line with the 20 per cent discount for pensioners applying to all rates and charges throughout the State of Queensland.

The honourable member for Toowoomba North referred also to the standardisation of uniforms. Because he spent many years in the air force, he would know about uniform requirements. One of the major worries about uniforms is that they must be used in the course of duty, not for other purposes. Everyone who pays the levy of $48, $32 or $21 is entitled to know that the uniforms for which they are paying are used for the job for which they have been bought. The people who pay the levy must get value for the money that they have paid.

The honourable member for Toowoomba North supported the efficiency and promotion proposal contained in the Bill. The provision of career opportunities is a must in any service, including the air force.

The honourable member clearly understood why fire safety officers are being brought under the control of the Minister. He was also supportive of the proposal that provides that local councils will make their payments four times a year instead of twice a year, as presently happens. The honourable member is aware of the cash-flow problems experienced in my department. Once the stage two levy comes in, the insurance payment that has been received this year—the stage one levy—will no longer be available to the department, and it is important that it has a suitable cash flow. The only way to ensure such a cash flow is to provide for more regular payments by the councils. In fact, the councils will lose very little, except for those with small concentrations of population and very small fire brigades, where not a great deal of money comes in, in any case. In areas of greater population, the stage two levy will be greatly boosted by industry and commerce. So what is lost on the merry-go-round is picked up on stage two.

Sometimes I wonder whether I should reply to the member for Port Curtis. He claimed that this was the fourth piece of legislation on fire brigades that he has seen since March 1984. To the best of my knowledge, it is the second piece. That was his first incorrect statement. He also said that the 1983-84 annual report had not been tabled in this House. Let me assure honourable members that the 1983-84 annual report of the State Fire Services Council was tabled in this House on 13 November 1984.

Mr FitzGerald: He should apologise.

Mr TENNI: He should apologise to this House and to the people of Queensland. The hardest thing for the honourable member for Port Curtis to do is to offer constructive criticism. Because of that, he makes outlandish statements, much to the embarrassment of his colleagues. In that respect I feel sorry for his colleagues. If the honourable member's brain was dynamite, it would not blow his hat off. If the honourable member had another brain, it would be terribly lonely.

The honourable member also mentioned the Queensland Fire Services Association. The 12-man executive of that association meets in Brisbane every six weeks and has done so for many, many years. In fact, I have been meeting with the members of that executive for almost 14 or 15 months. Their knowledge of the fire services of the entire State is tremendously helpful. They come from all parts of the State, from as far north as Gordonvale, and from the south-western and southern areas of the State. It is great to have such a body of men, who come from all parts of the State, giving advice to the Minister on fire services.

Another big plus is that they cost the Government absolutely nothing. My department gives no money whatsoever to them. Following their normal meetings, they offer their services for an hour or so to me free of cost. That is great, particularly as it saves pensioners and those on lower incomes a great deal of money. I am sorry that the member for Port Curtis did not look at the matter on that basis. The honourable member for Port Curtis sits there like a cane toad under a street light waiting for the wheels of a truck to run over him. I can never understand that.

The honourable member for Port Curtis mentioned the research grant, which, in my opinion, has done a marvellous job for fire services in this State. I hope that those who invest that money continue to do so for many, many years into the future so that further research can be conducted into fire services. I only wish that, when annual reports are tabled and Bills are debated, the honourable member for Port Curtis would stop shaking his head, because I am sure that people must mistake the noise that it makes for the division bells.

Opposition Members interjected.

Mr TENNI: Even if it hurts, Opposition members will have to cop it. That is their bad luck.

The honourable member for Port Curtis also mentioned the refund to the pensioners. I appreciate his bringing that forward, because he is dead right. He should get on to Alderman Roy Harvey, the Lord Mayor of Brisbane, and ask him what he did with the $2.8m that the council did not have to subscribe to fire services in this financial year. I will tell honourable members what he did with that money. Instead of giving it back to pensioners and other poor people, he used it to prop up his campaign for the coming local authority election.

Opposition Members interjected.

Mr TENNI: Honourable members opposite know what he did. They can read that in the newspapers every week.

Alderman Harvey used that $2.8m. Where did it go? All rate-payers in Brisbane should have received a $12 reduction in their rates. In fact, rate charges increased. Opposition members ask where that money is. It is a pity that the honourable member for Port Curtis (Mr Prest) is not in the Chamber to cop it. He said that he was concerned about pensioners. If he is so concerned about them, he had better see Mr Harvey quickly, because he will not hold his present position after Saturday.

The member for Toowong (Mr Bailey) is aware of the legislation. He referred to and supported promotions. I was glad that he raised the subject of sick pay. I was alarmed when I examined the books of different boards relating to sick pay in this State.

Mr Kruger interjected.

Mr TENNI: The honourable member will be off colour when I tell him about his mates.

It is unbelievable that a person who has worked for 16 years does not have half a day's sick leave to his credit. That cannot be tolerated in this State. Those fellows cannot expect to be promoted. That is one matter that will be examined carefully in the future.

The honourable member for Mount Isa (Mr Price) referred to fire safety officers. I think that I have answered most of the questions that he asked. Fire safety officers perform an excellent job and provide their services throughout Queensland. The honourable member referred also to pensioner discounts. He appreciated what the Government is doing. The honourable member referred to taking up the policies of the Labor Party. That would hardly be likely, as the Labor Party in Canberra is penalising pensioners in this country. The honourable member knows that as well as I do. That is an unfortunate situation. The Queensland Government will try to assist pensioners by giving them a 20 per cent discount in their fire services levy. I am glad that the honourable member appreciates the Government's initiative.

Mr Fouras: You rob them of $2 and give them back 10c.

Mr TENNI: Alderman Harvey does that. The Queensland Government will give them a 20 per cent discount. Alderman Harvey has robbed them of $12. The honourable member is dead right.

I was very pleased that the member for Redcliffe (Mr White) spoke to the Bill. He is familiar with the legislation. To allay his fears, I point out to him that no amalgamation is proposed. The Government had a responsibility. The matter was brought forward in Cabinet. A committee was set up to look at possible amalgamations. Following the committee's recommendations supplied to Cabinet, no action has been taken. The honourable member knows that efficiency is the basis for promotion. The Government does not want anybody without ability to be appointed to the top positions.

The honourable member also referred to commercial funding. That will not take effect until 1 July 1985. The honourable member is happy about the proposed pensioner discounts. The views that he expressed were sound.

I am worried about one matter to which he referred. He said that the Redcliffe Fire Brigade was understaffed. I can assure the honourable member that it has adequate staff. If there is any doubt in the minds of the members of the Redcliffe Fire Brigade Board, I suggest that the honourable member encourage them to write a letter to me asking my inspectors to examine the manpower of that brigade. Men will be allocated to the station and substations. They will prove to the board that sufficient men are employed at that brigade. If I am wrong, the necessary alterations will be made to make sure that that part of the city is covered adequately.

The honourable member referred to the fire at the Tower Mill Motel and said that insufficient units were available if another fire broke out in Brisbane. I inspected that fire personally. I found that 11 units attended the fire. I cannot remember the number of men at the fire. They were like ants. Only four fire-fighting units and one breathing apparatus unit were being used. Only five units out of 11 were being used. The other six units were blocking the streets and roads. I can assure the honourable member that, had a call been received to attend another fire, six units with fire officers were standing by, quite apart from the other units that would have been available from the substations in the Brisbane metropolitan area.

I thank all honourable members for their contributions. I assure the House that over the last 18 months this State's fire service has really been going somewhere. A proper fire-fighting service will be established. If I have to come to the House half a dozen times with legislation to improve fire services, fire-fighting equipment and jobs for the men, I will do so. That responsibility has been given to me. I will continue to act in that way while I have the responsibility.

Mr Milliner: Consolidate the Act.

Mr TENNI: I will even consider that. There is nothing wrong with that. That is quite a good idea.

Motion (Mr Tenni) agreed to.

Committee

Mr Menzel (Mulgrave) in the chair; Hon. M. J. Tenni (Barron River—Minister for Environment, Valuation and Administrative Services) in charge of the Bill.

Clauses 1 to 6, as read, agreed to.

Clause 7—Amendment of s. 11—

Mr MILLINER (11.1 p.m.): This relates to the promotion of officers within the service. In my speech at the second-reading stage, I foreshadowed that I would move the following amendment, and I so move—

"At page 3, line 33, omit the word—

'only'

and insert after the word 'efficiency' the words—

'and seniority' "

I deal with the matter of promotions. Members of the Opposition, in common with all other members, agree that efficiency should be the basis of promotion; that promotion should not be based simply on seniority. I firmly believe in efficiency as the basis for promotion. I was very interested in the contribution of the member for Toowong (Mr Bailey), who agreed that seniority should be taken into account in promotions. He indicated that seniority would be taken into account.

Mr Miller: The Bill takes that into account.

Mr MILLINER: Where?

Mr Miller: Proposed new subsection (1B) (d)—"any experience possessed"

Mr MILLINER: That does not say "seniority". It says—

"any experience possessed by the person relevant to the discharge of those duties"

It does not say anything about seniority. If our amendment were agreed to, the provision would read—

> "In the selection of a person for appointment to a vacancy with a Board, consideration shall be given to the relative efficiency and seniority of the persons available for appointment to the vacancy."

At the moment, the Act says—

> "In making an appointment to a position in the Fire Brigade of a Board for which position an officer or fireman employed by the Board on a permanent and full-time basis has applied such Board shall first consider the relative efficiency of the persons available for such appointment and, when the respective efficiency of two or more such persons are considered to be equal, such Board shall then consider the relative seniorities of such persons."

Mr FitzGerald: You are talking about experience now.

Mr MILLINER: If two firemen apply for a position and they are of similar age, to all intents and purposes they both have similar experience and are equal for the job. The Opposition believes that the person who has served longer with that board should have the chance to get the job on seniority. By amending the Act to delete the provision allowing for seniority, the Minister is leaving no stated basis for appointment to the position.

Mr Miller: Would you explain to me how a person can acquire experience?

Mr MILLINER: How people can acquire experience?

Mr Miller: Yes, other than by working in such an occupation.

Mr MILLINER: The provisions of the Bill clearly set out the criteria for measurement of efficiency. The Opposition raises no argument about that, but should two people apply for the same position and each person possess similar qualifications, the only way of finally determining the matter is by reference to seniority. Such a situation could be compared with a lottery, I suppose, and members of the Opposition believe that seniority should be used as an objective measure. The Opposition believes that people who have given loyal and faithful service to a board should be given the position in such circumstances.

I was interested to note that the honourable members for Toowong and Toowoomba North indicated that people who have seniority should be taken into consideration when appointments are being made.

Mr McPhie: Only when two people with equal efficiency are being considered.

Mr MILLINER: That is correct; that is what the Opposition is saying.

Mr McPhie: It is not the only consideration, but it is one that should be referred to in an attempt to separate two candidates.

Mr MILLINER: What the Opposition is saying is that, when two people are equal in all other respects, the person with seniority should get the job.

Mr McPhie: No. Seniority is one of the things that should separate them.

Mr MILLINER: I agree that it is not the only thing, but it is one of the things that should be considered and that is why it should be retained in the Act.

Mr McPhie: It would not be possible to put all of the other qualifications in the Act, too. A whole host of other matters must be assessed, and it would not be possible to put them all into the Act.

Mr MILLINER: But why would the Government take such a provision out of the Act? That criterion was mentioned in the Act before, and it was one of the bases upon which people could achieve promotion. I hope that the Minister will accept that intimation because I believe that it should be considered in the interest of efficient running of fire brigade boards.

Mr MILLER: I believe that the Labor Opposition is engaging in semantics.

Mr Davis interjected.

Mr MILLER: A comparison should be made with the provisions of the previous legislation. If the honourable member for Brisbane Central were to count the lines that deal with seniority, as I have, he would find that 44 lines in the legislation have been directed to seniority and only four lines have been directed to experience. Obviously the intent of the legislation brought forward by the Minister is to ensure that the basis for promotion will be ability. I would have to agree with that intention.

Merely because a man has served in a department for 20 years does not necessarily mean that seniority should be attributed to him or that he should be promoted above someone who has served for five years, is more intelligent, and has more ability.

Members of the Opposition have said that they are concerned about seniority, but I want to know how anyone can acquire experience other than by working as a fireman. One could not serve an apprenticeship as a painter or a plumber and expect that experience to be counted as a qualification for the job of fireman. One can imagine the circumstances of an officer who has served for 10 years for a fire brigade board and has acquired longer experience than a man who has served for five years. In such a case, experience will be taken into consideration by the board in its assessment for promotion. However, I have no sympathy for a fireman who has had 10 years' service but has not acquired experience equivalent to that of a person who has served as a fireman for only five years.

Mr Milliner: What about two blokes considered equal, with one having greater seniority? Do you think he should get the job?

Mr MILLER: I am saying that the man with the longest service—the greater seniority—should have greater experience. Opposition members are now agreeing with what I am saying, and I am repeating what is in the Bill. The Minister has already allowed for that by inserting in the proposed new subsection (1A) (d) the words—

"any experience possessed by the person relevant to the discharge of those duties;"

Mr Mackenroth: What you have just said is that the man with longer experience should have more experience than the man with the lesser experience, except in the instance which the man with the lesser experience has more experience.

Mr MILLER: Oh——

Mr Mackenroth: That is what you have said.

Mr MILLER: The honourable member is really confusing himself now.

I believe that the ALP is playing with words in relation to this legislation. The Minister recognises that, all other things being equal, the man with the greater experience will get the job, and I fully support the Minister on that point.

Mr TENNI: The effect of this clause will be to provide promotion on the basis of efficiency and seniority. The Opposition's amendment is a proposal to revert to the status quo. To ensure that the best person available is selected for each job, the emphasis must be on efficiency, and there must be no possibility of confusion between efficiency and seniority. The definition of "efficiency" in the clause requires selection boards to consider such matters as reliability, diligence, experience, training and education. It is reasonable to expect that a person with greater seniority—for example, a longer period of service—would have had greater opportunity to develop those qualities. I oppose the amendment.

Mr MILLINER: That is not necessarily so, because another of the Bill's provisions allows for transfers between boards. What if a relatively young man, aged, say, 35 years, applies for a position with a board and a person already working for that board applies for the same position? Under the new criteria set out in the Bill—the Opposition has no objection to them—if both candidates have equal status, surely seniority with that board should be considered favourably. Under the Bill, the Minister is removing seniority from consideration.

Mr TENNI: That is not quite correct. I would expect that the board that conducted the interview would automatically look at that point. That would be part and parcel of the board's responsibility; it would be considered automatically. Perhaps as Bob Hawke did, I could say, "Trust me."

Question—That the word proposed to be omitted from clause 7 (Mr Milliner's amendment) stand part of the clause—put; and the Committee divided—

AYES, 44	
Ahern	Lester
Alison	Lickiss
Austin	Lingard
Bailey	Littleproud
Booth	McKechnie
Cahill	McPhie
Chapman	Miller
Cooper	Muntz
Elliott	Newton
FitzGerald	Powell
Gibbs, I. J.	Randell
Glasson	Row
Gunn	Simpson
Gygar	Stephan
Harper	Stoneman
Harvey	Tenni
Henderson	Turner
Innes	Wharton
Jennings	White
Katter	
Knox	*Tellers*
Lane	Kaus
Lee	Neal

NOES, 28	
Braddy	Warburton
Campbell	Wilson
Casey	Yewdale
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Goss	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Prest	
Price	
Scott	
Shaw	
Smith	
Underwood	*Tellers*
Vaughan	Davis
Veivers	Warner, A. M.

Resolved in the affirmative.

Clause 7, as read, agreed to.

Clauses 8 to 23, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

REVOCATION OF STATE FOREST AREAS

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (11.22 p.m.): I move—

"(1) That this House agrees that the proposal by the Governor in Council to revoke the setting apart and declaration as State Forest under the Forestry Act of:—

(a) All that piece or part of State Forest 3, parishes of Bowarrady, Moonbi, Poyungan, Talboor and Wathumba described as area 'A' as shown on plan FTY 1302 prepared by the Department of Mapping and Surveying and deposited in the Office of the Conservator of Forests and containing an area of about 773 hectares and,

(b) All those pieces or parts of State Forest 12, parishes of Charlestown and Cherbourg described as areas 'A', 'B', 'C', 'D' and 'E' as shown on plan FTY 1301 prepared by the Department of Mapping and Surveying and deposited in the Office of the Conservator of Forests and containing in total an area of about 138.41 hectares,

be carried out.

(2) That Mr Speaker convey a copy of this Resolution to the Minister for submission to His Excellency the Governor in Council."

These proposals make provision for the excision of land from the State forest on Fraser Island and the State forest located a short distance from the township of Murgon. I would like to mention at this juncture that both proposals have been carefully considered by the Conservator of Forests and have his endorsement.

I turn now to the proposals before the House, the first of which involves the excision of an area of about 773 ha from State Forest 3, parishes of Bowarrady, Moonbi, Poyungan, Talboor and Wathumba.

In 1977, this Chamber resolved that some 16 200 ha be excised from this reservation for national park purposes. Such action fulfilled the commitment given by the Government in 1971 to have about 40 500 ha (100 000 acres) of Fraser Island declared national park.

At the time, the area now proposed for excision was retained in the forest estate because of the existence thereover of a number of mining tenements. Such area is, however, severed from the main body of the State forest and carries no commercial timber. It also contains the two most outstanding geographical features on the island. Namely, Waddy Point and Indian Head.

Because of the existence of these features and its historical importance—having been mentioned in Captain Cook's journal—since 1960 the area has been afforded beauty-spot status by my Department of Forestry and managed accordingly. In view of this and its location, and as all mining tenements on the area have now been surrendered, its best feature use is considered to be as national park.

The second proposal involves the excision from State Forest 12, parishes of Charletown and Cherbourg, of areas totalling about 138.41 ha.

A scheme for the irrigation of areas in the Barker and Barambah Creeks locality was proposed in 1979 in a joint study prepared by the Department of Primary Industries and the Water Resources Commission.

Construction of a dam on Barker Creek and a weir on Barambah Creek was recommended under the scheme. It will provide regulated supplies along Barambah Creek up to about 10 km north of Byee. The inclusion of a weir on Barambah Creek to be known as the Joe Sippel Weir and a pipeline from the dam to be known as the Bjelke-Petersen Dam will extend this supply above the confluence of Barker and Barambah Creeks to meet the needs of the farmers in the Redgate area. Summer and winter grain are the major cropping enterprises in the Redgate area.

The resumption level for the proposed dam will result in sections of State Forest 12 and adjoining Aboriginal Reserve R.75 being affected.

The area of State forest directly affected by the dam proposal totals 87 ha and its excision from the reserve will have no significant adverse effect on the management of the balance of the State forest. Commercial timber presently standing on the proposed excision area will be logged prior to inundation.

The Cherbourg Community Council has sought replacement land for that section of Aboriginal Reserve R.75 required for the irrigation project. Following discussions held between forestry officials and council representatives, it was resolved that this could best be achieved by making available about 51 ha of the State forest adjacent to that area required by the Water Resources Commission for dam purposes. Upon excision, timber on this parcel of land will still vest in the Crown.

To compensate for the loss in the forest estate, the Water Resources Commission is prepared to make available for forestry purposes, for a consideration of $30,000, sections of acquired freehold lands that are now surplus to its requirements.

This land aggregation totalling 980 ha carries some stands of spotted gum, narrow leaf ironbark and forest red gum. It is ideally located for inclusion in State Forest 12. Value of the timber stand has been assessed to approximately $23,000.

I strongly support both of these proposals and commend them for the approval of the House.

Mr GOSS (Salisbury) (11.28 p.m.): As Opposition spokesman on forestry matters, I am happy to support the Minister's motion.

It is very pleasing that this portion of Fraser Island will become a national park, particularly because of the two features in that area, namely Waddy Point and Indian Head. As the Minister has commented, apart from being outstanding geographical features, these areas have considerable historical significance and are regarded quite properly by the Conservator of Forests as recognised beauty spots.

As to the land near the Cherbourg reserve—that is simply a practical move and a recognition of the consequence of the inundation that will be caused by the Bjelke-Petersen Dam. The Cherbourg Community Council is to be compensated for the loss of certain territory by receiving that portion of State Forest 12.

Mr Scott: Would you call that a land rights deal?

Mr GOSS: No, it could not be called land rights. Blacks are not entitled to land rights in this State. However, it does compensate the council in relation to——

Mr FitzGerald: They have all got land rights.

Mr GOSS: I have been distracted by the rattling sound coming from the head of the member for Lockyer.

What I am trying to say is that the land which is lost is simply being replaced by another tract of land. In my view that is quite an acceptable arrangement. For that reason I am quite happy to support both aspects of the Minister's motion.

Mr COMBEN (Windsor) (11.30 p.m.): As the Opposition spokesman on Lands, Forestry and Police did, I rise to support the Minister's motion. The second part seems to be largely a house-keeping proposal. The Opposition has no real qualms about it and certainly supports it, especially in view of the endorsement from the Conservator of Forests, whom I have found in my time in this House to be a very honest man who has always openly and straightforwardly put forward the arguments for and against any proposal. In this instance the Opposition can find nothing to oppose.

I note that the timber on this second area of land is valued at approximately $23,000, yet a consideration of only $30,000 is changing hands between the two departments. That would seem to be not a bad deal for the area of land that is changing hands.

In moving his motion, the Minister said that certain mining tenements in the area between Indian Head and Waddy Point have been surrendered and their best future use is considered to be as national park. The Minister would be well aware that I will never contest an argument that all vacant Crown land in Queensland should be considered for possible use as national park. Queensland obviously needs more national parks. Only 3 per cent of the area of this State is national park, and that is one of the lowest percentages of all the Australian States.

The history of the land being excised from State Forest 3 is worth considering. It is part of an area of 3 600 ha which was formerly mineral leases owned by Murphyores and Mineral Deposits Ltd. At the time that the 100 000-acre Great Sandy National Park was declared, because of mining leases the area of land stretching from Sandy Cape to the southern extremity of the Great Sandy National Park could not be included. Whilst that could be accepted, what is certainly concerning a number of people in the conservation movement is that there appears to be some form of surrender of those mining leases covering 3 500 ha in exchange for some sort of developmental leases at Inskip Point. I refer honourable members to the April 1984 edition of "Moonbi", the newsletter of the Fraser Island Defence Organisation. Part of one article states—

> "While F.I.D.O. has no information, we believe that Murphyores' Fraser Island leases, or at least some of them, could be involved in the land swap. While F.I.D.O. welcomes the idea of a settlement to a long festering issue, we have some severe reservations about some aspects of the land swap allowing mining companies to use leases as negotiable assets even when such leases are of doubtful validity and

of doubtful economic value. We are worried about the size of the projected development on the doorstep of Fraser Island. Perhaps the whiff of a potential real estate bonanza caused the mining companies to remain mute which invoked a sharp rebuke in the March 'Mining Review' on the 'Near silence from miners on Moreton debate' "

Mr Alison: Are you a member of FIDO?

Mr COMBEN: Yes, I certainly am. I have no hesitation at all in saying I am proud to be a member of FIDO, because it wants to look after the future interests of the area round Maryborough. People such as the member for Maryborough, who wish to see the continuation of forestry activities on Fraser Island, see a short-term economic benefit at the expense of sustained long-term development in the Maryborough area. The honourable member will not survive the next State election.

Mr Alison: You come up and tell us all about that. You will increase my majority by a thousand.

Mr COMBEN: I will be up there on 11 May to speak about conservation in the Maryborough area. I invite the honourable member to attend. I am having some difficulty getting over the noise and the rumblings of the honourable member for Maryborough. Many years ago I was told when I ill-treated a goat in my native land——

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest that the honourable member concentrate on the subject under discussion.

Mr COMBEN: I was just going to refer to the wild goats on Fraser Island, which we are discussing. As I cannot refer to that, I will return to my reference to the Fraser Island Defence Organisation.

In April 1984 the Fraser Island Defence Organisation had justifiable concerns about what was being done. In August 1984, a special report from the Minister for Mines and Energy (Mr I. J. Gibbs) stated that "coastal land exchange means a good deal for Queensland" When one receives a multicoloured brochure from the Minister, one becomes suspicious. One wonders what he is trying to sell or to hide. One finds that in the brochure he is openly saying that Inskip Point peninsula is having some development leases——

Mr POWELL: I rise to a point of order. The matter before the House is the excision from the State Forest 3 to national park. It has nothing to do with the land swap about which the honourable member is at present rambling.

Mr DEPUTY SPEAKER: Order! I ask the honourable member to direct his remarks to the matter under discussion. If he ranges too far, I will pull him up.

Mr Goss: Mr Comben, the Minister for Education does not appear to know about the reference to mining tenements in the Minister's speech.

Mr COMBEN: That is precisely what I was going to say. The Minister's speech contains many references to mining tenements.

The history of the land and how it has come to be excised and why it was not excised in 1977, as it should have been, as part of the Great Sandy National Park is relevant to this debate. Any history relating to that land is relevant to this debate. As the Minister said, it is an area of great historical beauty named by Captain Cook 200 years ago. If the Minister can range back 200 years, I can range back 7 to 8 years.

I have already presented FIDO's initial concerns about the land swap deals that were taking place between the mining leases in State Forest 3 and the development leases at Inskip Point. I draw the attention of honourable members to the comments made by Mr John Sinclair, a very great Australian who, four or five years ago, was voted Australian of the Year. I am very proud to mention his name in this Chamber.

Mr Sinclair has a great personal knowledge of Fraser Island. His knowledge of this particular excision is to be valued by the members in this Chamber who listen to the public view.

Mr Powell: You are demonstating your clear lack of understanding of the area.

Mr COMBEN: I am quite prepared to stand up for someone who has given most of his life to preserving a national asset that is being considered for inclusion on the world heritage listing.

Mr Scott: And victimised by the Premier unduly.

Mr COMBEN: Yes. Mr Sinclair was a man who was victimised by the Premier, and he is still being chased around this country by the Minister for Education.

Mr POWELL: I rise to a point of order. I am not chasing anybody round the countryside. In fact, Mr Sinclair was found guilty by a court of law.

Mr DEPUTY SPEAKER: Order! The Minister for Education has raised a valid point. I ask the honourable member for Windsor to concentrate on the subject under debate. Is he opposing this motion?

Mr COMBEN: No, I am supporting it. I have said that three times.

Mr DEPUTY SPEAKER: Order! I ask the honourable member to return to the matter under discussion.

Mr COMBEN: I am sorry if I offended the Minister by saying that he was chasing someone round the State. Obviously, he was not chasing anyone; but I am told that members of the rotary clubs in the Maryborough area are chasing him.

I return to Mr John Sinclair, whose knowledge of the area is unquestioned. The Government seems to think that one has to confine oneself to the exact words used by the Minister. I quote a letter from Mr Sinclair relative to the excision of State Forest No. 3—

> "The proposed revocation of State Forest 3 to transfer B.S. 80 (and some of the adjacent Vacant Crown Land) to National Park is now finally possible because the mining leases have been relinquished.
>
> FIDO thinks that this deal is a mixed blessing. We question the morality of negotiating an asset of dubious validity for a slice of real estate but we welcome the elimination of two mining leases on Fraser Island. However it should be stated that there are still several mining leases in other parts of State Forest 3 on Fraser Island which are still being retained for possible future exploitation."

That is the alternative view. It is relevant in this debate. I will not be a party to having motions brought before the Chamber and saying, "That's fine. That's OK. Yes, we agree with it.", without being able to put the other view. For the past 13 years, since the National Party first mooted that it would create a national park on Fraser Island, there has been an alternative view to actions such as that taken by the Minister this evening. That alternative view is relevant for consideration by the House. It ought to be discussed in the House.

In conclusion, I say that I support the motion moved by the Minister. I sincerely hope that, during my time as a member of this Assembly, which will be a long time—particularly in comparision with the term of the member for Maryborough (Mr Alison)—I will see the whole of Fraser Island declared a national park, all of the mining leases surrendered, and an area that should be included in the world heritage listing as a place of outstanding natural beauty preserved as it ought to be.

Mr SCOTT (Cook) (11.42 p.m.): I shall make a brief contribution to the debate, but it will not be brief because the subject-matter lacks significance. When the member

for Salisbury (Mr Goss) spoke, I interjected about land rights. The subject of land rights is relevant in a consideration of the motion, because part of R75, which is the area reserved for the benefit of this State's Aborigines, is being inundated and a small part of State Forest 12 is being given in its place.

As the Act was amended several years ago to give land rights to Aboriginal people, I ask the Minister: When will he do it? In my opinion, that is a valid question. I know that because of the cunning way in which it was done by the Government, he has to accept the responsibility for providing land rights to Aboriginal people in Queensland. Instead of introducing a new Act, the Government amended the Land Act, for which this Minister is responsible. Does he feel a sense of responsibility towards Aboriginal people? When will he motivate the Government to continue the move initiated this evening by giving a little additional land to Aboriginal people, as he is doing with part of State Forest 12, to bring land rights forward in this State in a practical way?

The Government has two views of land rights. As I have said in the House on many occasions, it tells the grazing fraternity that it does not have a land rights policy and it tells the mining fraternity that it does not have a land rights policy. Then it sends the Minister for Northern Development and Aboriginal and Island Affairs (Mr Katter) to Aboriginal areas, where he says, "We will give you land rights." Even though this measure is prompted by rising waters, the Minister is doing what the Government said it would not do. The Government, through this motion, is actually tampering with Aboriginal land. I am quite pleased that a piece of land is being given in place of it. However, I pose a question to the Minister as a responsible member of the Government: When will the Aboriginal people of Queensland receive land rights?

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (11.45 p.m.), in reply: I thank the honourable member for Salisbury for his contribution to the debate, and I accept that he has attempted to look behind the revocations and exchange provisions.

In reply to the honourable member for Cook, I state that the land rights issue has nothing to do with revocation, and that it is a completely separate issue. However, I point out that the people concerned were given an equivalent amount of land in exchange for the land that has been taken from them.

Motion (Mr Glasson) agreed to.

REGULATORY OFFENCES 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 make provision for certain regulatory offences; to amend the Criminal Code 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) (11.46 p.m.): I move—

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

The objects of the Bill are to provide, within the Queensland legal system, a further division of offences that will deal with prevalent minor illegal acts which occur in the community.

The need to provide a further division of offences beyond that which is contained in the Criminal Code is brought about by a number of factors. For instance, the list of

criminal matters awaiting determination by the District Court particularly in Brisbane, continues to escalate.

As Minister for Justice and Attorney-General, I consider that I have a responsibility to do all in my power to ensure that criminal trials commence without undue delay. A speedy trial is desirable in the interests of justice, and this includes guarding the rights of both the defence and prosecution. Further, the cost of a criminal trial has reached such a level that minor offences for trivial matters ought not proceed to trial by judge and jury.

In many minor offences the tax-payer, through my department, bears all costs, including expenses associated with courts, prosecution, jury and public defence. It is unrealistic to expect these escalating costs to be borne by the community if the system can be improved to provide an acceptable alternative.

Other matters that have to be taken into account include the rights of the complainant and the community at large. I am mindful of the position in which the right to trial by jury has been held in our legal system. It was not without a considerable amount of thought on my part that a decision was taken to remove this long-held right in the case of first offences of a relatively minor nature.

As a balance to this decision, persons convicted of a regulatory offence will gain, as the offence is not to be regarded as a criminal offence. Although it removes the right to trial by jury for a small number of minor prevalent offences, the Bill that I have introduced brings with it concepts that are new to the criminal law in Queensland and which should be commended by this House.

In the first place, offences which are contained in the Bill are what may be termed shop offences, namely shop-stealing, tampering with price tags in shops, consuming foodstuffs in shops without paying for them, or failing to pay for petrol in service stations.

Secondly, the Bill refers to a group of offences which occur in hospitality establishments, namely, obtaining food or services from hotels or restaurants and failing to pay for those items or paying for food or services from restaurants or hotels with a valueless cheque or by the unauthorised use of a credit card.

Finally, the Bill refers to offences associated with wilfully damaging the property of a person who is in lawful possession of that item.

These offences are prevalent throughout Queensland and are such that they should attract some sanction in view of the vast sums of money which are lost cumulatively to the business community and others. This loss is ultimately a charge which is passed on to the consumer by higher prices for goods.

It is my intention, in this Bill, to have these offences described not by terms which are commonly ascribed to criminal offences, but by terms which avoid that stigma. A person will not be charged with stealing, but rather a taking away of goods, and this fits in with the scheme to decriminalise these offences.

It is proposed that this Bill will not affect the right to trial by jury of persons other than first offenders, or where the value of the property exceeds that shown in the Bill. The Director of Prosecutions will issue guide-lines to the Commissioner of Police on the manner in which the Bill is to be administered by the Queensland Police Force. The Director of Prosecutions Act empowers the Director to take this course.

It is the intention—and guide-lines will be issued accordingly—that only first offenders against the Regulatory Offences Act will be charged under that Act.

The Bill is not intended to create a discretion for police officers, who are either investigating or prosecuting. The guide-lines will be clear and concise.

From the commencement of the Bill, a conviction for any of the offences in the Bill should carry no more criminal stigma than a speeding offence does now. However,

there is no intention of allowing the offences to be dealt with by on-the-spot fines. An accused person will appear before a Magistrates Court for determination of the matter.

I draw the comparison for the benefit of those who would argue against the decision to remove the right to trial by jury and ask those people whether they believe that a person charged with a speeding offence should have the right of trial by jury.

This Bill is very much a reflection of our society's values and continual regulation of everyday conduct. The fact remains that serious criminal conduct remains within the Criminal Code, where it is dealt with on indictment by a judge and jury.

The Bill is set out in two parts. The first part deals with the offence and procedural aspects of the regulatory offences; the second part deals with the amendments to the Criminal Code necessary for the operation of regulatory offences.

The Bill will commence on a day appointed by proclamation.

It is proposed to extend the meaning of the word "shop" to include service stations. With that in mind, a clause of the Bill which deals with shop goods will cover both shop-stealing and those persons who place petrol in their car and drive away without paying for it.

The clause will also catch those persons who deliberately alter price tags to gain a financial advantage, and those who consume food in a shop without paying for it. The value of goods which can be dealt with under this clause is $75.

The punishment that may be imposed is limited to a fine only. Of course, if the fine is not paid, the usual default provisions of the Justices Act will apply. The fine may comprise two components: Firstly, up to a maximum amount of $150; and, secondly, a further component may be added at the court's discretion, which consists principally of outlays by the investigating police in bringing the charge, and costs of compensation.

The second category of offences provided for in the Bill deals with hospitality establishments—hotels, restaurants and motels. The offences relate to failure to pay for food and accommodation, and the tendering of valueless cheques as payment for goods and services. In addition, the unauthorised use of credit cards to pay for food and accommodation is set out in that clause.

The jurisdictional limit of the Magistrates Court for this clause is up to $150, with a maximum fine of $300. As with shop goods, a component of the fine may comprise investigation costs.

Both of the previous clauses set out a defence provision on which the person charged may seek to rely. With taking away shop goods, he may provide evidence that the taking was not deliberate, although with cheques and credit card offences he may prove that he held a reasonable belief that the cheque would be met on presentation or that he had a right to use the credit card.

The third regulatory offence provided for in the Bill deals with the wilful destruction of property of another up to a value of $250. The fine that may be imposed under this clause is $500, plus investigation charges that may be imposed by the court.

Comparative maximum sentences, which may be imposed on conviction under the Criminal Code, are: for shop-stealing, on indictment, imprisonment with hard labour for three years, or a fine of $2,000. This charge dealt with summarily may attract a period of imprisonment with hard labour for two years or a fine of $1,000. For these offences under the Regulatory Offences Bill, a fine of a maximum amount of $150, plus the discretionary fine component, may be imposed.

Offences broadly described as false pretences, with respect to hospitality establishments, on indictment, may attract a maximum period of imprisonment with hard labour for five years or a fine of $2,000. Where there is a summary determination of this offence, the period of imprisonment with hard labour may be two years or a fine of $1,000.

Under the Regulatory Offences Bill, a fine of $300, plus the discretionary fine component may be imposed.

A wilful damage charge on indictment may attract a maxmimum sentence of imprisonment with hard labour for three years or a fine of $2,000. This charge dealt with summarily may attract a sentence of imprisonment with hard labour for two years, or a fine equal to the amount of the injury and $1,000 in addition. Under the Regulatory Offences Bill, a conviction for this offence may have a fine of $500 imposed, plus the discretionary fine component.

The Bill also provides for the procedural matters of dealing with regulatory offences.

It is contemplated that a person found committing an offence or suspected of committing an offence under this Bill may be arrested without warrant by a police officer. Such a person, on his arrest may then be fingerprinted in the same manner as if he had been dealt with under the Vagrants, Gaming, and Other Offences Act, including the destruction of fingerprints on being found not guilty of an offence under this Bill.

The Justices Act, which provides for criminal proceedings in the Magistrates Court, will also provide the procedural matters required in this Bill.

As I have indicated previously, when speaking on the actual offences, the Bill provides for the court, in its discretion, to order as part of the fine certain costs in bringing the charge.

The principal costs which might be imposed are reasonable costs of the investigation and the cost of compensating the person who has suffered the loss. The court may then order that the compensation component of the fine go to the shop-keeper, for example, if the goods are not able to be returned.

The intention of the Bill is to decriminalise these regulatory offences and, with this in mind, a further classification of offence—a regulatory offence—has been added to section 3 of the Criminal Code. This is brought about by declaring the existing offences to be criminal offences.

Although the amendment to section 22 of the Criminal Code is not required for the operation of the Regulatory Offences Bill, it is opportune to make the amendment contained in the Bill. Further, the amendment can then be seen in the context in which it is intended to work.

Briefly, the amendment is designed to allow a person to avoid criminal responsibility where certain procedures are not followed regarding regulatory offences which may be created in the future.

It is the intention of the legislation that the creation of such offence be published in the Government Gazette.

It is necessary that some of the provisions of the Criminal Code with respect to criminal responsibility be removed from the scope of the Regulatory Offences Bill. This will be achieved by applying the sections of the Criminal Code relating to criminal responsibility only to criminal offences, whereas this Bill provides that stipulated sections of the Criminal Code will still apply to regulatory offences.

Our criminal justice system is a reflection of the needs of the community in controlling crime. It is not intended to merely mete out punishment if an offence is committed.

In this regard the criminal laws should not be static, they should reflect community need. When a change becomes necessary, the laws should be adapted to meet the need. We, as the legislators, should not shirk our responsibility to meet such challenges. This is the very situation which we face with repeated minor offences occurring through our society.

Lengthy and costly criminal trials for minor offences represent a huge cost to the community.

Although minor offences are deserving of some penalty, that penalty should be of a lesser amount than that for criminal offences. A first offender should not be made to bear the effect of that minor offence for the rest of his life.

The Bill represents a step forward in legislative reform of our criminal justice system by the decriminalisation of a range of minor offences which have been choking our court system and become a drain on the financial resources of the State. It represents a step forward in progressive legal thinking, which will ensure that matters coming before the courts obtain justice.

The rights of the defendant, the prosecutor and the community are protected.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

LAND SALES 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 Land Sales Act 1984 in certain particulars."

Motion agreed to.

First Reading

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

Wednesday, 27 March 1985

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (12.1 a.m.): I move—

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

The Land Sales Act Amendment Bill clarifies a number of expected problems with the Act in order to ensure its practical application once proclaimed.

As honourable members will appreciate, the Land Sales Act 1984 deals with the preselling of land, including lots under the Building Units and Group Titles Act 1980-1983, prior to registration but subsequent to the sealing of the plan by the appropriate local authority.

A major concern of the Act is to ensure that purchasers are placed in a position of being as well informed as possible prior to entering a contract and, once a contract has been signed, to ensure adequate safeguards for the holding of deposit moneys and appropriate means of avoiding the contract should the purchaser's rights be prejudicially affected by subsequent changes to the plan prior to its registration.

It was considered that, by limiting the time for the avoidance of the contract of the issue of the plan or, in the case of leasehold land, to when the vendor could assure title, the ability of the purchaser to avoid the contract may be limited unfairly as he may not become aware of an alteration to the plan until that date.

To correct this problem the Bill extends the date whereby a purchaser may avoid the contract to which a notice of rectification relates to either before the expiration of 30 days after the receipt by him of the notice or before the delivery of a registrable instrument.

My concern has been to ensure fair dealing between the parties to the contract and a viable option to the purchaser.

Equally, to esnure fair dealing, the Bill allows for the placement of the deposit moneys in a trust account as agreed on by the parties rather than at the option of the purchaser solely and, should agreement not be reached, then automatically with the Public Trustee.

Additionally, to ensure compliance with the provisions of the Act, the Bill incorporates a number of powers for inspectors appointed under the Act.

The balance of the proposed amendments either extend the time requirements of the Act or overcome possible problems of interpretation.

In introducing this Bill to amend the Land Sales Act 1984, my main concern has been to ensure practical and reasonable legislation for all parties concerned with the sale of relevant land and proposed lots.

I have given an undertaking to allow three months' notice before the Act is proclaimed, so it is my intention that the legislation take effect from 1 July next.

I commend the Bill to the House.

Debate, on motion of Mr Davis, adjourned.

ADJOURNMENT

Hon. C. A. WHARTON (Burnett—Leader of the House): I move—

"That the House do now adjourn."

Morale of Prison Officers, Stuart Prison

Mr McELLIGOTT (Townsville) (12.3 a.m.): I wish to draw to the attention of the House the serious reduction in the morale of prison officers employed at Stuart Prison in Townsville. I am pleased that the Minister for Welfare Services, Youth and Ethnic Affairs (Mr Muntz) is in the Chamber. This whole question is causing serious problems among prison officers and, consequently, is affecting the security of that prison and of prison officers generally who work in that environment.

I understand that the situation is being aggravated because of the increased number of prisoners being housed in that prison. The Government is moving to remedy that situation, particularly by the construction of a new prison in north Queenlsand. That is certainly attracting some attention in that part of the State.

Prison officers have said to me also that the situation is being aggravated by the policy of the department in introducing concessions for prisoners without providing the appropriate staffing levels to ensure that security is maintained. I would certainly be the last person to object to the granting of those concessions. Along with community and action groups, I have been vocal in seeking concessions for prisoners. Honourable members will be aware that recently a serious disturbance occurred at the prison in Townsville to promote rehabilitative programs and concessions generally in the areas of sport, visits and so on.

I congratulated the prison officers in Townsville on the way in which they handled that disturbance. I do not complain about the granting of concessions. The prison officers are prepared to accept the change of policy within the Prisons Department. However, it is essential that their safety and that of the communtiy generally be maintained.

I accept the complaints made by prison officers that departmental policy is now dictated by men at senior level who have very limited experience in the prison field. I understand that, in particular, a gentleman by the name of Mr Bennett has made some substantial changes to the operation of the Townsville prison. That gentleman has been with the department for only a relatively short time, having transferred from the Department of Forestry. As a result of the suggestions that he has implemented, the wing officers have been removed and they have been replaced by general utility officers who, apart from being responsible for maintaining surveillance on the wings, are involved

heavily in internal escort duties. It has transpired that the number of internal escorts that are required on a daily basis simply does not allow the prison officers to provide adequate security surveillance and to maintain hygiene. That is of concern to the officers at the prison.

Two or three weeks ago, an escape attempt resulted, and it was only the devotion to duty of two officers that succeeded in foiling that escape attempt. I understand that the attention of those officers was drawn to the activities of four prisoners who were apprehended after being kept under surveillance. Had those two officers not been forewarned, the escape attempt would have succeeded.

It is worth drawing to the attention of the House that two of the would-be escapees had been charged in New South Wales with murder. In one of the cells, a 7-inch dagger was found. The prisoners were desperate men ready to embark on desperate measures.

The prison officers in Townsville appeal to the department, as I do on their behalf tonight to the Minister for Welfare Services, Youth and Ethnic Affairs (Mr Muntz), to take good account of the depreciation in security and hygiene in the prison. As I have said, although the officers accept the need for and the desirability of providing assistance in order that prisoners may rehabilitate themselves, the officers feel that their safety and that of the community should be the prime objective of the system.

Desperate men are imprisoned within Queensland prisons, and it must be recognised that they are capable of desperate deeds. Above all, the lives of prison officers must be protected. In many cases, they carry out very close surveillance of prisoners, and do what they can, in their limited way, to try to ensure that the prisons are secure.

Although I cannot put a figure before the House, I understand that a substantial increase in staffing is required.

Time expired.

Babinda Bypass

Mr MENZEL (Mulgrave) (12.8 a.m.): Over the last week-end, the existing Bruce Highway at Babinda was again cut by flooding. It is this route—the so-called central route—that the Labor Party and the Mulgrave Shire Council want to maintain as the new road. I have been informed that, because of the flooding, hundreds of motorists were stranded in Babinda and south of Babinda.

Although it has been a rather dry wet season in north Queensland, the existing central route road at Babinda has been cut several times this year and motorists have been stranded on both sides of the town.

Obviously, the Labor Party, Councillor Shirley Harwood and her fellow councillors want to build a road in little more than a swamp. However, the Main Roads Department wants to build a safe, national highway standard road that is not subject to flooding.

I could understand anyone agreeing to construction of a new road through a low and flood-prone area if there was no other choice. However, at Babinda there is the option to build a decent, high-quality road. Along this western route preferred by Main Roads Department experts, 15 houses are to be resumed by that department and 10 houses have already been sold voluntarily. I understand that property-owners are happy with the deals that they received from the Main Roads Department.

The tactics used in Babinda by the Concerned Citizens and their friends in the Labor Party are to be deplored. Intimidatory threats have been used agains the citizens and the business people of Babinda to try to force them to agree to the central route, despite their private views. As everyone who attended the public meeting in Babinda knows, Bob Richardson from Gordonvale, who represented the ALP, was the last speaker at that meeting, which was called to listen to the views of Babinda residents. There is no doubt that the hundreds of people stranded at Babinda last week-end would give a definite "yes" to the western route. I have had dozens of telephone calls from the angry

motorists urging the Government to build the western route because of the flooding on the existing central route.

The honourable member for Cairns supports construction along the dangerous central route because he is no judge of public opinion. He nearly lost the once safe Labor seat of Cairns, which was represented by Ray Jones. Ray Jones had a majority of 58.68 per cent. However the current member for Cairns (Mr De Lacy) received 50.56 per cent, which shows that the people of Cairns are waking up to his motives and ability. In 1983, I received 56.13 per cent of the vote in Mulgrave, and none of the preferences of the independent candidate were counted. This was after the State Government had announced that it preferred the western route. In fact, before preferences were counted, the honourable member for Cairns was 208 votes below the combined total of the National Party and Liberal candidates.

Mr De Lacy: That is rubbish!

Mr MENZEL: It is not rubbish. The honourable member for Cairns should go to the Parliamentary Library, where he will find that information.

Mr De LACY: I rise to a point of order. The honourable member for Mulgrave has told an untruth. In the last election I got an absolute majority. I am prepared to stand by that. I ask that he withdraw that statement.

Mr DEPUTY SPEAKER (Mr Booth): I am unaware of the count. Unless the honourable member for Mulgrave wishes to withdraw, there is no point of order.

Mr MENZEL: Thank you, Mr Deputy Speaker. If anyone wishes to check, he will find that I got these figures from the Parliamentary Library.

In the 1980 election, the then Labor member for Cairns, Mr Jones, received 9 471 votes and the combined opposition received 6 667 votes. In other words, the ALP had an absolute majority of 2 804 votes, or a first preference total of 58.68 per cent. In 1983 comrade De Lacy was 208 votes short of an absolute majority, and needed Liberal preferences to win his seat, yet he parades himself as a popular voice of the people in north Queensland. His campaign against the road transportation of sugar has turned what was regarded as a super-safe Labor seat into a very marginal seat. The honourable member for Cairns should, if he has any sense, spend his time shoring up his shaky position in his electorate instead of sticking his nose into other electorates.

I stand by my belief that the western route should be the route of the Babinda bypass. That route was drawn up by the experts and recommended by the Main Roads Department as the only decent route.

Time expired.

Proposed Prison, Lotus Glen

Mr SCOTT (Cook) (12.14 a.m.): It is rather interesting to hear in this Adjournment debate that the member for Mulgrave is losing his cool, to use the current jargon. Apparently he produced erroneous figures on which he attacked the member for Cairns. Also, he could not be bothered to use the proper title of the member for Cairns. He called him "Comrade De Lacy" I consider that to be very poor form.

If the member for Mulgrave had any worries about the vote in Babinda, he will have many more about the part of his electorate on the Atherton Tableland, because I understand that approximately 3 000 people up there are very irate about the National Party as a whole and certainly about the member for Mulgrave, who has let them down totally on the location of the proposed prison there. That is the matter I wish to address.

I am sure that honourable members are aware that the Government has made a decision to establish a maximum security prison in the tableland area. I understand that it will be located in the Mareeba shire. Because it is in the Mareeba shire, the honourable

member for Mulgrave (Mr Menzel) may think that he has no concern about it. However, he is involved and he has let the people down. He has acted totally irresponsibly.

Yesterday, Cabinet approved the purchase of a property named "Lotus Glen", which is west of Mareeba. The fact that Cabinet made a decision without full and proper discussion has added fuel to the fire in that area. I warn the Government that, electorally speaking, it is treading on very dangerous ground as far as its own supporters are concerned. Approximately 3 000 persons are prepared to sign a petition. On the last count that I received, well over 2 900 people have signed it.

Mr De Lacy: A lot of them are members of the National Party.

Mr SCOTT: I would say that 90 per cent of those people would be members of the National Party.

They have sent a deputation to the Atherton Shire Council and a deputation to the Mareeba Shire Council. At least three meetings have been held. All of them have been well attended and very fiery. Far be it from me to warn the Government about irate National Party supporters. I am quite certain that at the next election the Government will be confronted by a holocaust on these issues.

Mr Menzel: Do you want a bet?

Mr SCOTT: Yes. The honourable member would not even take a bet with the honourable member for Cairns, and he probably has a great deal more money than I have. I would place a bet with the honourable member.

"Lotus Glen" is not an ideal site. I have been told that it is far too large for the proposal. It contains an area of 2 000-odd acres, whereas Woodford Prison complex has only 600 acres. I have been told that only 30 acres of reasonable ground is needed for a prison farm. Even though it has a maximum-security section, a farm is also involved in it. Only 30 acres of reasonable vegetable-growing land is needed to provide for 200 prisoners. "Lotus Glen" has very little soil suitable for vegetable-growing. It is not an ideal block.

Soil studies have been carried out by the farmers in the area who are opposed to the siting of the prison on the "Lotus Glen" property. It has been said that no produce from the prison farm will be sold on the open market. That matter has been checked. Farmers do not believe that. Pigs from Stuart Prison are sold on the open market. The farmers believe that the proposed prison farm will be in competition with them and will ruin vegetable-growers from the Atherton Tableland to Bowen.

The Government is also prepared to put at risk the security of hundreds of homes in the Walkamin area. The Government will lose 3 000 votes from that area. The voters will be located in a new electorate to be established west of Cairns. Neither the member for Barron River, who is also the Minister for Environment, Valuation and Administrative Services (Mr Tenni), nor the member for Mulgrave (Mr Menzel) cares what he does to the people in that area. All those National Party——

Mr MENZEL: I rise to a point of order. I regard as offensive the remarks made by the honourable member. They are untrue. I do care for those persons. I have made representation on their behalf. I ask that the honourable member withdraw that remark.

Mr DEPUTY SPEAKER (Mr Booth): Order! The honourable member finds that the remarks reflect personally on him and asks for a withdrawal.

Mr SCOTT: I withdraw the remarks.

Nevertheless, the people in the north will not withdraw their opinion of the honourable member for Mulgrave. I spoke to them on the telephone as recently as this evening. Alternative areas are available in the Mary farms district. The whole matter should be re-examined. Severe worry and trauma is being caused to the people in the Walkamin and adjacent areas.

I was pleased to hear my colleagues refer to the type of persons who are incarcerated and the fact that a very large undesirable element will be attracted round that prison. I could go on at great length about this matter. The people in the area are concerned. Neither a spokesman from the National Party nor a member of the National Party Government has been prepared to put the case for the prison in that area.

A Government Member interjected.

Mr SCOTT: That is not doing the honourable member any good at all.

Time expired.

Funding of Minority Groups

Mr McPHIE (Toowoomba North) (12.19 a.m.): I was interested in a recent warning by the Federal Minister for Finance (Senator Walsh) to his socialist ALP caucus colleagues that Government spending must be cut drastically to meet its so-called "trilogy" of economic promises. I looked into some of the less publicised areas of Federal spending where tax-payers' money is being squandered. I found that anti-nuclear, environmental and left-wing union groups have made a killing out of Community Employment Program funds.

For instance, the Nuclear Disarmament Co-ordinating Committee received $6,330 specifically for the Palm Sunday Peace Rally in New South Wales. People for Nuclear Disarmament in Sydney received $78,482 to employ five people for six months on a peace bus project. That body also received $15,392 to employ one person full-time on disarmament education. Its staff includes known communists. Advertisements for staff are placed solely in the communist newspaper "The Tribune" There are other examples entailing a further $118,000 of Community Employment Program funds.

From the same source, the Victorian Trades Hall Council received $81,640 to pay four people for one year to catalogue industrial information and a further $157,839 for 12 people for eight months to work on the Trade Union Art and Working Life Program, whatever that might be.

Prime Minister Hawke has said that the Franklin Dam issue has been settled. However, the CEP funding reveals that the Tasmanian Wilderness Society received $17,443 in its Canberra office, $57,642 in its Sydney office, only $38,767 in Hobart, a paltry $11,790 in Devonport, but $66,616 in Victoria. The total was in excess of $190,000. I ask: Why that expenditure if, as the Prime Minister suggests, the project has been put to rest? Other environmental bodies have received $163,000 from CEP funds. Surely that must be regarded as squandering tax-payers' money.

Communist organisations have also received grants. The Australian operations of the Italian communist party, FILEF, received $13,267 in New South Wales and $23,499 in South Australia. The communist front Union of Australian Women received $35,631 in Victoria. Melbourne's left-wing, communist oriented radio station, 3CR, received over $66,000, while its Canberra counterpart, 2XX, received just on $113,000.

The list of anticommunity minority groups who receive tax money continued on and on. The defunct Australian Union of Students received almost $53,000 from CEP funds. The Australian Capital Territory Trades and Labor Council received $245,230. The Newcastle Trades Hall Council's women's subcommittee received $35,641. The Victorian Teachers Union received $110,617 of CEP money to fund its "Women's Affirmative Action" handbook. The funding of minority groups is out of control. No wonder the Federal Government has such a massive overdraft. Special interest groups separate from the mainstream of Australia's life-style and thinking are regularly receiving allocations of public funds alarmingly disproportionate to their place in the community.

Even the Australian Bicentennial Authority is following the divisive trend through its funding. It is promoting multiculturalism. We are not a multicultural society, although we welcome overseas settlers. In some instances, women's activities are being promoted

to the exclusion of all others. Aboriginal culture, arts and leisure are receiving massive injections of funds, but there are virtually no funds for our traditional ties.

Labor's fetish for nurturing minorities is evident everywhere in the community. I suggest that one way in which to begin bringing Federal Government spending under control is to introduce sanity into funding alloctions.

A final insult is that the rotten, stinking Gay Mardi Gras in Sydney received a $30,000 grant from the Australian Arts Council. I object strongly to tax-payers' funds being allocated in that way. All of the sums that I have mentioned are hand-outs to minority and off-beat groups that have no right to public moneys. They should be stopped forthwith.

Inala High School

Mr PALASZCZUK (Archerfield) (12.24 a.m.): In this Adjournment debate, I raise the matter of severe and acute accommodation difficulties being experienced at the Inala High School. It has a community of almost 100 staff and 1 000 students, but the conditions are deplorable. The Inala High School is a multimillion-dollar enterprise and should be treated as such. Better attention should be paid to the upkeep of this large tax-payer investment. During the next few minutes, I will outline to the House the accommodation problems that are being experienced at the Inala State High School. They are as follows—

1. the poor state, in terms of design and effectiveness of the administration, home economics and arts sections;

2. general shortage of accommodation, especially manual arts in terms of drawing facilities, home economics in terms of dining-room facilities, and art in terms of general class-room facilities;

3. a staff-room accommodation shortage exists. One new staff-room is needed, and the current home economics staff-room is overcrowded;

4. manual arts machines located in the senior workshop have been in the shop for several months, but have not been installed. Second-hand benches that are in very poor condition were supplied for the senior workshop; and

5. the need for internal painting is evident throughout the school. No class-rooms have been painted since the high school was opened over 25 years ago.

I will now turn to more specific analysis. In administration, no sick-rooms have been provided, nor have security-rooms. No printery exists, and no room has been provided for an administrative officer who is about to be appointed. There is no waiting area for either students or adults, and virtually no privacy exists. No meeting-room has been provided, and the guidance officer is located over 100 metres from the rest of the administration section.

In the home economics section, the building is old and the sound insulation is poor. One kitchen is very old and very small, but I believe that improvements have been effected already in that area. However, no dining-room is provided and electrical supply is inadequate. Staff-room accommodation is overcrowded and inadequate, and a lack of storage space is also a problem.

In the art section, only one proper art-room has been provided along with two temporary rooms. Because there are four art teachers, that means that four art teachers must share three art-rooms. A lack of storage is a problem, and there is inadequate provision of art furniture.

It is also interesting to know that the Queensland Debating Union will be holding its debates at the Inala State High School. It should be remembered that the Queensland Debating Union attracts students from all schools, both State and private. However, the Debating Union will not be using the great hall, which has been provided by the parents and citizens association, nor will it be using the library, which has been provided by the Federal Government, as each building has been deemed to be unsuitable for

accommodating a debate. Instead, shabby, neglected class-rooms that have been provided by the Queensland State Government will be used. The contrast will be very striking and will no doubt be the subject of a great deal of comment.

Mr Scott: And the Minister for Education (Mr Powell) is not even in the Chamber.

Mr PALASZCZUK: That is correct. The Minister will appreciate the fact that the block that will be used for the debates is the only block that has been carpeted will also be the subject of comment, in addition to the fact that the funds that were provided for carpeting the block came from the Commonwealth Government.

A Government Member interjected.

Mr PALASZCZUK: I have been a member of Parliament for only 10 months, and in that time I have listened with interest to the interjections made by the honourable members for Caboolture and Maryborough, and I regard their interjections as effective as a pick-pocket in a nudist colony.

At the present time, the Inala State High School is regarded by the upper echelon of the Department of Education as one among the top 10 of high schools in the State. If the Minister and his department will carry out the improvements to remedy the problems that I have outlined, the Inala State High School will progress further up the ladder towards the top of the 10 best high schools in Queensland, and will thereby provide for the students of Inala and Durack the quality of education to which all Queensland students are entitled.

In conclusion, I object to the proposed new union that will be formed by members of the teaching profession. Such a move will merely result in an extension of membership of the National Party and it will be composed of people who are closely involved with the National Party and political opportunists. Because of its limited membership, that union will need to be propped up. And how will that be done? Will it be done by the Government, the National Party or the Bjelke-Petersen Foundation?

I make the prediction that, by virtue of the legislation that was passed in the House today, the next National Party Union to emerge will be a union in the Queensland Police Force.

Meals on Wheels

Mr STEPHAN (Gympie) (12.28 a.m.): The honourable member for Toowoomba North has referred to the amount of finance that has been handed out to fund various activities that are often not really necessary, and stated that the money is certainly not being well spent. In contrast to that, I highlight an area of community activity that deserves more consideration. The services provided by Meals on Wheels are largely unheralded, yet the work being performed by members of Meals on Wheels committees is carried on throughout the State by people who are doing a fantastic job. The hours spent by voluntary workers carrying out duties of cooks, kitchen assistants and drivers have not been recognised, and the day-to-day achievements of such people deserve more recognition than is being received.

I refer not only to the fact that the organisation provides meals for aged people but also to the fact that the Meals on Wheels workers provide the only contact that some of the people in the community have with the outside world on the day that the meals are delivered.

Mr Simpson: They are shut-ins.

Mr STEPHAN: In many instances, such people are shut-ins who have no family living in close proximity to them. They have grown up in a house in an area that they know very well and have decided, for one reason or another, to remain in that house for as long as is humanly possible.

I point out that the Queensland Government does subsidise the service. I often hear complaints that the subsidy is too small and not really sufficient to meet the requirements of the service being provided by Meals on Wheels. The Queensland Government has made arrangements to subsidise charitable and religious organisations on any one of the following criteria at any one time: The establishment of services; the relocation of services; the extension of services; and the replacement of equipment. For the establishment, relocation or extension of services there is a subsidy of $3 to $1, or 75 per cent of the cost, up to a maximum of $7,500. For the replacement of equipment, the subsidy is $1 to $1, or 50 per cent of the cost, up to a maximum of $5,000 towards the cost of replacement of equipment, valued at at least $750 up to a maximum of $10,000, which has been in operation for a minimum of five years. But many kitchens have been operating for more than five years.

The obvious requirement, and what I am looking for, is an increase in the allocation of finance to Meals on Wheels committees. I have received a number of letters of complaint on the subject of subsidies, and I will read one that states—

> "I cannot accept the continual 'catch cry that there is only a limited amount of funds' and that 'Meals on Wheels money is in a different fund', when we see the repeated and quite enormous handouts which the State Government is giving to all sorts of organizations, including glider clubs."

It also includes sports clubs. The letter continues—

> "Meals on Wheels organizations throughout Queensland are saving the Government millions of dollars each year by keeping people in their homes instead of the highly subsidized hospitals and nursing homes, and yet these services get virtually no State assistance or encouragement whatsoever."

Mr Mackenroth: You are saying that the Government is doing a poor job. That is what you are saying.

Mr STEPHAN: I am saying that I am looking for additional assistance for Meals on Wheels. I am blaming the Government for the fact that such additional assistance has not been given already.

The Federal Government does pay a small subsidy towards the cost of meals, but I emphasise that it is a small subsidy and certainly a lot less than the cost of the ingredients.

The letter continues—

> "I don't think we should sit back and be treated by your Government as their slaves any longer and I consider it was time that this matter was thrashed out very seriously and very forcibly. . "

In many instances, Meals on Wheels committees and senior citizens organisations are able to operate cohesively and in harmony, but that is not the case in Gympie, where the Meals on Wheels kitchen operates on its own.

Time expired.

Motion (Mr Wharton) agreed to.

The House adjourned at 12.33 a.m. (Wednesday).