Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 21 NOVEMBER 1985

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

PETITIONS

The Clerk announced the receipt of the following petitions—

Griffith University Course in Family Relationships

From Mr Menzel (36 signatories) praying that the Parliament of Queensland will establish an inquiry into the Griffith University course in family relationships.

[Similar petitions were received from Mr Bailey (19 signatories) and Sir William Knox (14 signatories).]

Electoral Districts Bill

From Sir William Knox (137 signatories) praying that the Parliament of Queensland will reject or amend the Electoral Districts Bill so as not to increase the number of electorates from 82 to 89.

Petitions received.

PAPERS

The following papers were laid on the table—

Proclamations under—

Forestry Act 1959-1984

Diseases in Plants Act 1929-1972

Orders in Council under—

Forestry Act 1959-1984

Agricultural Bank (Loans) Act 1959-1981

Agricultural Bank (Loans) Act 1959-1981 and the Statutory Bodies Financial Arrangements Act 1982-1984

Primary Producers' Organisation and Marketing Act 1926-1985 and the Statutory Bodies Financial Arrangements Act 1982-1984

Regulations under the Fishing Industry Organization and Marketing Act 1982-1984

Reports—

Sugar Board for the year ended 30 June 1985

Queensland Commercial Fishermen's Organisation for the year ended 30 June 1985.

MINISTERIAL STATEMENTS

Report of Queensland Cancer Registry on Incidence and Mortality of Cancer

Hon. B. D. AUSTIN (Wavell—Minister for Health) (11.3 a.m.), by leave: I will table, for the information of all honourable members, the first report on the incidence and mortality of cancer in Queensland to be produced by the Queensland Cancer Registry. The report shows that in 1982, in Queensland, there were almost 7 500 new cases of cancer, excluding the minor skin cancers, and there was a total of 3 615 deaths from cancer.

Overall, the most common form of cancer is cancer of the large bowel, and there were over 1 000 cases of this disease. The next most common cause is lung cancer, of which there were over 950 cases.

Different patterns are evident for males and females but, for both sexes, the great burden of cases comes from three or four main types of cancer.

The most common cancer for males is lung cancer and, together with prostrate and bowel cancers and melanoma, it accounts for 55 per cent of all cancer cases.

For females, the most common form of cancer is breast cancer and, together with bowel, melanoma and lung cancers, it accounts for 57 per cent of all cancer cases.

By far the most common cause of cancer death is lung cancer, which accounts for over one-fifth of all cancer deaths. The next most common cause is bowel cancer, which causes 13 per cent of all cancer deaths.

For males, half of all cancer deaths are due to just three types of cancer: lung cancer, which causes 30 per cent of deaths; bowel cancer, which causes 11 per cent; and cancer of the prostate, which causes 10 per cent.

For females, breast cancer causes 18 per cent of deaths, bowel cancer, 16 per cent, lung cancer, 9 per cent, and cancer of the ovary, 6 per cent.

A notable feature of this report, as in the report on regional mortality in Queensland, is the different patterns for males and females. The incidence of cancer is 37 per cent higher in males than in females and the death rates are 75 per cent higher in males than in females. Over half of this difference in cancer death rates is due to higher levels of lung cancer in males, the standardised death rates for which are four and a-half times higher than for females. For every major cancer experienced by both males and females, male death rates are higher, so that, for large bowel cancer, male death rates are 25 per cent higher, for stomach cancer the male excess is 144 per cent, lymphomas 100 per cent and leukaemia 91 per cent.

Cancer incidence in Queensland, even without the minor skin cancers, is relatively high, ranking at tenth highest in the world. However, for mortality, the position is much better, and Queensland ranks about twentieth. The mortality for cancer in Queensland is lower than that for the United States, the United Kingdom, New Zealand and most west European countries. However, cancer mortality in a number of other countries, including, for example, Japan and Greece, is substantially lower than in Queensland, and Queensland mortality rates are up to 50 per cent higher than in some other countries.

The incidence of cancer in Queensland occupies an intermediate position compared with that in other Australian States. However, cancer mortality in Queensland for both males and females appears to be lower than that for all other States for which comparable cancer registry data is available, namely, Victoria, South Australia, New South Wales and Western Australia.

Cancer is an important disease, because it is the only major cause of death with a rising death rate and because the proportion of all deaths due to cancer is steadily increasing. In the late 1960s, cancer caused 15 per cent of deaths, whereas in 1982 it caused 20 per cent and, today, preliminary figures suggest that the proportion may be 23 per cent. The other reason why cancer is important is that it is possible to control the disease through prevention programs and the cover of this new report emphasises the important role of some of the major factors in cancer prevention.

A series of major new initiatives for cancer prevention have been commenced by the Health Department to deal with the major priorities for cancer prevention. Firstly, the department has set itself the task of trying to stop the increase of cancer mortality in 10 years, and making it decrease by 5 per cent in 20 years. To this end, a ministerial advisory committee has been established. This committee draws together resources of the Health Department, the Cancer Fund, the medical and nursing professions, the Education Department, universities, and representatives of the media and business for the task of cancer prevention. That committee is playing an invaluable role and has

established a number of management and expert committees to deal with different aspects of cancer prevention.

A management committee has been established to deal with children's smoking, which is the first priority in cancer prevention. Through this management committee, the Health Department, the Queensland Cancer Fund and the National Heart Foundation are jointly funding a children's anti-smoking campaign, which supplements and complements the Education Department's program in schools.

The question of diet and cancer is being examined by an expert committee established by the ministerial advisory committee.

Another expert committee is determining the level of screening for cancer of the cervix, with a view to increasing the level of screening amongst those not adequately screened at present. In addition, a screening clinic for women at high risk of breast cancer is to be established at the Royal Women's Hospital.

It is the department's intention to see that hospitals and health centres play an active part in cancer prevention, and guide-lines to assist with this task are being prepared. It is also providing assistance to oncology units in major hospitals to assist with the provision of information for cancer research and for the management and treatment of cancer patients.

This new report is an important step in the department's overall approach to cancer prevention, and information provided by the cancer registry will help in setting directions for cancer services and with monitoring the effectiveness of our programs. The report has been made possible through the co-operation of hospitals, nursing homes, pathology laboratories and medical practitioners throughout Queensland, and their contribution is gratefully acknowledged. The Queensland Cancer Fund made a generous donation of $50,000 towards the establishment of the cancer registry and that contribution is gratefully acknowledged. Thanks are due also to the cancer registry advisory committee for its support, advice and assistance.

I commend the report to the House.

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

Commonwealth Funding of Nurse Education

Hon. L. W. POWELL (Isis—Minister for Education) (11.8 a.m.), by leave: I wish to draw to the attention of honourable members the serious situation regarding the Federal Labor Government's refusal to adequately fund the transfer of basic nurse education from Queensland hospitals to the colleges of advanced education.

The policy of the Queensland Government is to gradually develop a college-based program for basic nurse-training to replace hospital-based training. In 1984, the Commonwealth Government, without consultation with Queensland, made an offer towards the funding of nurse education in colleges of advanced education. The Commonwealth offer, confirmed only yesterday in a telex from the Prime Minister to the Honourable the Premier and Treasurer, is to provide only $1,500 in recurrent funds per student per year. This offer is a pathetic contribution to the estimated recurrent cost of $6,500 per annum for training a nursing student. That offer by the Commonwealth blatantly discriminates against Australian nurses, because they are the only professional group for which the Federal Government will not provide full tertiary funding.

Honourable members will recall that, in 1974, the Commonwealth, against the wishes of the State, assumed full responsibility for the funding of university and advanced education. Queensland has therefore refused to accept the Commonwealth's offer of partial funding for the phasing-in of the transfer from hospital schools to higher education institutions. The Commonwealth offer was based upon the expectation that the State would contribute from savings made as a result of the discontinuance of hospital training, but our calculations reveal that there will be no savings. In fact, costs are more likely to be incurred.

The present approach by the Federal Labor Government clearly discriminates against the nursing profession. The Federal authorities are prepared to offer full funding for the education of every other professional group, but only 20c in the dollar for nurses. The Queensland Government totally rejects the Commonwealth's offer, which treats nurses as second-rate citizens.

The State Government calls upon the Federal Government to honour its long-standing agreement to fund tertiary education fully. I can assure this House that the Queensland Government will not stand by and let any citizens of this State become victims of Commonwealth discrimination.

Liquor Act Amendments

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.11 a.m.), by leave: I am concerned and disappointed at the media's comments and reporting on amendments to the Liquor Act, which were passed by Parliament this week.

Opposition Members interjected.

Mr HARPER: Well might the Opposition look at themselves.

There seems to be a preoccupation——

Opposition Members interjected.

Mr SPEAKER: Order! This ministerial statement will be heard in silence.

Mr HARPER: There seems to be, in sections of the media and in sections of the Opposition, a preoccupation with a relatively minor amendment which makes provision for licensees to exclude——

Opposition Members interjected.

Mr SPEAKER: Order! I warn the member for Kurilpa and the member for Windsor.

Mr HARPER: The amendment makes provision for licensees to exclude drug-dealers, sexual perverts and deviants, and child-molesters, as well as prostitutes, from their premises where such people attempt to use those premises as a place of resort.

Mr Burns interjected.

Mr SPEAKER: Order! I do not want to make an example of the honourable member for Lytton, but if he continues with his remarks, I will.

Mr HARPER: It is unfortunate that media reporters, editorial-writers and Opposition members have apparently not read the amendment to the Liquor Act in conjunction with the Act itself. As I have said during debate in the House, it seems that the Opposition is not only intent on legalising the use of marihuana but also intent on protecting drug-dealers, sexual perverts and deviants, and child-molesters.

The amendment that has attracted such unwarranted attention from a small but vocal sector is one which gives licensees the right to exclude drug-dealers, sexual perverts and deviants, and child-molesters, in addition to prostitutes, thieves or persons of notoriously bad character, or drunken or disorderly persons. Those provisions are already there.

Mr R. J. Gibbs interjected.

Mr SPEAKER: Order! The honourable member for Wolston.

Mr R. J. Gibbs interjected.

Mr SPEAKER: Order! I warn the honourable member for Wolston under Standing Order No. 123A for constant and persistent interjection, especially after I have asked him to remain silent.

Mr HARPER: I challenge the Opposition and the editors of both the *Daily Sun* and *The Courier-Mail* to state publicly that they believe the Liquor Act in Queensland should not give the legal right to licensees to exclude such people from their premises.

Mr McElligott interjected.

Mr SPEAKER: Order! The honourable member for Townsville.

Mr Davis interjected.

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

Mr HARPER: Insofar as criticism that a definition is not given in the legislation for the terms "drug-dealers", "sexual perverts or deviants" or "child-molesters", surely no more difficulty should be experienced than has been the case with interpreting the terms "prostitutes", "thieves or persons of notoriously bad character" or "drunken or disorderly persons".

As I have indicated time and again, both in the House and in media interviews, the question is one of behavioural pattern. A person's behaviour in public—

Mr Hamill interjected.

Mr SPEAKER: Order! The honourable member for Ipswich.

Mr McElligott interjected.

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

Mr Hamill interjected.

Mr SPEAKER: Order! The honourable member for Ipswich.

Mr HARPER: As I have indicated time and again, both in the House and in media interviews, it is a question of behavioural pattern. A person's behaviour in public and his or her known character are surely the only guide-lines by which such persons may, and should, be judged in assessing whether they come into the category of those persons defined in the Act who should not be allowed to use licensed premises as a place of resort.

I take the opportunity to indicate again to the House the reason that an amendment belatedly suggested by the spokesman for the Liberal Party was not accepted by the Government. The honourable member for Sherwood (Mr Innes) sought to include, in addition to the words "drug-dealers, sexual perverts or deviants or child molesters" the words—

Mr Goss interjected.

Mr SPEAKER: Order!

Mr Casey interjected.

Mr SPEAKER: Order! Honourable members have had their joke.

Mr HARPER: The honourable member for Sherwood sought to include the words "homosexuals, persons convicted of sexual offences". I indicated at the time that sexual perverts or deviants need not necessarily be homosexual, so that the addition of the word "homosexuals" was unnecessary and unwarranted. To have included the words "persons convicted of sexual offences" would have served no useful purpose but could have been interpreted as widening the amendment to an unacceptable level.

Why are the Opposition and some sections of the media now criticising the Government for taking steps towards the protection of children from child-molesters—

Opposition Members interjected.

Mr HARPER: Opposition members might well ask themselves that question. I ask the Leader of the Opposition and all Opposition members why they are now criticising the Government for taking steps to protect children from child-molesters, sexual perverts or deviants, when, earlier in the year, the Opposition created a public outcry against what it perceived to be a growing pattern of child abuse in Queensland.

Mr WARBURTON: I rise to a point of order. I want to make it clear that the Minister is deliberately misleading the House. The Minister had an opportunity to debate this issue when the Bill was introduced. Today, because he has been severely criticised by the editorials right across the nation, the Minister now takes the opportunity to endeavour to denigrate the Opposition. I repeat that the Minister is deliberately misleading this House.

Mr SPEAKER: Order! The Minister is well within his rights to remark on whatever aspect of his portfolio he chooses. There is no point of order.

Mr GOSS: I rise to a point of order. My point of order is brief. In view of the fact that I led the debate on the Bill for the Opposition, I find the suggestion that I or any of my colleagues are trying to protect child-molesters personally offensive, and I ask that the remarks be withdrawn. After all, last year, it was the Opposition that forced the inquiry, and the Minister for Justice and Attorney-General tried to block that inquiry. I ask that the offensive words be withdrawn.

Mr SPEAKER: Order! The honourable member for Salisbury has asked that certain words be withdrawn. Will the Minister withdraw those particular words?

Mr HARPER: With respect to you, Mr Speaker, I point out that I did not address any remark to the honourable member for Salisbury. If the honourable member believes—and he should not—that anything I said was intended as a slight against him, I apologise for that. I am treating the Opposition collectively. I again ask——

OPPOSITION MEMBERS: I rise to a point of order.

Mr SPEAKER: Order! I call the honourable member for Mackay.

Mr CASEY: The Minister has said that he is treating the Opposition collectively. I find personally offensive the Minister's associating me, as an Opposition member, with child-molesters, sexual perverts, drug-peddlers and the other deviants that he mentioned. I endeavour to live my life in a Christian way, in accordance with the Ten Commandments, especially the sixth and ninth, "Thou shalt not commit adultery," and, "Thou shalt not covet thy neighbour's wife."

Mr SPEAKER: Order! I call the Minister.

Mr HARPER: I thank you, Mr Speaker, for ruling that there is no point of order, because I did not personalise and I do not personalise. However, I again ask——

Mr Casey interjected.

Mr SPEAKER: Order! I warn the honourable member for Mackay that any further interjections will be dealt with.

Mr HARPER: Why does not the Opposition join with the Government, as the Liberal Party has done, to condemn and control practices such as these, which are detrimental to the community generally and repugnant to the great majority of Queenslanders?

Mr INNES: Mr Speaker, I rise to a point of order to make a personal explanation. In the statement that the Minister for Justice and Attorney-General (Mr Harper) has just made, he said that I sought to add to the provision in the Liquor Act the words "homosexuals and persons convicted of sexual offences". When viewed microscopically, that statement is seen to be correct; however, in the broad context of the debate, the statement is not really accurate, because from the amendment that I put forward, the

Minister knows, and all other honourable members know, that what was sought was to have the words "sexual perverts and deviants and child-molesters", which are creating embarrassment for the Minister and which will create embarrassment for publicans and police officers, replaced with words that were more specific.

The reality is that, because the Opposition spokesman moved an amendment to delete all of the words, under the Standing Orders the members of the Liberal Party could not thereafter seek to move an amendment to replace the words I have mentioned. However, the Minister could have accepted the substitution of the words by more specific words that were proposed by the Liberal Party, which would not have created the embarrassment the Minister presently feels, and will continue to feel, because of the imprecision of the words contained in the Bill.

PERSONAL EXPLANATIONS

Ms WARNER (Kurilpa) (11.26 a.m.), by leave: I rise to refute the comments that were made in this House by the Minister for Mines and Energy (Mr I. J. Gibbs) on 3 April 1985, when it was suggested by him that I was a law-breaker and that the Government, not the legal system, would bring down the full force of the law against me and my colleagues.

In his ministerial statement on that date, the Minister showed the full extent of his contempt for the judicial system. By his statement, he made it clear that in this State the police force would become the subject of this Government's political abuse, and suggested that neither the police nor magistrates were free to uphold the law as they saw fit. For example, the Minister said that the magistrate "is making it a condition that they do not go near a SEQEB depot".

I remind the House that that statement was made on Wednesday, 3 April, which was one day before the first police prosecutor attempted to persuade a magistrate to make a decision in those terms. I point out that that direction made by the Government was overturned.

Mr SPEAKER: Order! I remind the honourable member that the basis for making a personal explanation is that she has been misrepresented in some way.

Ms WARNER: I was. If you listen, you will find out.

Mr SPEAKER: Order! If the honourable member is prepared to bring to the attention of this Assembly the way in which she was misrepresented, I will allow her to continue.

Mr Hamill: She cannot if you stop her.

Mr SPEAKER: Order! I remind the honourable member for Ipswich that if I have any such retort from him——

Mr Hamill interjected.

Mr SPEAKER: Order! I now warn the honourable member for Ipswich under Standing Order No. 123A. If another outburst of the same kind occurs, I will direct the honourable member to leave the House.

Ms WARNER: I wish, Mr Speaker, that you would afford me the same opportunity as has been afforded to the Minister.

Mr I. J. GIBBS: I rise to a point of order. The honourable member is assuming that the case to which she refers is over. I can assure her that the Government is very seriously considering the possibility of taking action to appeal against that decision.

Ms WARNER: Similarly, the decision brought down yesterday by Mr Fitzpatrick, Stipendiary Magistrate, at the Cleveland Court signifies that the attempt made by the Minister to pervert the course of justice has failed.

In this House, I said that section 5 of the Electricity (Continuity of Supply) Act was bad law, that it contravened the principle of natural justice, and that it should not be used in a political way by the Government.

Mr SPEAKER: Order! I cannot allow the honourable member to continue on that particular subject. It is not a basis for making a personal explanation.

Honourable Members interjected.

Mr SPEAKER: Order! I cannot let the honourable member continue under the headings that she has mentioned so far——

Ms WARNER: Mr Speaker, I protest.

Mr SPEAKER: Order! I ask the honourable member to resume her seat.

Mr BURNS (Lytton): I move—

"That the member for Kurilpa be further heard."

Question put; and the House divided—

AYES, 33	
Braddy	Scott
Burns	Smith
Campbell	Underwood
Casey	Vaughan
Comben	Veivers
D'Arcy	Warburton
De Lacy	Warner, A. M.
Eaton	White
Fouras	Yewdale
Gibbs, R. J.	
Goss	
Gygar	
Hamill	
Innes	
Knox	
Kruger	
Lickiss	
Mackenroth	
McElligott	
Milliner	*Tellers:*
Palaszczuk	Davis
Price	Prest

NOES, 42	
Ahern	Lane
Alison	Lester
Austin	Lingard
Bailey	Littleproud
Bjelke-Petersen	McPhie
Booth	Menzel
Borbidge	Miller
Cahill	Muntz
Chapman	Newton
Clauson	Powell
Cooper	Randell
Elliott	Row
FitzGerald	Simpson
Gibbs, I. J.	Stephan
Glasson	Stoneman
Gunn	Tenni
Harper	Turner
Harvey	Wharton
Henderson	
Hinze	*Tellers:*
Jennings	Kaus
Katter	Neal

Resolved in the negative.

Ms WARNER: I rise to a point of order further to my personal explanation. On 3 April 1985, the Minister for Mines and Energy said that I was a law-breaker. I point out to the House that I have been vindicated in my stand and declared innocent by the court. My victory yesterday is a victory for justice, for freedom of the courts and for all those people who have shown compassion and courage by standing up to this Government and rejecting bad laws.

I therefore call for an apology, and I call on the Government to repeal section 5 of the Electricity (Continuity of Supply) Act because it is against the principles of natural justice.

Mr SPEAKER: Order! There is no point of order.

Mr PALASZCZUK (Archerfield) (11.39 a.m.), by leave: Yesterday, in this House, the honourable member for Fassifern (Mr Lingard) made an unsubstantiated attack on my character, allegedly founded on innuendo and overheard conversations. His attack was hollowly based and relied solely on smear. I give this Parliament my unequivocal assurance that at no stage in my life have I spoken to, or encouraged anyone else to speak to, any journalist connected with the *Matilda* magazine on any subject.

Yesterday, the honourable member for Fassifern crawled out of the Christian Breakfast Group meeting to deliver a personal, vindictive attack on a highly respected public servant who he knows cannot defend himself. I leave all honourable members to draw their own conclusions about the honourable member, who, to achieve his naked ambition to become Minister for Education, is prepared to stab anyone.

QUESTIONS UPON NOTICE

Questions submitted on notice were answered as follows—

1. Financial Assistance to Sugar Industry

Mr BURNS asked the Minister for Primary Industries—

With reference to the recently announced assistance package of $170m, which the Queensland Government is prepared to give to the sugar industry over a three-year period—

(1) What are (a) the details of the package including the composition of the separate components, (b) the value of the separate components and (c) the terms and conditions attached to each component?

(2) When is this $170m package likely to be implemented?

Answer—

(1) The sugar industry assistance package is currently the subject of ongoing negotiations between the Commonwealth and State Governments. Details of the package will not be known until the negotiations are finalised, hopefully next month.

(2) To assist the industry in the interim, however, the State Government has agreed to meet the interest cost, estimated at $3m, on the increase, from $150 to $170 per tonne, in the first delivery advance for the 1985 season, and is providing $20m in loans for carry-on purposes at concessional interest rates starting at round a quarter of the normal commercial rates. The Rural Reconstruction Board has set the initial rate at 4 per cent.

2. Plastic Milk Bottles; Price of Milk

Mr BURNS asked the Minister for Primary Industries—

(1) Did Queensland United Food and the Queensland Milk Board in mid-1984, during the introduction of the two-litre plastic milk bottle, tell vendors that, as a result of a threat from interstate milk, particularly from Victoria, vendors would be required to carry the cost of the 6c reduction in the price of a two-litre plastic bottle?

(2) Was this reduction in price gazetted before milk vendors were told?

(3) Was QUF's sole contribution to this campaign to stop the intrusion of interstate milk the purchase of a $1.5m plant to produce plastic bottles at a profit?

(4) Did the milk board, in costing the introduction of the plastic bottles, only cost 23 wholesale runs throughout Queensland and determine that wholesale vendors could not justify 3c a litre without consideration being given to the effects of this costing on retailers?

(5) As QUF had made it known that it wanted glass bottles to be phased out because they could not market them through supermarket chains, why were they allowed to force this decision on vendors, who are now facing substantial financial difficulties?

(6) Is QUF building a super depot at Stafford and preparing to close five northside depots, making a total of nine closed with resultant extra costs for vendors?

(7) Will he ask the milk board to justify the current price of milk in Brisbane when compared with the price of milk in Darwin, which is 5c cheaper, after being trucked thousands of kilometres from the Atherton Tableland?

Answer—

(1) The two-litre plastic milk bottle was not introduced in Queensland until December 1984. In a letter from the Queensland Milk Board, dated 31 July 1984, I received the following advice—

> "The Board at a meeting held on Friday 27 July 1984 considered a report of the special committee which examined the possibility of interstate milk entering the Queensland market and related costing exercises. Following detailed consideration of the Committee's proposals, it was agreed that an initial price reduction of 3 cents per litre or 6 cents per 2 litre container should be deducted from the vending sector of the market milk industry.
>
> The Board believes that by confronting the price reduction to 2 litre containers, the impact on the vendor will be minimised."

(2) No.

(3) Most processors in Queensland have the absorbed higher costs included in the introduction of two-litre plastic bottles and ancillary plant and equipment.

(4) During July 1984, the Queensland Milk Board conducted a survey of wholesale milk vendors and determined that the existing margin could not be justified. Detailed consideration was given by the board and the Government to minimising the effect on the vending sector of any downward price adjustment and it was determined that the adjustment on two-litre packages should apply across the State and to all areas of distribution.

(5) QUF is currently packaging in glass bottles about 36 per cent of its total volume. That percentage is higher than the percentage for either the two-litre plastic bottle or the one-litre carton. The introduction of the two-litre plastic bottle was prompted by its strong acceptance by consumers in other States and the threat of interstate competition.

(6) It is my understanding that economic pressures are forcing QUF and other processors throughout the State to consider and to implement various rationalisation measures in the distribution of product.

(7) The honourable member is not properly informed. The price of a one-litre carton of homogenised milk in Brisbane on and from 5 December 1985 will be 82c maximum and 80c minimum. The current price in Darwin for homogenised milk delivered from Townsville is 90c per one-litre carton. No doubt the honourable member is basing his assertion on an inferior product, namely, blended reconstituted milk, which is currently priced in Darwin at 74c per one-litre carton.

Mr Burns interjected.

Mr SPEAKER: Order!

Mr TURNER: I think that is quite a good answer.

Mr Burns interjected.

Mr TURNER: The honourable member should be happy with it.

Mr Burns interjected.

Mr SPEAKER: Order! I warn the honourable member for Lytton under Standing Order No. 123A.

3. College of Technical and Further Education, Warwick

Mr BOOTH asked the Minister for Education—

With reference to the construction of a technical and further education college at Warwick—

What is the proposed timetable for the planning and construction of the college?

Answer—

It is proposed to construct the Warwick campus of the Southern Downs College of TAFE, and design work is in hand. It is expected that a contract will be let in mid-1986, and that construction, using Commonwealth funds, will be completed in late 1987. Therefore, the college should enrol its first students early in 1988.

4. Secret Meetings on Sugar Industry

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

With reference to the copy of the co-operative millers report that I tabled in Parliament, which outlined secret meetings with Messrs Fred Soper and Ron Belcher, of the Queensland Cane Growers Council, and representatives of CSR to work out details on deregulation that were never reported to the QCGC, and as a clear conspiracy exists—

Will he appoint a royal commission into the matter to protect the cane growers' interests, as the council is a statutory body and, therefore, is accountable to the State Government on behalf of growers?

Answer—

The appointment of a royal commission is made not by me but by the Governor in Council. I am sure that the submissions made by the honourable member for the appointment of a royal commission would receive careful consideration by the Government as a whole if they were addressed to the Premier.

5. Atherton Police Station

Mr MENZEL asked the Minister for Lands, Forestry and Police—

(1) Is he aware of the state of the Atherton Police Station, including the toilet facilities, as reported on page one of *The Tablelander* of 5 November?

(2) Will he make an immediate start on a new building before the old and inadequate building, as well as the toilet, falls down?

Answer—

(1) The Commissioner of Police has informed me that the Atherton Police Station is in need of some repairs and upgrading.

(2) Provisions had been made initially in the department's draft capital works program in 1985-86 to effect repairs to the Atherton Police Station. However, because of the necessity to divert funds to other projects with a higher priority, it will not be possible to proceed with improvements at Atherton immediately, but planning is in hand with a view to proceeding with the work later in the financial year.

6. Payments to CSR Limited by Sugar Board

Mr CASEY asked the Minister for Primary Industries—

What amounts have been paid to CSR Limited or its subsidiaries by the Queensland Sugar Board in each of the last three financial years for: (a) shipping costs, (b) brokerage, (c) commission on sales, (d) interest on finance and (e) other services or charges?

Answer—

I refer the honourable member to the annual reports of the Sugar Board; he may not have read them. The accounts, audited by the Auditor-General, show the charges paid to CSR Limited under the relevant agreements, which cover raw sugar receiving, refining, marketing, managing and chartering.

I will now deal with the specific items of direct costs met from sugar sales proceeds.

(a) Shipping costs—the annual reports show the costs of domestic and export freight and related charges as—1982-83, $80,877,000; 1983-84, $70,643,000; and 1984-85,

$86,177,000. Ships used in the coastal trade have included vessels which are bare-boat chartered by CSR Limited for use in the sugar and gypsum trades and for other commodities. The sugar industry benefits from back-loading advantages with those vessels. CSR Limited has a financial interest in two of those vessels, namely Ormiston and Kowulka.

(b) Brokerage paid to CSR Limited—Nil.

(c) Commission on sales paid to CSR Limited—Nil.

(d) Finance costs—1982-83, $8.3m; 1983-84, $11,005,000; 1984-85, $29,498,000. These are actual costs of overseas financing and domestic financing at rates below those for commercial overdrafts.

(e) For other direct charges, I refer the honourable member to the Sugar Board annual reports.

QUESTIONS WITHOUT NOTICE

Report of Interdepartmental Committee on Industrial Conditions

Mr WARBURTON: In directing a question to the Minister for Employment and Industrial Affairs, I refer to the National Party Government committee that has examined ways to establish employment contracts free of arbitrated award provisions. I now ask: Is it correct that that committee is headed by the under secretary of the Department of Employment and Industrial Affairs (Mr Swan)? What are the names of the other members of that committee? Is there anyone other than a public servant on that committee, and, if so, who?

Mr Gunn interjected.

Mr WARBURTON: What's the laughter about?

Sir Joh Bjelke-Petersen: We are all on it.

Mr WARBURTON: We'll see, when the Minister answers it.

Mr LESTER: I have organised the committee with a view to finding out what the true position is relative to contract labour. I want to make it abundantly clear that, for a long time, our nation has been going backwards.

Mr Warburton: Who's on it?

Mr LESTER: It is very clear that the ALP has no intention of listening to what I am saying. If the honourable gentleman is patient, I will answer his question in due course.

However, I make it very clear that there is a need to sit down and work out whether contract labour is feasible. People have been shooting from the hip, saying all sorts of things. A responsible Minister needs to find out what the position is. Since the Federal Labor Government came to power, interest rates have gone up, the value of the dollar has gone down, and all sorts of atrocities have occurred. Throughout Australia, young people are concerned about employment opportunities.

I have set the committee up, but I have no intention of revealing to the Parliament the names of the people on it. Its report is for my perusal, and I make it very clear that the committee has not made any recommendations. The report is simply a synopsis telling me what the position is, with a view to improving employment opportunities for our young people. It is about time that the Labor Party stopped being political and got on with the job of trying to create employment opportunities.

Report of Interdepartmental Committee on Industrial Conditions

Mr WARBURTON: Although the Minister for Employment and Industrial Affairs refused to answer my first question, I will ask him another question. The report of the committee to which I have just referred maintained that the Industrial Commission should continue to handle disputes other than those relating to job conditions. As the majority of industrial disputes in the State are directly related to job conditions, I now ask: What mechanism has been recommended to be used to resolve those particular problems, that is, the problems of disputes over job conditions? As the Minister supposedly responsible for the welfare of employees in the State, does he give his support to the proposal that annual leave can be scrapped, provided that an annual leave payment is made in lieu? Is it not correct that the Minister and the Government were responsible for setting the guide-lines for the work carried out by the interdepartmental committee?

Mr LESTER: Let me make it very clear that what the Queensland Government is doing is bringing benefits. Every employee working in this State has better conditions now than he had before I became the Minister. The Opposition cannot deny that. Indeed, as each day goes by, job opportunities are getting better. For the past eight months, Queensland has led the unemployment recovery. The Opposition should not forget that.

In addition, in the last couple of months, Queensland has created jobs while the other States—particularly New South Wales and Victoria—have lost jobs. I should also mention the State Government's involvement in work-skill competitions, which have developed competition among young people and pride in workmanship. These craftmanship competitions are putting Queensland on a tack that will enable it to compete with other countries.

As to what is in the report and whether I agree with it—it is purely a report to ascertain the position. At present, the Government is examining the report. To make comments about what is in the report, what I think about it or what anybody else thinks about it would be premature and unreal. Clearly, the Labor Party is prepared to sell out small business, big business and every other employer. All that employers have done is ask that the Government examine their proposals. That is all that has been done.

The Labor Party, clearly for political expedience, does not want even to listen to the proposals that have been put forward just as, for political expedience by supporting one vote, one value, which would work against country people, it refuses to listen to the voices of country people.

Mr NEAL proceeding to give notice of a question—

Mr Prest: Come on Dorothy, answer your questions.

Mr NEAL: That is all right, bellhead—no brains; only a tongue.

Dismissal of Charges against Senator Georges and Member for Kurilpa

Mr NEAL: In asking a question of the Minister for Justice and Attorney-General, I refer to an article in today's *Telegraph* and to a comment by his colleague the Minister for Mines and Energy (Mr I. J. Gibbs) in the House this morning. I now ask: Is the Minister considering an appeal against the recent decision by the Magistrates Court to dismiss the charges against Senator Georges and the Member for Kurilpa (Ms Warner)?

Mr HARPER: With a view to finding out the reason for the dismissal of the charges, I am having urgent inquiries made. When I have that information available to me, I will consider whether any further action should be taken by the Crown in this matter.

The Government is very determined to ensure that people who harass SEQEB workers are dealt with in accordance with the law. The Government will not tolerate interference with the right of ordinary citizens to go about their ordinary pursuits without interference and without harassment by politicians or anybody else.

Report of Interdepartmental Committee on Industrial Conditions

Mr BURNS: In directing a question to the Minister for Employment and Industrial Affairs, I refer to the article in this morning's *Courier-Mail* and to the interdepartmental committee headed by the Under Sectretary, Department of Employment and Industrial Affairs, Mr Swan. I now ask: Has that committee ever discussed the matters contained in its report with—firstly, members of the Arbitration Commission in Queensland; secondly, the representatives of the employees of Queensland; and thirdly, employer organisations, and, if so, which ones?

Mr LESTER: This matter has been canvassed for at least the last 12 months. During that time, I have not heard one comment or received one letter from the honourable member for Lytton. He still has an opportunity to provide an input to assist with employment opportunities for young people in Queensland. He should not adopt a negative attitude; he should be positive and provide some input that will help everybody.

Queensland Commercial Fishermen's Organisation

Mr BURNS: In directing a further question to the Minister for Employment and Industrial Affairs, I refer to his statements yesterday that his Government is against compulsory unionism, and ask: If that is true, why does his Government force commercial fishermen to join the Queensland Fishermen's Organisation and refuse to issue them with a master fisherman's licence unless they have paid their union dues every year?

Mr LESTER: It is very clear that the honourable member is fishing for information. I suggest that on this occasion he has used the wrong bait, because he has asked the wrong Minister. He should address his question to the appropriate Minister.

Financial Assistance to Sugar Industry

Mr RANDELL: I ask the Minister for Primary Industries: With the continuing reluctance of the Federal Government to give any help economically or otherwise to the depressed sugar industry, and with the only real assistance coming from the State Government, could the Minister advise me of the following: How many applications have been made for low-interest carry-on finance? How many applications have been approved? Is the Rural Reconstruction Board having any difficulty coping with the volume of applications? If so, could the Minister take steps to allocate extra staff to have applications processed with great urgency, thus enabling finance to reach growers as quickly as possible?

Mr TURNER: I understand the honourable member's concern, and I thank him for his question. It gives me an opportunity to present some of the facts—not the fiction that is heard in so many quarters—and to indicate that the State Government is doing something positive and significant about providing assistance to the sugar industry.

The honourable member rightly says that there has been a lack of assistance from the Federal Government in recent times.

Mr Kruger interjected.

Mr TURNER: The honourable member for Murrumba has woken up. He might listen now and learn something about what is happening in the sugar industry.

The Queensland Government is contributing to the sugar industry and is doing something positive. Recently, the Queensland Government made an announcement that it would lift the first-delivery advance from $150 a tonne to $170 a tonne. That has put money into growers' pockets and has done something positive. Growers have received between $4,000 and $6,000 in cash flow immediately so that they can plant and fertilise their crops. That will assist them positively. It is in line with the $800,000 that was contributed last year to lift the first-delivery advance.

One could go on about the amount of money that the Queensland Government put forward for the ethanol pilot plant and the kenaf pilot plant in the Burdekin, and about the Queensland Government's commitment to assist the sugar industry with its current problems. Further negotiations will take place when the Queensland Cane Growers Council arrives at a decision on deregulation. I hope that, by next month, the Government will have come up with some positive assistance in that regard.

Recently, Mr Kerin and the State Opposition have been highly critical of the announcement in the State Budget that $20m would be provided in RAS assistance by way of low-interest loans to the industry. They have said that that money will not be taken up, that it is of no value, and that the industry does not want loans.

The matter raised by the honourable member for Mirani is an interesting one. Since that announcement was made, the Government has received 110 applications for loans. In order to refute any criticism that the applications are not being processed or that very few people are receiving benefits, I point out that of the 110 applications received, 93 have been approved and approximately $1.5m has already been granted.

Something positive is being done. No delays are being experienced in relation to the processing of applications, as additional temporary staff have been employed to process them as expeditiously as possible. I can assure honourable members that, if any problem is encountered in processing the applications, further additional temporary staff will be employed to expedite matters. I can assure honourable members also that the applications are being attended to and that of 110 applicant growers, 93 have already received the benefit of low-interest loans.

Queensland Coalition for Democratic Rights

Mr RANDELL: I ask the Minister for Education: Is he aware of a pamphlet distributed by an organisation known as the Queensland Coalition for Democratic Rights to students outside some Queensland schools? If so, is there any substance to claims contained in that pamphlet, what is the attitude of the Government to this material, and what action will be taken concerning its distribution inside or near school grounds?

Mr POWELL: I have been provided with a copy of the document referred to by the honourable member, a photocopy of which I have in front of me. It is printed quite attractively. I would be very interested to know from which source the organisation obtains the funds to enable it to print this rubbish. That is the only way in which I can describe the pamphlet. It contains absolute nonsense.

The pamphlet is said to be authorised by a person by the name of P. Davis on behalf of the QCDR, Post Office Box 426, Spring Hill.

In my opinion, the Queensland Coalition for Democratic Rights should be renamed the Queensland Coalition for Undemocratic Rights, because the information contained in the pamphlet is totally incorrect. It contains downright lies that are obviously designed by the so-called Queensland Coalition of Democratic Rights to involve children in a political campaign. On behalf of the Queensland Government, I condemn anybody who wants to use children in any campaign in the manner displayed by this crowd.

I turn to the points made in the pamphlet.

Ms Warner interjected.

Mr POWELL: The noisy member for Kurilpa is jumping up and down and saying that the organisation is right. As usual, it is wrong; and, of course, so is the honourable member for Kurilpa.

The first matter dealt with in the pamphlet is censorship. The QCDR does not even label the Government correctly in its pamphlet.

Ms Warner interjected.

Mr POWELL: The constant interjections by the honourable member for Kurilpa indicate that she must be a member of this bunch. In my view, the honourable member for Kurilpa condemns herself by aligning herself with this crowd.

Ms Warner interjected.

Mr SPEAKER: Order! Does the Minister wish to take that interjection?

Mr POWELL: No. I believe that it would be totally inane.

As I said, the pamphlet deals with censorship. I state quite clearly that I am the person elected to be responsible for education in this State. All members of Parliament have the right to ask questions. If something is wrong with education in this State, ultimately it is my fault, and I accept that responsibility. Consequently, on behalf of the parents of Queensland, who expect a democratically elected Government to act, I have refused to allow certain things to take place in schools so that children are not used in political campaigns.

Mr Hamill interjected.

Mr POWELL: The honourable member for Ipswich is butting in as well. If the honourable member is a member of this bunch, he condemns himself also.

The pamphlet deals with something called MACOS. Many Opposition members do not know what MACOS is. It is a boxed kit that is totally unsuitable for the education of Queensland children. The pamplet also talks about SEMP. SEMP was a combination of material to be used by teachers as resource material. It is my contention and the contention of the Queensland Education Department that teachers ought to prepare their own resource material, not obtain material from some organisation which has been prepared for them. The pamphlet criticises the human rights material.

The Queensland Government has banned a book titled *The High Court and Australian Law* from Queensland schools, simply because it was giving children the impression that the High Court of Australia and other courts are politicised or are political tools. If the Queensland Government was to allow children to believe that courts were tools of the political system, what hope would there be for the society in which we live?

It is important to teach children and make them understand the independence of the court system from Government of the day.

Mr De Lacy: Oh, sit down!

Mr POWELL: Am I upsetting the honourable member for Cairns? What a shame. It appears that I am upsetting the honourable members for Cairns and Bundaberg, who support the distribution of this seditious literature in Queensland schools. Those honourable members would love to be able to see that kind of literature in Queensland schools, because it supports the philosophy of the left-wing organisations of which obviously they form part.

The Queensland Government will not allow that kind of literature to be put into Queensland schools. I understand that it has been distributed outside the schools, but, to my knowledge, it has not been distributed inside the schools. Nobody would be given permission to do that. If anybody is distributing such material inside Queensland schools, it is being done totally without the authority of the Queensland Education Department.

Cut-backs in Technical and Further Education Courses

Mr D'ARCY: In directing a question to the Minister for Education, I refer the Minister to cut-backs in the technical and further education program that operates in the Woodridge area. I understand that courses scheduled for 1986 have been cut back significantly, by up to 50 per cent in some areas. I point out that TAFE colleges at Yeronga and Ipswich operate in the Woodridge electorate, and that a number of the residents of that electorate attend courses at the Mount Gravatt TAFE facility. As a

TAFE college is not expected to be built in the Woodridge area until 1986, I ask the Minister: Is he aware of the cut-backs to which I have referred?

As the cut-backs seem to be largely in the field of adult education, will he have the cut-backs investigated with a view to having the courses restored? I mention that I have forwarded to the Minister, in the form of a separate letter, details of the cut-backs.

Mr POWELL: Although a fair amount of publicity has been given to so-called cut-backs in expenditure in the budgetary allocations for colleges of technical and further education, I have had figures prepared that indicate that no cut-back has occurred. I wish to present that information to the Parliament.

In 1984-85 the increase in funds from the State Government for the part-time/over-time teaching budget was from $599,000 to $651,000. However, the contribution made by the Commonwealth Government was decreased from $231,000 to $125,000, in round figures. A cut-back in Commonwealth Government funding has certainly occurred.

Mr Fouras: Will the Minister take an interjection?

Mr POWELL: No, I will not. If the honourable member for South Brisbane will listen for a moment, he will hear the truth. But that would be a shame in his view, because he would not be able to have it published.

On the one hand, cut-backs have occurred because of overspending in earlier years on the part of some colleges of technical and further education in the unreal expectation about the magnitude of funds available for current spending. On the other hand, cut-backs of up to 50 per cent in funds allocated by the Commonwealth Government were applied to courses under the Participation and Equity Program (PEP) and the Living and Work Skills (LAWS) Program.

Mr FOURAS: I rise to a point of order. The Minister for Education is misinforming the House. The facts are that the Queensland Government spends only $37 per capita on TAFE college programs, whereas the Australian average in the same category is $55.

I point out that that field of education is a State Government responsibility. The Queensland Government, however, is spending much less than the Australian average. The Minister is misrepresenting the position and misleading the House.

Mr SPEAKER: Order! No point of order has been made out.

Mr POWELL: I can understand why the honourable member for South Brisbane made that interjection; the honourable member for Kurilpa (Ms Warner) was able to stage a sort of exercise in the House this morning. Obviously, the honourable member for South Brisbane is concerned that he missed out.

Let me continue with what I was saying. The facts I have presented will be substantiated by any figures that the honourable member for South Brisbane may wish to present. The Commonwealth Government funds for PEP and LAWS have been halved. Consequently, TAFE colleges have been placed in a rather difficult position.

I am anxious to receive from the honourable member for Woodridge the title of the courses that have been cut. I point out, however, that, in toto, the Queensland Government has not effected any cut-backs in funding for TAFE.

I do know, however, that some of the colleges have had to cut back because funding that they had expected did not eventuate. If the honourable member can supply me with those figures and the courses to which he refers, I will have a look at them and see what can be done.

Garbage Bins at Housing Commission Houses, Logan City

Mr D'ARCY: In asking a question of the Minister for Works and Housing, I refer him to the decision by the Queensland Housing Commission not to allow wheelie bins in Housing Commission houses in the Logan city area. The commission has accepted

the normal bin disposal for Housing Commission tenants because the cost is fractionally lower than the cost of the wheelie bins. It appears that Housing Commission tenants are being discriminated against by both the council and the Housing Commission. I ask: Will the Minister consider instructing the commission to install wheelie bins, or will he come up with a suitable and acceptable solution for those Housing Commission tenants in the Logan City area who desire to have wheelie bins?

Mr WHARTON: Firstly, it is not true to say that Housing Commission tenants cannot acquire wheelie bins. Tenants do so in many areas, particularly in Brisbane where no other bins are available. In a number of areas, tenants do not have the option of acquiring wheelie bins; for instance, in Logan, Redcliffe and Cleveland. In those areas, the commission acquires the lowest-priced bins. That is obviously sensible, because the money saved can be spent elsewhere.

It would cost $100,000 more to supply every commission tenant in Logan city with a wheelie bin, and that money could be better used to provide housing. I have always said that it is far better to get a roof over someone's head than to respond to the numerous other claims made on the Housing Commission. The honourable member said that it would not cost much more to supply wheelie bins to tenants but, in Logan city, it would cost $28 more than the normal bin and, in Redcliffe, $50 more. The figure varies from area to area. Whatever the figure is, it adds up to a fairly large sum of money. The commission's objective is to provide homes. About 76 per cent of the commission's clients pay less than $50 a week rent, and 37 per cent of them pay less than $30 a week.

I understand that, if a Housing Commission tenant does want to pay the council for a wheelie bin, he can do so. However, there is a computer problem with payment. I am having a meeting with the Logan City Council on Monday afternoon, and I hope that the discussion will be a rewarding one.

Flat-rate Tax

Mr DAVIS: In asking a question of the Premier and Treasurer, I refer to an article in today's *Daily Sun* headed "Howard dumps flat-rate taxes". I will table that article. I ask: Is the Premier aware that the Federal Leader of the Opposition (Mr Howard) yesterday told the National Farmers Federation in Canberra that the flat-rate tax sums did not add up? Is he also aware that Mr Howard said that calculations he has made on the 25 per cent flat rate showed that only those people earning more than $27,000 a year or $519 a week would pay less tax? Will the Premier now accept that the flat-rate tax issue is a dead duck, initiated by flat-headed people and nothing more than an attempt by a privileged, reactionary minority to pay less income tax at the expense of the overwhelming majority of tax-payers?

Whereupon the honourable member laid on the table the document referred to.

Sir JOH BJELKE-PETERSEN: I am surprised that the honourable member has raised the subject of taxation, because the National Australia Bank has outlined quite clearly and correctly the disastrous position that confronts the nation as far as the general economy is concerned. It has also outlined that, very shortly, Australians will be paying a flat-rate tax of 50 per cent. That is clearly the way we are heading. We are virtually there. Mr Howard supports a Government that taxes people. The average worker will be paying 50 per cent of his earnings in tax. We have demonstrated that we are a low-tax Government. We do not believe in taxing people heavily. We believe in smaller government and less spending.

Mr D'Arcy interjected.

Mr SPEAKER: Order!

Sir JOH BJELKE-PETERSEN: We believe in smaller government, less spending and lower taxation. We have demonstrated that as a State Government.

Mr Fouras interjected.

Mr SPEAKER: I call the honourable member for South Brisbane to order.

Sir JOH BJELKE-PETERSEN: Mr Speaker, I draw your attention to the fact that, because of continual interjections, it is very difficult for Ministers to answer questions. At one time, that was never permitted.

Mr SPEAKER: Order!

Mr Underwood interjected.

Mr SPEAKER: I call the honourable member for Ipswich West to order.

Sir JOH BJELKE-PETERSEN: The Queensland Government is advocating low taxes, not on the basis advocated by Mr Howard but on a basis under which those on lower levels of income will be better off. Under our scheme, if a person earns 20 times more than someone else, he will pay 20 times more tax. The scheme has been put through the Monash University computers. Professor Porter agrees and supports the scheme. John Stone agrees and supports it. It has been put through the Commonwealth computers.

Mr Fouras interjected.

Mr SPEAKER: Order! The member for South Brisbane——

Sir JOH BJELKE-PETERSEN: It has also been put through our computer system. The computers have shown that it can be done, and it ought to be done so that people can keep 75c out of every dollar they earn. That will give people more incentive. Whether or not Mr Howard supports it, I can only say that the Queensland Government supports it, because it will give a tremendous impetus and confer benefits on all sections across the board. It will promote major growth and incentive across the nation.

Mr Davis interjected.

Mr SPEAKER: Order!

Mr DAVIS: I direct a question without notice to the Minister for Welfare Services, Youth and Ethnic Affairs. He is not here, so I will have to put it on notice.

Mr SPEAKER: I call the member for Toowoomba North.

Mr Davis: No, the Minister is here now.

Mr SPEAKER: Order! The member for Toowoomba North.

Mr Davis: Well, what about my question?

Mr SPEAKER: Order!

Mr Davis: I have a right to ask my question. The Minister has just entered the Chamber. He should be here.

Mr SPEAKER: Order! The honourable member asked that his question be put on notice, and it is on notice. I call the member for Toowoomba North.

Suspension of Electrical Trades Union Queensland Branch

Mr McPHIE: I ask the Minister for Mines and Energy: Can he inform the House of any details of the recent decision by the State Industrial Court to suspend the Queensland branch of the Electrical Trades Union as a result of that union's strike action earlier this year?

Mr I. J. GIBBS: I thank the honourable member for the question. I have here a report on this very important subject.

Without going into the finer details of the investigation and hearing carried out by the Industrial Court on this matter, the facts are that the court upheld our application

and agreed that the Electrical Trades Union wilfully neglected to obey an order issued by Industrial Commissioner Ledlie on 7 February this year.

That order, basically, was that the ETU was not to support or authorise any strike action, and also was to take all reasonable steps to procure its members not to take part in any strike action.

I do not have to remind honourable members of the misery and suffering that that strike caused to so many people in this State. Because of the union's non-compliance with this order, the Industrial Court has now found that this was against the public interest and, accordingly, has suspended the union for six months.

So, after all the rhetoric, arguments and objections by the union movement and the ALP against us, the State Industrial Court has upheld our application and, indeed, justified the Government's actions. As a Government, we had to take strong and immediate action to ensure that the people of this State had a strike-free, trouble-free electricity supply industry. Let me say that we have been very successful in achieving that goal.

Federal Government's Proposed Bill of Rights

Mr McPHIE: I ask the Minister for Northern Development and Aboriginal and Island Affairs: Is he aware of moves to include in the Federal Government's proposed Bill of Rights clauses abolishing the protection of minority rights and destroying the value of a person's vote, particularly in the more sparsely populated parts of the north of the State?

Mr DAVIS: I rise to a point of order. Mr Speaker, when I asked the question previously, the Minister for Welfare Services, Youth and Ethnic Affairs came into the Chamber.

A Government Member: You put it on notice.

Mr DAVIS: I do not want the question on notice. The only reason that I said I would put it on notice was because the Minister was not in the Chamber. Now that he is in the Chamber, I reserve the right to ask that question.

Mr SPEAKER: Order!

Mr DAVIS: Otherwise, we can forget about the way in which we ask questions in this House.

Mr SPEAKER: Order! There is no point of order. The decision was made.

Sir JOH BJELKE-PETERSEN: Mr Speaker, I want to put it on the record that the honourable member knows that Mr Muntz was at Executive Council with Mr Gunn and others.

Opposition Members interjected.

Mr SPEAKER: Order!

Sir JOH BJELKE-PETERSEN: He was at Executive Council. That was the correct place for him to be and where he will always be when the time is right.

Opposition Members interjected.

Mr SPEAKER: Order! As I said before, the decision was made; the honourable member asked that the question be put on notice. It has been.

Opposition Members interjected.

Mr SPEAKER: Order!

Sir JOH BJELKE-PETERSEN: I just want to reiterate that honourable members opposite are not going to dictate to this Government how things have to be done in relation to Executive Council. Executive Council is on——

Opposition Members interjected.

Mr SPEAKER: Order!

Opposition Members interjected.

Mr SPEAKER: Order!

Sir JOH BJELKE-PETERSEN: It is about time that some of them left the Chamber, Mr Speaker.

Opposition Members interjected.

Mr SPEAKER: Order! I ask honourable members to come to order. The Premier is on his feet on a point of order. I will listen to the point of order.

Sir JOH BJELKE-PETERSEN: Mr Speaker——

Mr Davis interjected.

Mr SPEAKER: Order!

Sir JOH BJELKE-PETERSEN: Mr Speaker, from time immemorial, every Thursday at 12 o'clock, His Excellency the Governor or his representative arrives for Executive Council. Honourable members know that they can have their questions answered——

Opposition Members interjected.

Mr SPEAKER: Order!

Sir JOH BJELKE-PETERSEN: I will wait all day, as far as that is concerned; I do not mind at all.

Opposition Members interjected.

Mr SPEAKER: Order! The situation is developing where a 123A will be put on several members on the Opposition side of the House.

Mr Davis interjected.

Mr SPEAKER: Order! I warn the honourable member for Brisbane Central under Standing Order No 123A right now.

Sir JOH BJELKE-PETERSEN: Mr Speaker, one of the things that we cannot allow in this House—I cannot accept the situation—is that, by shouting and yelling, Opposition members can get someone on this side of the House to sit down, do nothing, say nothing and be nothing. The fact is that the honourable member knows that he can get his question answered if he wishes.

An Opposition Member: A point of order?

Mr SPEAKER: Order! I warn the honourable member for Ipswich under Standing Order No. 123A, because I have already given my version of what this is. The Premier is on his feet on a point of order. I have told honourable members many times that I will listen to a point of order. That is exactly what the Premier is up on.

Mr Warburton interjected.

Mr SPEAKER: Order! The Leader of the Opposition.

Sir JOH BJELKE-PETERSEN: Honourable members opposite know very well what the point of order is. I have said that the point of order is that I want to draw——

Mr Kruger interjected.

Mr SPEAKER: Order! I warn the honourable member for Murrumba under Standing Order No. 123A, and I will warn the honourable member for Brisbane Central one more time.

Mr Davis: Why?

Mr SPEAKER: Order! I warn the honourable member a second time under Standing Order No.123A, and ask him to leave the House.

Whereupon the honourable member for Brisbane Central withdrew from the Chamber.

Sir JOH BJELKE-PETERSEN: The honourable member for Brisbane Central and all other honourable members know what the point of order is all about. I drew the attention of the House to the fact—naturally, I want it recorded in *Hansard*—that Mr Muntz was at Executive Council. For the honourable member to imply, for political purposes, that he had just arrived in the House——

An Opposition Member: What is your point of order?

Sir JOH BJELKE-PETERSEN: I have outlined exactly what my point of order is.

Mr Warburton interjected.

Mr SPEAKER: Order! Although I do not like having to do so, I warn the Leader of the Opposition under Standing Order No. 123A.

Sir JOH BJELKE-PETERSEN: Ultimately, honourable members opposite will accept the cold, hard facts that we are the Government. We run the Government fairly and squarely, and today is Executive Council——

Mr PREST: I rise to a point of order.

Mr SPEAKER: Order! I am already listening to a point of order. I will take the honourable member's point of order when the Premier has finished his point of order.

Sir JOH BJELKE-PETERSEN: It concerns me a great deal that Opposition members try, by using all sorts of tactics—of disorderly conduct—to run this House. All I am trying to say to them is that it is not possible for them to do that. They must realise that they must abide by the requirements of the Parliament.

Mr Warburton: Can I ask you a question? Are you going to run it the way you want to run it?

Mr SPEAKER: Order! Does the Premier wish to take the interjection?

Opposition Members interjected.

Sir JOH BJELKE-PETERSEN: I am sure anybody in the gallery will get a very bad impression of honourable members opposite. They are not prepared to accept a situation that has been in existence for a long time. I wanted to draw that matter to the attention of the House, and no amount of shouting or yelling could prevent me from explaining clearly why the Minister for Welfare Services, Youth and Ethnic Affairs (Mr Muntz) was not in the Chamber and why he could not answer the question asked by the honourable member.

Ms Warner interjected.

Mr SPEAKER: Order! The——

Mr Goss: OK, what's your ruling?

Mr SPEAKER:——member for Kurilpa.

Honourable Members interjected.

Mr SPEAKER: Order! No point of order.

I call the Minister for Northern Development and Aboriginal and Island Affairs.

Mr KATTER: I feel that those great pearls of wisdom could be wasted on the swine opposite.

In answer to the honourable member's question—yes, under a Bill of Rights, legislative functions would be carried out by the judiciary instead of by the Parliament, whose members are responsible to the people of Queensland and Australia.

It is important to make reference to three decisions brought down by the United States Supreme Court. Firstly, I refer to the Miranda decision. In that case, a man who was convicted of rape and murder was released on a technicality over whether his rights had been read to him in the proper manner. After his release, he killed another two people. The second decision to which I refer concerns the bussing of children 40 miles across a city to be placed in a school with an entirely hostile environment. That was a particularly callous decision by the Supreme Court. The third decision refers to the banning of the saying of prayers of any description in schools in the United States. None of those decisions would have been accepted by the electorate, but because of the Bill of Rights, they were implemented.

The point that I am making is that, under a Bill of Rights, decisions concerning electoral redistribution and weighting are taken from the people. As a result, justices can do things that we, as politicians, could never get away with, because we are answerable to the people.

I turn now to the issue of the redistribution. Yesterday, I was very disappointed to hear the member for Rockhampton (Mr Braddy) say that he was completely in favour of the principle of one vote, one value. That would take away——

Opposition Members interjected.

Mr KATTER: I want to hear the interjections and know who makes them so that I can send copies of them to the northern press.

The application of the one vote, one value principle would remove three seats from the people of north Queensland. The proposed redistribution will give them an additional three seats. Therefore, members of the Labor Party are desirous of removing six electorates from the people of central and north Queensland. The Government is in favour of giving them an additional three seats. I concede that the one vote, one value principle might remove two seats rather than three. Those figures do not come from me; they come from the Parliamentary Library.

The current redistribution is not a gerrymander. A gerrymander is what happened when the Labor Party last ruled Queensland. At that time, the Labor Party secured 43 per cent of the vote while the coalition secured nearly 55 per cent of the vote, yet the Labor Party ruled with 60 per cent of the seats. That was an incredible effort, and I pay a very great tribute to the party's electoral riggers of the time.

On the question of a Bill of Rights, the most important point is that Australia is the only Western democracy in the world without electoral weighting. I am greatly embarrassed to have to tell the House that even the Union of Soviet Socialist Republics—that is, Russia—has electoral weighting. I will give the House some examples. In Canada, the North West Territories has 8 000 electors and Ontario has 98 000, yet those areas have one seat each in the Parliament. In the United Kingdom, the Isle of Wight has 94 000 electors and Western Isles has 22 000. That is a difference of 1 000 per cent in Canada and 500 per cent in the United Kingdom. In the United States, in the Lower House there is a 300 per cent difference. The Senate, which is also a legislature, has a 1 000 per cent difference, with Nevada having approximately 100 000 electors and New York, which has the same number of senators, having 9 million electors.

An Opposition Member: Sit down, you mug.

Mr KATTER: If I was a member of the Labor Party, I would not like those figures.

Western Australia, which has been ruled alternately by the Liberal Party and the Labor Party——

Mr HAMILL: I rise to a point of order.

Mr KATTER: One electorate in that State has 3 200 electors and another has 18 600.

Mr HAMILL: I rise to a point of order. I am glad I have frightened the Minister into sitting down. The Minister neglects the fact that the Western Australian Labor Government has been endeavouring to legislate for one vote, one value. It is the Minister's friends in the Upper House who have been consistently and blatantly denying democratic rights to the people of Western Australia. The Minister's mob are no better here.

Mr SPEAKER: Order! There is no point of order.

Sir JOH BJELKE-PETERSEN: The Minister is trying to answer a question. He is doing that legitimately and fairly.

Mr WARBURTON: I rise to a point of order.

Mr SPEAKER: Order! Will the Leader of the Opposition resume his seat? The Premier is on his feet on a point of order.

Sir JOH BJELKE-PETERSEN: The Minister is trying to answer a question. He is entitled to answer that question fairly and squarely, and he is doing so very convincingly. Because he is answering the question convincingly, the honourable member for Ipswich rose to a point of order, which is, of course, quite out of order. The Minister should be heard in silence.

Opposition Members interjected.

Sir JOH BJELKE-PETERSEN: When the Minister is answering a question, he should be heard in silence. The honourable member can take a point of order when the Minister has concluded.

Mr WARBURTON: I rise to a point of order. The question asked of the Minister for Northern Development and Aboriginal and Island Affairs has nothing to do with his responsibility.

Government Members interjected.

Mr SPEAKER: Order! The Leader of the Opposition has taken a point of order.

Mr WARBURTON: Mr Speaker, I am sure you will be able to determine whether or not I am correct. Earlier today, when the Deputy Leader of the Opposition asked a legitimate question of the Minister for Employment and Industrial Affairs (Mr Lester), the Minister refused to answer it on the basis that the matter was within the jurisdiction of another Minister.

Mr LESTER: I rise to a point of order.

Mr SPEAKER: Order! The Leader of the Opposition is already on his feet on a point of order. I will take the Minister's point of order later.

Mr WARBURTON: Mr Speaker, I am simply asking you to rule that the question that has been directed to the Minister for Northern Development and Aboriginal and Island Affairs (Mr Katter) has been directed improperly. It should have been directed to the Minister for Justice and Attorney-General.

Mr SPEAKER: Order! I consider that the question is well within the jurisdiction of the Minister. How he answers the question is his prerogative. How long he takes is also his prerogative.

Mr LESTER: I rise to a point of order. I find offensive the remarks by the Leader of the Opposition that I did not answer the question. In fact, I answered it very well. I ask him to withdraw those remarks.

Mr SPEAKER: Order! The Minister finds the remarks of the Leader of the Opposition offensive and asks for them to be withdrawn.

Mr WARBURTON: Mr Speaker, to be reasonable in this matter, I put it to you that the Minister said that he would not answer the question because he believed that the question was the responsibility of another Minister. Surely that is the truth. Everybody heard it, and *Hansard* will record it in that way. I am not going to withdraw that comment.

Mr SPEAKER: Order! The Leader of the Opposition has been asked to withdraw certain remarks that the Minister finds offensive. If he wants the remarks repeated, I will ask the Minister to repeat them.

Mr LESTER: I answered the question by pointing out that the Deputy Leader of the Opposition asked a question about fisheries and directed it to the wrong Minister. I am not the Minister in charge of fisheries. I answered the honourable member's question. I find offensive the remarks by the Leader of the Opposition that I did not answer the question, and I ask him to withdraw them.

Mr WARBURTON: If you know what I am supposed to withdraw, you are a better man than I am.

Mr SPEAKER: Order! The Minister finds offensive the remarks used by the Leader of the Opposition. I ask him to withdraw them.

Mr WARBURTON: When I am told the words that he finds offensive, I will consider my position.

Mr SPEAKER: Order!

A Government Member: This is nonsense.

Mr SPEAKER: It is nonsense.

I have asked the Leader of the Opposition to withdraw a certain phrase that he used when he referred to the Minister. I have asked him to withdraw the words. That is all that I can do.

Mr WARBURTON: Mr Speaker, with due respect to the position that you hold, how can I possibly withdraw words or phrases when I have no idea what I am supposed to withdraw?

Mr LESTER: The words "refused to answer".

Mr SPEAKER: Order! The Minister has asked for certain phrases to be withdrawn, as far as I recall.

Mr LESTER: I will be specific. I find offensive the words "refused to answer".

Mr WARBURTON: I withdraw.

Mr LESTER: I answered the question by suggesting that it be directed to another Minister.

Mr SPEAKER: Order! The words "refused to answer" have been withdrawn.

Mr KATTER: I bring to the attention of the House the fact that not in one single article of something like 43 articles in the State of Queensland that have been monitored by the Department of Northern Development and Aboriginal and Island Affairs has the media published these figures. Today, pernicious attempts have been made by the Opposition to gag me and prevent me from providing the figures.

Western Australia, which has been ruled alternately by the Labor Party and the Liberal Party incessantly during this decade——

Mr Hamill: Hold a referendum.

Mr KATTER: The Government in Western Australia can hold a referendum at any time it pleases, to change that. However, it would not be game to hold one.

Mr Hamill interjected.

Mr SPEAKER: Order! I warn the honourable member for Ipswich under Standing Order No. 123A. That is his final warning.

Mr KATTER: The Western Australian Legislative Assembly has been ruled alternately by the Labor Party and by the Liberal Party. In one electorate there are 3 200 electors and in another there are 18 000. That is a 600 per cent difference. In the United States of America, there is a difference of 1 300 per cent; in the United Kingdom, 500 per cent; Canada, 1 000 per cent; Western Australia—Liberal and Labor—600 per cent; and in Queensland, 100 per cent. Not once have the media drawn the attention of the Queensland public to the plight of these people. And these people—the poorest people in Australia—are represented by the honourable member for Cook (Mr Scott)!

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

ELECTIONS ACT AMENDMENT BILL

Committee

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

Clause 1—Short title—

Mr De LACY (12.41 p.m.): I will make a few comments on clause 1. Basically, the Bill refers to the recent electoral roll canvass. I will speak about what I believe to be the inefficiency of the canvass and its counter-productive consequences.

As honourable members know, the canvass was carried out in the latter months of 1984. The rolls were not substantially changed until after the local authority elections in 1985. Once the electors started to receive their notices——

The TEMPORARY CHAIRMAN (Mr Booth): Order! I draw the attention of the honourable member for Cairns to the fact that he should be speaking to clause 1, which is the short title. I take it that the honourable member is not questioning the title but that he wishes to speak about the canvass. That must be dealt with on another clause. I cannot allow the honourable member to speak on anything other than the short title.

Mr De LACY: Mr Booth, I believe that a precedent has been set in relation to debating the title.

The TEMPORARY CHAIRMAN: Order! I believe that the honourable member could speak on clause 4.

Mr De LACY: I accept your ruling, Mr Booth.

Mr HAMILL: When dealing with clause 1, short title, which is the "Elections Act Amendment Act 1985", I believe that it is pertinent to consider the purpose of the legislation as a whole. The Elections Act is a very important piece of legislation, because it enables the people of Queensland to participate every three years in the determination of who will govern this State.

One short point that I want to make is that, although the Elections Act sets out, in great detail, a procedure under which elections can be fairly and properly conducted in this State, sadly, the Electoral Districts Act perverts and totally denies the rights of Queenslanders, which are supposedly upheld in the Elections Act.

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

Mr VEIVERS: Mr Booth, I can find no reference, in any of the clauses or the circulated amendments, to ballot-papers. Am I permitted to make some comments on clause 1 in relation to ballot-papers? No specific reference is made to ballot-papers in the amendments.

The TEMPORARY CHAIRMAN: Order! The honourable member is quite correct when he says that ballot-papers are not covered by the Bill. Therefore, he cannot talk about them.

Mr VEIVERS: Under this clause, I cannot talk about ballot-papers?

The TEMPORARY CHAIRMAN: Order! Clause 1 deals with the short title. The honourable member certainly cannot refer to ballot-papers when the short title is being debated, because he is not questioning the title; nor was the honourable member who spoke before him. The honourable member might be allowed to speak about ballot-papers later, when another clause is being debated.

Mr HAMILL: I rise to a point of order. I was questioning the appropriateness of the title, because this legislation totally perverts the democratic rights of Queenslanders. It is supposed to be an Elections Act, and other legislation totally denies the rights of Queenslanders.

The TEMPORARY CHAIRMAN: Order! I inform the honourable member for Ipswich that although the House has been in uproar this morning, it will not stay that way. I have been tolerant this afternoon, as I am always. I would be quite prepared to listen to the honourable member if he chooses an appropriate clause on which to speak, but I will not allow him to speak to the short title of the Bill. I cannot allow it, and it will not be done.

Mr COMBEN: I rise to a point of order on the ruling that has just been made by the Chair. Last year in this Chamber, a Bill that related to elections for the Senate was passed. During the substantive debate on that Bill, I made certain criticisms of the leader of the Liberal Party. At the Committee stage, the Chairman of Committees (Mr Row) ruled that clause 1, the short title, would clearly form part of the debate about the general philosophy of the Bill. When I leave the Chamber, it is my intention to research that ruling. I assure the Chair that that ruling was certainly made, and I was permitted to refute what had been said by the parliamentary leader of the Liberal Party (Sir William Knox). The topics of the debate were extremely wide-ranging at that time.

The TEMPORARY CHAIRMAN: Order! I realise that the short title of a Bill has been used as the subject of general debate on some occasions. However, I believe that that is incorrect. My ruling this afternoon is that if an honourable member wished to speak to the clause that covers the short title of the Bill, the effect would be to question the title of the Bill. I will not in any way deviate from the ruling I have already made.

Mr De LACY: I accept that ruling, and also the suggestion made by the Chair that I may speak to clause 4. However, I ask for a partial indulgence by virtue of the fact that I was on the list of speakers yesterday. At the appropriate time, I rose to speak; at the same time, the Minister in charge of the Bill also rose. It is my understanding that an arrangement obtains in this Chamber under which a list of speakers is supplied to the Chairman or to Mr Speaker, and yesterday the list was forwarded to Mr Speaker or to Mr Deputy Speaker. I rose, but I was not given the call. Later, I spoke to the Leader of the House (Mr Wharton), who said that he would ensure that an opportunity was given to me at the Committee stage to make the few points I wish to make.

I merely draw that to the attention of the Chair because the present Temporary Chairman did not occupy the Chair yesterday. I point out, however, that I do accept that it is the intention to allow me to speak on the topic of electoral roll canvasses when clause 4 is discussed.

Clause 1, as read, agreed to.

Clauses 2 and 3, as read, agreed to.

Clause 4—Amendment of s. 15; General rolls and supplemental rolls—

Mr De LACY (12.47 p.m.): I draw the attention of the Chamber to the fact that on 3 July 1984 the Minister said that the State Government would spend $3m on a State-wide, door-to-door campaign to update the State electoral roll. The Minister has not informed Parliament whether the campaign cost as much as he stated it would, but I do know that it proved to be a very expensive exercise.

The point I make is that the campaign achieved very little in terms of desirable or possible results. Moreover, in many respects, it was counter-productive. I say that for two reasons: firstly, it has caused a great deal of annoyance, frustration and even dissension in the community; and, secondly, I believe that more names were taken off the electoral roll than were put on.

As I said a moment ago, the canvass was carried out in the latter months of 1984, but the notices of objection were not sent out to electors until after the local authority elections that were held in March 1985. I accept that that probably was reasonable because of the confusion that usually is experienced at that time of the year. However, by April, the objection notices that had been distributed by the Chief Electoral Officer began to hit the deck. At the very moment that that happened, my telephone began to ring, and I suggest that, for the same reason, all members of this Assembly were inundated with telephone calls.

The first form that was distributed was blue. It stated, in effect, that there was reason to believe that the addressee was no longer living at the address stated on the roll. People were given the opportunity of responding to that notice. I suggest that one of the problems that the Government has with residents of Queensland is that if they are correctly enrolled and believe that to be so, they tend not to respond to notifications such as the one to which I have referred. Because of their belief that they are enrolled properly and because they voted at the last election, they regard the notifications as not referring to them.

By August, the second form was sent out—Form M, which was pink. One of the points I want to make is that there are so many forms. In my file, I have four or five, each of a different colour and each headed with a different letter. Everything seems to be done on a pro forma basis, yet nothing that is ever said seems to reflect the actual position properly. One ends up with bureaucratic gobbledegook. For instance, Form N is headed, "Notice to Person Objected to of Determination of Objection". I suggest to the Minister that, surely, all the resources of the public service can do better than that in describing the nature of a form. If, after receiving that form, they did not respond, many people were obviously removed from the roll.

I have from the latest update of the roll some figures that demonstrate my point. As at 31 August, which was after all the objections were sent out and people were removed from the roll if they did not respond, the total enrolment in the Cairns electorate was 21 166. However, prior to that, at the time of the last local authority election, the most recent update showed that the enrolment was 22 283. That means that 1 117 electors were removed from the Cairns electoral roll. That is a net decline in enrolment of 5.27 per cent.

The Cairns electorate has two divisions—Cairns and Edmonton. I accept that the Cairns division might not have grown. However, I cannot accept that it declined. The Edmonton division, however, is in effect Division 1 of the Mulgrave Shire Council and is in fact one of the fastest-growing residential areas in Queensland. The Mulgrave shire building inspector's report for 1984-85 shows that the total value of residential building approvals in Division 1 was $15,161,724. A great many houses can be built for that amount. The fact that the total enrolment declined means that a great many people have been removed from the roll when they should in fact have remained on the roll.

I predict that there will be chaos at the next election, particularly in the Bayview Heights/Edmonton area which used to be the Cairns electorate. I presume that it will not affect me personally, because the area will no longer be in my electorate. However, many people who turn up to vote thinking that they are on the roll will in fact not be on the roll. I accept that they have received a form that states that they will be removed from the roll but, being Queenslanders, if they think that everything is OK, they tend not to read such forms.

For the Minister and the member for Stafford to say yesterday that the Federal roll is a bigger mess or a bigger rort than the State roll is patently untrue. For many years now, I have attended polling booths handing out how-to-vote cards for Federal, State and local authority elections, and I can say without any shadow of doubt that a great many more problems are caused by State rolls than by Federal rolls. I have some other figures——

Mr Gygar: It wasn't my intention to say that. I do not believe that I did; but if you gained that impression, it is not correct. I think that the roll is in good shape but that it is in the wrong form.

Mr De LACY: I accept that. My point is—and I believe that it is the general view of members of the Opposition—that this legislation is good in that it is reasonable reform. However, it does not go far enough. There should be a joint Commonwealth/State electoral roll. Some figures have just come into my possession that show that 100 000 more Queenslanders are enrolled on the Commonwealth roll than on the State roll. At the end of August 1985, 1 577 469 Queenslanders were enrolled on the Commonwealth roll but only 1 477 720 on the State electoral roll. I interpret those figures to mean that 100 000 Queenslanders are not on the State roll and will not be in a position to exercise their democratic right to vote at the next State election. I put it to the Minister that that justifies our attitude to a single electoral roll for both the Commonwealth and the State.

The Minister said that the canvass carried out in 1984 cost $3m. That $3m was not spent productively. If it had been spent on updating database equipment, computers, and so on, to help produce a joint electoral roll, it would have cut out, in one fell swoop, many of the problems experienced by parliamentarians on State election day.

Mr HARPER: I take note of the honourable member's comments. I agree with him that the wording of some of the poll forms is certainly less than satisfactory. It is my intention to improve that wording.

I do not accept his argument about the electoral canvass. As I said yesterday, Queensland will continue to conduct its own canvass. We believe that the efficiency with which the canvass is carried out provides the most efficient roll possible for Queenslanders, always given the possibility of human error. Human error is possible not only in the State Electoral Office but also in the actions of individuals. I hope that much of the human error on the part of the individual will be overcome by the joint application form.

Clause 4, as read, agreed to.

Clauses 5 to 13, as read, agreed to.

Clause 14—New ss. 37A and 37B—

Mr HARPER (12.57 p.m.): I move the following amendment—

"At page 8, omit all words comprising lines 20 to 33 and substitute the words—

'Where particulars in respect of a roll are recorded or stored on a mechanical, electrical or other device approved by the Minister pursuant to section 37A, data in respect of that roll may be supplied to the member of the Legislative Assembly for the district in question by tape or disc or other electronic means approved by the Minister upon application in the prescribed

form being made by the member to the principal electoral officer and payment of the price prescribed.

(2) Data may be supplied to a member of the Legislative Assembly in the manner referred to in subsection (1) in.' "

Mr GOSS: The Opposition has no objection to the amendment. It seems quite straightforward. However, I should like to know whether the Minister can provide any information at all on the likely cost of this service.

Mr HARPER: In answer to the honourable member's question—the present indication is $400.

Mr GYGAR: In response to the Minister's comment, may I recommend that this matter be re-examined? Costs are involved in providing this data for members of Parliament or anyone else, because special subroutines and programs have to be set up, format discs and output in a manner that, I assume, has not been reasonable and expected until now. However, as the Minister is well aware, there has been a recent flurry of buying these things. By now, a method of relaying the information onto discs should have been well developed. The initial cost is the big one. Now that the subsystems have been developed, I venture to suggest that the costs involved have been well and truly recovered by now or, if they have not been, they will be by the ones that are in train at the moment. Once the minor programs are developed, the real cost involved in relaying this information is about $9 a disc—the Government probably gets a discount because it buys them by the thousands—and, at most, an hour of the time of someone who works in the computer centre. On the basis that some of our rolls might run to six discs, six discs will cost $60, and one hour of work is probably worth about $40.

Sitting suspended from 1 to 2.15 p.m.

Mr GYGAR: Before the luncheon recess, I was drawing the Minister's attention to the fact that the $400 charge per electorate that is currently imposed would not seem to be justified on a long-term basis. Certainly the discs cost about $10 each, so, for five discs, the cost is $50. I was suggesting to the Minister that the only other cost was the cost for the slight amount of time—say, about one hour at the most—for a programmer or operator to produce the rolls. The other cost, which is indeed a significant cost, lies in the production of specific programs to translate data from mainframe formating onto disc formating. However, once that is done, it is stored on another disc or in the mainframe of the Government's computers and costs nothing to keep.

I acknowledge that the $400 cost is probably appropriate in the initial stages, because the developmental costs have to be amortised, but I suggest to the Minister that, in the long term, those costs will become quite unreasonable. It is appropriate to make a bit of profit, because a service is being provided, but I think that the $400 cost could probably be more appropriately $200 in the future. I ask the Minister to examine the economics of that arrangement to see whether, as time passes, this cost could not be reduced as the developmental costs are amortised.

Mr HARPER: As with the costs of all other services and the costs associated with the Elections Act generally, the costs associated with providing electronic assistance—the tapes and discs for the electoral roll—will be kept under review. Naturally, if there is a significant change in the cost to the Government, it will be reflected in future amendment of the charges.

Amendment (Mr Harper) agreed to.

Mr HARPER: I move the following further amendment—

"At page 8, omit all words comprising lines 43 to 48, and at page 9, omit all words comprising lines 1 and 2, and substitute the words—

'(3) The tape or disc or other electronic means of supply shall not contain any data additional to the data that, pursuant to this Act, may be set out in a printed roll in respect of the electors in question.' "

Mr GYGAR: I have no comments to make about the substance of the amendment, but I draw the attention of the Minister and of the draftsman to what appears to be an error in the drafting. The Minister has eliminated subsections (3) and (4) of proposed new section 37B and replaced them with a subsection (3). He has not consequentially renumbered subsection (5). Has that matter been drawn to the draftsman's attention? Otherwise, because of the lack of a consequential amendment to renumber subsection (5), the Act will go from subsection (2) to subsection (3), and then to subsection (5).

Mr HARPER: I am advised that the Clerk will pick up that necessary amendment.

Amendment (Mr Harper) agreed to.

Clause 14, as amended, agreed to.

Clauses 15 to 18, as read, agreed to.

Clause 19—New s. 82A—

Mr VEIVERS (2.21 p.m.): This clause deals with voters who may be incapacitated unexpectedly. The point I make concerns ballot-papers, which are not mentioned anywhere else in the Bill. That surprises me, because, given the form of ballot-papers, a voter's intentions may be affected. I wonder why no consideration was given to the form of ballot-papers, when it is obvious that the Minister has considered the Elections Act in some detail. Indeed, he has been commended for some of the amendments contained in the Bill.

As all honourable members are aware, names are placed on the ballot-paper in alphabetical order.

Mr FitzGerald: Isn't it true that you are going to change your name to Abrahams?

Mr VEIVERS: The honourable member for Lockyer has anticipated what I am about to say.

Much is said and written about the so-called donkey vote. I believe that it is irrelevant whether a person is incapacitated or is classed as a donkey voter. If one is talking about fairness and justice in the electoral system, one really ought to consider introducing a ballot for the order in which names are to appear on the ballot-paper.

I am sure that the Minister is aware that, in order for a candidate to have his name placed at the top of the ballot-paper so that he can attract the donkey vote, he may change his name by deed poll. For example, a person by the name of Smith might do such a thing.

Mr FitzGerald: You should change your name, because you would get more votes under any name other than the one you have.

Mr VEIVERS: I assure the honourable member that there is absolutely no chance of my changing my name, despite what has been said in this place on a number of occasions about names.

It is interesting to note the number of honourable members whose names begin with letters that are near the beginning of the alphabet. It makes me wonder whether, for the National Party, preselection is based on alphabetisation. It seems to be an advantage to have one's name high on the list. In this regard, I have made a list of the members whose names begin with A, B and C. The National Party list reads: Ahern, Alison, Austin, Bailey, Bjelke-Petersen, Booth, Borbidge, Cahill, Chapman, Clauson and Cooper—10 members. The Opposition list reads: Braddy, Burns, Campbell, Casey and Comben—just five.

If one goes to the other end of the alphabet and commences with the letter "U", lo and behold, one finds that on the National Party side of the Chamber there is but one name—Wharton; and on the Opposition side of the Chamber there are Underwood, Vaughan, Veivers, Warburton, Ms Warner, Wilson and Yewdale. That is a ratio of one to seven. After careful analysis and having a think about that, I have come to the

conclusion that at least on this side of the Chamber the preselection of candidates is based not on the letter with which a person's surname commences but on the quality of the person and what he is really worth to the party. That certainly does not apply to the National Party.

Mr Fouras: Are you saying they are a lot of donkeys on the Government side?

Mr VEIVERS: I thank the honourable member for South Brisbane for his comment. I was simply speaking about the donkey vote.

The donkey vote is used to advantage by political parties. From what I have said, obviously the National Party takes cognisance of that fact. Quite seriously, I wonder why the Minister, while he was amending this legislation with some very worthwhile and notable changes, has not considered, in fairness and justice—not necessarily for those who are at the end of the alphabet, like me, because I am prepared to accept that—conducting ballots for positions on ballot-papers.

Mr HARPER: What the honourable member for Ashgrove has just said seems to indicate that that strange electoral college system of selecting candidates in the Australian Labor Party recognises that most of that party's supporters who follow the donkey vote commence at the bottom of the list and work up. Quite obviously the Australian Labor Party, in selecting its candidates, recognises that fact. The honourable member for Ashgrove has disclosed that to the Chamber. For that reason, the Labor Party selects the majority of its candidates with names that have their initial letter commencing after the letter "U". Therefore, to adopt the suggestion made by the honourable member for Ashgrove would not be helpful to the Labor Party at all.

Things such as a circular voting card are suggested from time to time. During the debate yesterday, I indicated that consideration would be given by me to a suggestion put forward from the Opposition, with the support of the Liberal Party, that an indication be given on the ballot-paper of the political party to which a candidate belongs. In light of that, it could well be appropriate for the honourable member for Ashgrove to consider not changing his name but his party. I thank the honourable member for his contribution.

Mr FITZGERALD: I realise that the debate on this clause has become rather wide-ranging. As the honourable member for Ashgrove has raised the matter of the donkey vote, I should put to rest once and for all how effective it is. At the 1980 State election, six candidates contested the seat of Lockyer. There were a Berry, a Bourke, a Capon, a Day, a FitzGerald and a Forde, the last of whom was the ALP candidate. To my recollection, the number of votes cast for the first candidate—that is, Berry—was 169 out of about 16 000. Naturally, his preferences were the first to be distributed. About 80 of his votes went to the second candidate, who was at that time the sitting member, Bourke. That indicates to me that only 80 voters in the Lockyer electorate voted down the card. As the second person on the ballot-paper was the sitting member, surely many of those votes would have been meant to be preferences directed to him. I suggest that, in the Lockyer electorate, only five or perhaps 10 donkey votes are recorded. I cannot see the number being any higher than that. I realise that the voters of Lockyer are very intelligent, which may not be the case in all other electorates.

Mr MILLINER: The member for Ashgrove has made quite a sensible suggestion. I do not see why anybody would object to drawing for positions on a ballot-paper. Prior to the last Federal election, the Federal Government changed its system so that a draw is conducted for positions on the ballot-paper. That is by far the fairest way. I agree that there is a distinct advantage to the candidate who has his name at the top of the ballot-paper. The fairest thing to do would be to conduct a draw for positions.

Clause 19, as read, agreed to.

Clauses 20 to 28, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

FIRE BRIGADES ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 6 November (see p. 2369) on Mr Tenni's motion—

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

Mr SMITH (Townsville West) (2.32 p.m.): The saga of amendment Bills in respect to fire services is starting to resemble the long-running radio serial *Blue Hills*. The Bill presently before the House is about the sixth in a few years. Because there have been so many revisions and amendments, the Act has become very difficult for a layperson to comprehend fully the purpose and effect of its many provisions. The time for a consolidation of the Fire Brigades Act is well and truly overdue. Previously, the Minister undertook to carry out that task. That seems to be a long time ago. The introduction of this Bill certainly reduces confidence in that consolidation being made in the life of this Parliament.

The Opposition accepts that a number of provisions in the Bill are of a machinery nature and are necessary owing to previous amending legislation now in force. Again, I remind the Minister that some of the amendments would not be necessary if previous legislation had been more adequate for the purpose intended. Some changes proposed by the Bill are not acceptable to the Opposition and will be opposed.

The Minister referred to the strengthening of central management functions and the development of specialised divisions but, at the same time, he introduces changes to fire brigade boards that would indicate that the Government is not prepared to bite the bullet, as other States have done, and bring all the fire services under a central authority.

The changes proposed in the Bill will do nothing more than provide jobs for people who are, in the main, National Party supporters and, at the same time, discourage the operation of some of the more progressive boards that have been prepared to show initiative.

It is the view of the Opposition that this State should be seeking to follow the lead of other States that have effectively eliminated local boards and developed a State-wide professional fire service with an accompanying career structure for its employees, which is overseen by a fire board or a board of commissioners drawn from round the State. Probably the latter one would be more suitable to Queensland because of its decentralised make-up.

This Bill effectively reduces the voice and the role of the insurance industry in the State's fire services, and strengthens the hand of the Government. Pehaps less concern would be expressed about appointments and the role of the Government appointees if the track record of the Government in other areas was less appalling. I do not necessarily refer to the Minister's portfolio.

Not only does this Bill make fire boards instruments of the Government but it also provides the opportunity for the Government to stack boards to an even greater extent than at present. I refer, of course, to the fact that not only does the Government choose four members of the seven-member board but also provision is made for the Minister to appoint the chairman, who is clearly the most involved and influential member of any board.

Any pretence about the democracy in fire brigade boards is in tatters. The boards will now be viewed as toothless tigers and totally subservient to the whims and wishes of the Government of the day. The illusion of magnanimity in allowing a board to elect its own deputy chairman is but a crumb that ought to be treated with the contempt that it deserves. On many occasions, this Government has shown that, if a quango does not

carry out the bidding of the Government to the letter, its existence is likely to be short-lived. The same applies to an individual member of a quango, such as the chairman.

I cite the example of the experience of the former chairman of the Townsville Harbour Board. It is quite relevant to this legislation, and is certainly very much in the minds of the people and representatives of North Queensland. In the case of harbour boards, the Government does not appoint the chairman. The chairman is elected by the other members of the board, which includes two Government appointees, as is presently the case in regard to fire boards. In that instance, for many years, Mr Bert Field, a Government appointee, had been elected as chairman by his colleagues because of his ability and his interest in the region. When Mr Field would not toe the line for the Government, particularly in the development of the casino, the Government solved the problem by not reappointing him, which, of course, meant that he lost the chairmanship. Another instance concerns the North Queensland Electricity Board. A provision prevented the Government nominees from becoming chairman of the board, and, for many years, the chairman of the board was a local government representative. Of course, after the 1976 Electricity Act was introduced, the position altered. That provision was removed, I believe, when the Government realised the potential political advantage to be gained in having the ability to appoint the chairman.

After the most recent local government election, Franz Born was tipped out as the mayor of Mount Isa by Tony McGrady. He was therefore ineligible to continue to serve on the North Queensland Electricity Board. The Government quickly solved that problem by making Franz Born a Government appointee to the board. Prior to that, he was elected by the council. As a result of a few less than subtle threats against some of the remaining members of the board about what might happen if Franz Born was not re-elected as chairman, not surprisingly he was.

Mr Tenni: No, they wouldn't do that.

Mr SMITH: I cite that as a classic example.

The current position is that a non-elected person who lives at the Gold Coast is the chairman of the North Queensland Electricity Board.

Mr Yewdale: That mob wrote the book on rorts.

Mr SMITH: As the honourable member for Rockhampton North says, the Government has got it down to a fine art. The example that I cited is one of the worst that I know of. In view of such incidents, the Minister can hardly expect the Opposition to agree to the changes that he proposes in relation to fire boards.

I turn now to the Minister's interest in the privatisation of fire services, and I wonder whether that has got anything to do with the delay in consolidating the Act.

Privatisation is an issue that has been used by certain Liberals at the Federal level to drum up some interest in their otherwise lack-lustre performance. It is interesting to note that at the Federal level, National Party representatives, including the National Party representatives in the Senate, have been very tardy in demonstrating support for proposals put up by the Leader of the Opposition (Mr Howard), because of the electoral backlash that might be created in the non-metropolitan areas they represent.

The Minister for Environment, Valuation and Administrative Services (Mr Tenni) has tried to convince the public that privatisation in the United States is the norm. I point out that in that country, the informed, professional opinion is that private services can be considered as an option—and certainly not necessarily a desirable option—only for communities with a population of up to 100 000. It is remarkable, therefore, that the main interest displayed by the Minister seems to be concentrated on privatisation of the Metropolitan Fire Board, which services a community of more than 1 million people.

Mr Milliner: The Minister really has not got his heart in fire brigades.

Mr SMITH: Let us hope that a better side of the Minister will be shown when he is put to the test.

Mr Prest: Which side would that be—backside?

Mr SMITH: Let us be generous today.

I suggest that, following a full examination of the advantages and disadvantages of privatisation, it is a trend that will die a natural death.

The Bill provides for employees to lose wages and generally suffer hardship as a result of the making of suspension orders. In other words, in the typical fashion displayed by this Government, presumption of guilt will replace presumption of innocence in industrial matters. That is certainly unfair. The fact that a similar provision may apply in another State award is not adequate reason for introducing a change of that nature into the industry in Queensland by way of this legislation.

The Minister must be aware that morale among officers and men in the fire service is rapidly declining. I remind the Minister that but a few months ago the reason given by him for the shortage of manpower and the low level of availability of staff was that 25 per cent of the staff were absent from work for various reasons. It seems remarkable that 25 per cent of fire brigade staff would be absent from work because of illness; nevertheless, that ought to have been a reasonable pointer to indicate to anyone that at the present time a serious problem concerning morale exists in the fire brigade service.

Another example of the Government's stand-over tactics is the automatic forfeiture of wages that would otherwise be earned for a period of suspension. That measure will do incalculable harm to the efficiency and morale of officers of the fire service, which is such an essential service in Queensland.

Some of the appeal provisions are also a matter of grave concern. It is generally recognised that the appeal process can be time-consuming, particularly when the process involves bringing a number of people together. Of itself, that is an excellent reason why wages should not be forfeited by employees during a period of suspension. It should be remembered that employees have no control over how long it takes to have the appeal process implemented and to gather all the necessary people together. The period that may elapse will run from the time that an officer is charged and the fine is imposed till the time when the appeal is under way.

I find the statement made by the Minister in the second-reading speech that "substantial legal argument can result in an appeal being decided on the basis of that argument rather than on merit" rather contradictory. If it is intended that a legal right will be supplanted by opinion, I regard that as being clearly unacceptable.

The Minister stated also that the proposed appeal board would comprise three members, that is, a member nominated by the Queensland Fire Services Association, an officer selected from a panel of names supplied by staff organisations, and a chairman appointed by the Government. In the light of that, it is significant that legal representation of the appellant will not be allowed.

Clearly, such a board is unacceptable for at least two major reasons. One is the requirement that staff organisations provide a panel of names, whereas the Queensland Fire Services Association is required to provide only a single nomination. That is discriminatory and, obviously, is not acceptable. The situation is no different from the Pat Field situation. The people of Australia showed at a referendum that they rejected the tactics of the Queensland Government in requiring a political party to submit more than one name to fill a Senate vacancy.

The Minister proposes also not to have a magistrate as the chairman. The chairman will now be a person of the Government's choosing. At the same time, the Government denies legal representation to appellants. The Opposition believes that a magistrate should continue to chair such boards.

The Opposition disagrees also with the proposal that appeals against promotion be heard by a single person appointed by the Governor in Council, again without the benefit of legal assistance. That is a totally one-sided proposal that, again, disadvantages the appellant.

Promotions are an industrial matter. I recommend strongly that the Minister reviews his stance on that subject. The total thrust of the proposed amendments is to undermine the rights of people in the fire services industry and, at the same time, increase the arbitrary authority of the Minister. If the Minister proceeds with these proposals, he will be introducing a negative factor in the development of a professional service. There is no evidence whatsoever that the proposals will increase efficiency, as is claimed; but, even if they did, the discarding of natural justice is too high a price to pay for any improvement that might be achieved.

The provision to extend portability of superannuation to administrative and clerical staff transferring between fire boards and the Minister's office was an obvious omission from previous legislation, and it must be supported. I accept the Minister's assurance that the rights of public servants will be protected.

It is appropriate to raise now the question of further anomalies. There have been instances in which staff have transferred from one board to another and have not had their removal expenses paid. I understand that the Townsville board, which really ought to be one of the more affluent boards, has declined to meet the removal expenses of at least two of its current employees. The ridiculous thing is that the board claims an inability to pay. If the Townsville board is in that position, just about every other board in the State could come up with a similar argument. That is totally unsatisfactory, and I ask the Minister what action he proposes to take in respect of it. It is serious and, I would have thought, contrary to his objective of making it easier for people to transfer round the State or seek promotion outside their own area.

I am advised also that service incremental payments could be lost as a result of a transfer. A person so affected could possibly lose as much as $25 per week. The Minister should deal with that in his reply, because I believe that that problem is not covered by the present legislation and was certainly not covered by previous legislation.

The provision to alter the basis of payment for services rendered outside the designated area is necessary. It is another example of legislation that should have been enacted earlier.

The clause providing for a chief officer to conduct inspections of commercial and industrial buildings is surprising, because it simply restores the position to what it was before the introduction of many earlier pieces of legislation.

I conclude by asking the Minister to make a clear statement on when the principal Act will be consolidated.

Mr WHITE (Redcliffe) (2.50 p.m.): I take this opportunity to speak to the Bill for the good reason that, in recent times, the States fire services, particularly those in the metropolitan area, have been criticised publicly and because allegations have been made about a decrease in manpower in a number of areas, especially in Brisbane. I shall be interested to hear the Minister's comments on those allegations, because officers of the fire services have expressed criticism from time to time.

Recently, the media reported public comments by Mr Bruce Wilkinson, whom I regard as being a fairly conservative gentleman, about the standard of equipment. It seems to me that at least one of the amendments in this legislation is directed, as it were, to shut up the people who are legitimately concerned about fire equipment.

Recently, Mr Wilkinson was charged for actions taken while performing his duty to protect his members' rights to have equipment of an acceptable standard of safety. As a consequence, that would involve the safety of the public. I understand that, since then, $70,000 had been spent on bringing some of the equipment up to standard.

I raise that matter for no reason other than that it seems to be a basic denial of the union's right, or the employees' right, to express concern. Representatives of both employee and employer associations quite regularly have comments expressing concern published in the media. In this instance, obviously, no political intent was involved; rather, it was a genuine concern about the standard of equipment. Before Mr Wilkinson knew where he was, he was charged. It seem to me that the heavy hand of Government descended on him. I understand that the charge has been heard and that a reprimand has been administered. I hope that an appeal is made on his behalf.

It is a denial of justice not to give people rights of appeal in matters of this nature. Under the present system, provision is made for suspension and/or demotion for specified periods. Such suspension and/or demotion can result in the loss of salary amounting to thousands of dollars.

The present system, under which a penalty is not imposed until after a verdict has been reached, follows the principle of a man being innocent until he is proven guilty. That is the very corner-stone of basic British justice. If a man is suspended without pay and is later proven innocent, he can suffer an enormous financial penalty that is not covered by the reimbursement of lost wages. For example, a man with a young family loses heavily if he is suspended for some considerable time without any other income.

I do not advocate for a moment that people who have been derelict in their duty should not have the book thrown at them. Nevertheless, under the basic system of justice to which, I hope, we still subscribe in this country, a man is innocent until he is proven guilty.

To add to the injustice, it appears from the Minister's speech that employees wishing to appeal against conviction will be denied legal representation at the appeal hearing, and that they will also be denied the impartial ear of a magistrate.

I know that professional people, and lawyers in particular, are not in fashion these days with some elements in the Government, but to deny people the right of legal representation is a basic denial of human justice. I find it hard to understand that a conservative Government, which uses rhetoric of subscription to tradition, values, the monarchy and our British system of justice, would want to deny people that basic right. Most honourable members would realise that I am not a strong supporter of the trade union movement, particularly of the militant trade unions.

Mr Comben: We had noticed.

Mr WHITE: On a number of occasions, the member for Windsor has criticised me for criticising unions. Nevertheless, they are a part of our life, a part of the system, and employees have some rights. I agree that, in recent times, the rights of unions have, in many respects, prevailed over the interests of the country. In a public service such as the fire brigade, which, over a period, has not been beset by industrial disputes—fire-fighters have not been militant and their leaders have been people with a conservative political bent—I find it hard to understand that legal representation at an appeals hearing will be denied to any fire-fighter charged with a breach of discipline, so that appeals will be decided on merit rather than legal argument.

Does that mean that there is no merit in legal argument? What is wrong with legal argument? It is part of our system. Members of this House who are members of the legal profession—all political parties have, within their ranks, one or more members of the legal profession and there is now one in the National Party—have, in the practice of their profession, presented legal arguments, possibly at the expense of the true merits of the case. Legal representation is allowed and, indeed, insisted upon for people accused of all sorts of offences, such as murder, arson, rape, child-abuse, grand larceny, fraud and even jay-walking, so why should it not be allowed in this case? It is available to every level of society from politicians to parking-attendants. The Minister's speech seems to indicate that legal representation is now to be denied to fire-fighters.

We are told that the current provisions are difficult to manage, and that appeals are costly and time-consuming. Perhaps the fire brigade budget cannot afford justice any

longer. I do not know whether it is a matter of costs, a matter of political ideology or a matter of bloody-mindedness. The new system could well prove difficult to manage because it will only increase the militancy of employees.

They are matters for concern. Principally, the Liberal Party is concerned about the basic denial of justice to these people, namely, the fire-fighters. Under the proposed amendments, they will be denied what I would regard as a basic right in our society.

Mr McElligott: Why didn't you argue that way in respect of electricity industry workers?

Mr WHITE: Over a period, the union movement in the electricity industry created a certain position, and that is the point to which I alluded. There is no doubt that, in some areas in which there has been a long history of militancy and of holding the public to ransom, the unions have brought certain things upon themselves, regrettable though it may be in some instances. In this instance, a group of people has not been holding the community to ransom. There has not been political activity. Indeed, a realistic and practicable approach has been taken by people who have been concerned not only about their jobs and conditions but, more importantly, about the welfare and safety of the public.

The other point that I raise briefly concerns the composition of the new board. Under the new system of fire brigade levies, one can understand why the Government wants to change the composition of the board. I would have thought that that presented the Government with a good opportunity to demonstrate a commitment to a reduction in the size of government, boards and authorities by reducing the number of board members. I find it hard to understand why local fire brigade boards need so many members, particularly in some of the smaller areas.

The Bill provides for the Minister to appoint one of the members of the board as chairman. That seems to be in line with the Government's approach of appointing people it desires as distinct from appointing local representatives. Recently, in my own electorate of Redcliffe, out of the blue a vacancy on the fire brigade board was filled by a gentleman who does not even live in Redcliffe and who has nothing to do with the area. When he was asked by the local media what his qualifications were that would entitle him to be a member of the board, it was discovered that he just happened to be chairman of a branch of the National Party up Caboolture way.

I have no objection to people of any political composition serving on boards, provided they are competent and have some expertise to offer. It is well known that, when I was in the Ministry, I appointed people of all political flavours to boards and instrumentalities under my authority.

Mr Comben: You would have drawn the line at the National Party.

Mr WHITE: No, I appointed some very good National Party people, and they have done a very good job.

I question the practice of appointing to boards people who have no expertise to offer. In this particular case, the gentleman to whom I have referred did not know where the fire brigade board was; yet he is a member of the board. I do not wish him ill, but it is ludicrous to take politics to that stage. The Government has virtually said to the 45 000 people on the Redcliffe Peninsula that no-one in the community is competent to serve on the local fire brigade board.

Mr MILLINER (Everton) (3.2 p.m.): I support my colleague the honourable member for Townsville West (Mr Smith) in the contribution that he made to this debate. I am disappointed that the Minister has not taken the opportunity to consolidate the Act, which I requested him to do some time ago. I am of the belief that the Act has been amended far too often, and it is a very time-consuming process to go right through it. I sincerely hope that, in the next year, the Minister will consolidate the legislation for the benefit of all fire brigades.

This Bill contains mixed and varied amendments. I have no problem with the machinery amendment that affects the trust funds. Given computerisation and modern accounting methods, it is no longer necessary to operate two trust funds, and it is only sensible that they should be consolidated into one fund.

I was also interested in the provisions relating to the reconstruction of various boards throughout the State. In his second-reading speech, the Minister explained that, because of the introduction of the fire levy, it is no longer necessary for the references to insurance company contributions to fire brigade funding to remain in the Act. He also said that it is appropriate to reduce insurance industry representation on fire brigade boards. However, I do not see why that representation should be reduced. Admittedly, the insurance industry will no longer make contributions, but it does have a vested interest in protecting the buildings it has insured. Insurance industry representatives would have a valuable input into fire brigade boards, especially concerning the problems that they run into when they insure buildings. Liaison between the insurance industry and fire brigade boards is needed in order to offer the maximum possible protection to buildings and their occupants.

In his second-reading speech, the Minister said that it is appropriate that the number of Government nominees on boards be increased. Once again, it is the same old story of stacking boards. The honourable member for Redcliffe (Mr White) has raised the matter of a person from Caboolture being a Government appointee to the board of the Redcliffe Fire Brigade.

Mr McElligott: Would you say that the member for Redcliffe has lit a few fires in his time?

Mr MILLINER: Yes, he certainly did light a few fires. They got out of control and he got his fingers burnt.

Mr White: At least the member for Redcliffe had a go.

Mr MILLINER: That is right, the member for Redcliffe did have a go. He caused a bit of drama and destruction round the place. That is another story, which I shall not go into today.

I certainly agree with my colleague the honourable member for Townsville West (Mr Smith) and support his contention that the Government should have taken this opportunity to bite the bullet on fire brigade boards. To have more board members than firemen, as is the case in some areas, is a joke. I have always supported the concept of having one authority to run fire services throughout the State.

I have personal experiences of problems caused by the overlapping of board areas. In about 1980, a wing of the Grovely State School caught fire. That school is located on the boundary of the Pine Rivers Shire Council and the Brisbane City Council and actually lies in the Brisbane area. The Arana Hills fire station, which is under the control of the Pine Rivers Fire Brigade Board, is in very close proximity to the Grovely State School. The Metropolitan Fire Brigade turned out to that fire while the men of the Arana Hills fire station sat on the top of the hill and watched the building burn. They were not turned out to that fire.

At that time, I raised that matter with the Minister then responsible for fire services (Mr Hewitt), who assured me that such circumstances would be overcome and that, if similar circumstances arose in the future, the Pine Rivers Fire Brigade Board would be responsible for turning out the Arana Hills firemen. Tragically, similar circumstances arose again in the area, and nothing has changed. A fire occurred at a house at Ferny Grove that was only approximately two minutes away from the Arana Hills fire station, which, again, was not turned out to that fire. I am led to believe that the fire units came from Enoggera, which is the closest Metropolitan Fire Brigade station, and a unit from Windsor also attended.

Mr Comben: Are you saying there was a fire tender at Windsor that night? That would be unusual.

Mr MILLINER: It was very lucky that one was there on that occasion.

I do not suggest that the Arana Hills brigade would have saved the property. Because I am not a specialist in that field, I do not know. However, the owners of that property have a right to be upset about the fact that the men at the closest fire station—in this case, the Arana Hills fire station—were not turned out to that fire.

There needs to be far greater co-operation between boards and fire services so that the closest fire tender available attends a fire. If the State had only one fire authority, those difficulties and problems would be overcome and the State would have a much better co-ordinated service.

I am also intrigued that one part of the Bill allows the Minister to appoint the chairman of a fire brigade board, but the board members remain entitled to elect the deputy chairman from amongst their number. The Government is setting up these boards but is saying to them that they are not competent to elect a chairman, that the Minister shall elect the chairman. Surely the members of any board should be competent to elect the chairman. This is yet another example of the heavy-handedness of the Minister.

I am concerned about that aspect of the Bill, because some time ago, a dispute arose in the Maroochy Fire Brigade Board. The long-serving chairman of that board was at odds with the Government. He had been appointed to the board by the Government. When his appointment was due for renewal, he was removed from the board. Because the chairman of the boards will not be game to stand up to the Government, for fear of being removed and having alternative chairmen appointed by the Minister, the boards will become toothless tigers.

I support the comments of the honourable member for Redcliffe (Mr White) concerning the suspension of firemen without pay when they are charged with an offence. The Minister is virtually saying to the firemen, "You are guilty until you have proven your innocence, and you will be punished." As the honourable member pointed out, many thousands of dollars could be involved. Even though the fireman might be reimbursed for his lost wages, I doubt whether he would be reimbursed for the other added costs that may be associated with his suspension. Nowadays, people are committed heavily to finance companies and the like with hire-purchase agreements. If a fireman does not have an income, he will not be able to meet his repayments and will have to ask his finance company to defer payments.

The interest rate charged on Bankcard is now about 21 per cent. If a person was not able to pay his Bankcard account in full and had to rely on its credit facilities, he would be paying interest charges of 21 per cent. Over a period, a substantial amount of money could be involved. As I said, it could take some time before the charge against the fireman was heard. If the fireman's salary was suspended during that time, as well as losing his salary, he could be forced to meet interest charges on purchases made prior to the laying of the board charges. It is outrageous that a person could be placed in that situation.

The honourable member for Townsville West (Mr Smith) referred to the authority of chief officers to enter premises. When the Act was amended previously, and when the fire safety officers were removed from the jurisdiction of the boards and placed under the Minister, I said that the system would not work. This legislation is an admission that that system has not worked. I believe that the authority will now be returned to its rightful place. The chief officer, who has local knowledge of what is going on in an area, should have the authority to enter buildings to carry out inspection of buildings for fire prevention purposes. As I said, that authority is now in its correct place.

In conclusion, I support the remarks of the honourable member for Townsville West, particularly his comment that the Minister should have taken the opportunity to bite the bullet and overhaul fire brigade boards.

Mr BOOTH (Warwick) (3.13 p.m.): Like those of some other honourable members, my comments on the Bill will be brief. I shall comment generally on the Bill and take the opportunity to mention a couple of matters that affect my electorate.

That the Minister has seen fit to upgrade fire brigades and introduce tighter controls is to be commended. He is placed in a difficult position. He took over the responsibility for fire brigades when their funding was being changed completely. He has had to be realistic. The boards also should be realistic.

The honourable member for Redcliffe asked some questions about qualifications of board members. I do not want to refer to the particular board member mentioned by the honourable member. One of the best qualifications for a board member is common sense. He should be a capable person and be able to carry out his job satisfactorily. I think that, in most instances, they do.

Mr White: You would agree that they should be local people?

Mr BOOTH: I said that I will not join issue with what the honourable member for Redcliffe said. However, I was careful to qualify it.

In my opinion, common sense is one of the best qualifications. It is no use appointing a person who is not know locally. It is best to appoint someone who takes an active part in the community.

I turn to the provision that the board will have only one insurance man as a member. I must say that I was little surprised at that provision. However, I am very pleased that one insurance man will be retained on the board because insurance companies have a vested interest in the prevention of fires. I would not have objected if two had been retained, but I am pleased that there will be one. That is in the interests of all towns, be they large of small.

The boards will comprise four Government nominees, one insurance man and three local authority representatives. Other members have said that, in their opinions, the boards are already too large. However, if four local authorities surround a town, it might be an advantage to be able to appoint a representative from the fourth local authority. I understand the power exists to do that if necessary. I will not labour that point. I turn now to the appointment of the chairman. The Government is making a good move. The chairman will not be appointed from outside; he will be one of the board's own number. Although I said earlier that stringent qualifications should be set for board members, I believe that a chairman should have some experience and knowledge of a fire brigade.

Mr Scott: It helps if he is from the right political party too, of course.

Mr BOOTH: I did not say that. However, I will say that, if people with common sense are being sought, I know from which party they will be picked. I will not take it any further than that.

I rose principally to speak about the manning of fire stations. Although my comments relate to my area, they would relate to many other towns. The Minister has seen fit to reduce manning in some areas. There are probably very good reasons for that. I do not say that the Minister has done anything that has really disappointed me. However, I will draw a few matters to his attention.

Because the two or three major roads leading into Warwick carry a great deal of traffic, a large of number of accidents occur in Warwick. I suppose it could be argued that it should not be the fire brigade that has to attend accidents and use life-saving equipment to get people out of motor vehicles, but that is the present position. Quite often, fire units are called out in Warwick for that purpose. That is unfortunate, and nobody likes it happening.

There should be a degree of flexibility and individual cases should be considered. In a town that has major cross-roads, additional board members may be necessary. The two major substations in the Warwick area are at Allora and at Killarney. As firemen

have to be trained at those stations, it could be necessary to increase the number of men at each station.

Population should not be the only factor considered. Each individual case should be considered on its merits. I hope that the Minister will be able to assure me that that will be the case.

The honourable member for Everton (Mr Milliner) mentioned that, occasionally, fire brigades cannot attend fires in a different board area. I believe that the Bill attempts to overcome that problem, and I certainly hope that it does. The fire brigade chiefs and deputy chiefs should bear in mind that the aim is to get a fire engine to the scene of a fire as quickly as possible and put the fire out. If a fire engine arrives at a fire within a few minutes of its breaking out, there is a much better chance of saving lives or property than if it arrives 20 minutes later.

In recent years, it has been my experience that when a fire breaks out in a dwelling, much more destruction occurs nowadays than was the case years ago. I am sure that all honourable members would be aware of that. Although I am not certain of the cause, I have been told by experienced fire brigade officers that greater damage occurs because modern houses are usually fully carpeted, or have floor-coverings of a kind that tend to burn quicker. Apparently, the only way to fight back is to make sure that the fire brigades fire-fighting equipment arrives more quickly at the scene of the fire than in days gone by. That being the case, I think that any co-operation that can be engendered between neighbouring fire stations to overcome the border problem will be of benefit.

Although my next suggestion is not provided for in the Bill—and I am not suggesting that it should form part of the Bill—I would like to see greater co-operation develop between bush fire brigades and the fire brigade service. In the area in which I live, the bush fire brigade provides an excellent service. However, it is true to say that a bush fire service could not provide the same kind of equipment or assistance as a metropolitan fire brigade service. A regular fire brigade service should go to the assistance of a bush fire brigade when it is called out to a fire, if that is at all possible.

I realise that in the second-reading speech made by the Minister, mention is made of a charge that will still be made by a fire brigade service for attending a fire that does not occur within a prescribed area. I realise that it is difficult to avoid imposing charges, but it seems to me that the charges have got out of hand. The Minister should remind fire brigade boards of the need for a sensible level of charges. I say that because nine times out of 10, when a fire occurs in country areas, people who are not even the owners of the dwelling on fire will call the fire brigade. Because of the problems associated with distance, the fire has usually destroyed the dwelling by the time the fire brigade arrives. I take this opportunity to draw to the attention of the Minister the matters that require his consideration.

I agree with the point made by a previous speaker, the honourable member for Everton (Mr Milliner), relative to inspections. Because local fire brigade chieftains have acquired so much knowledge of the area serviced by their fire brigades, inspections should be carried out by them on a regular basis with a view to the prevention of fires.

It is beginning to worry me that when a fire breaks out, the trees start to burn and the fire spreads very rapidly. That has been a feature of the outbreak of fires in the southern parts of Australia. In towns that contain residential allotments of 2 acres or more, it seems that the owners of dwellings like to have them surrounded by trees. The allotments resemble a park, and look great. However, I am concerned that unless control is exercised over the planting of trees, many homes will be destroyed when an outbreak of fire occurs.

Mr Tenni: That is dead right.

Mr BOOTH: I do not know what can be done about that, because trees that are planted near a house look very attractive. In my electorate, the climate is hot in summer and the trees provide excellent shade coverage. In winter, the trees provide very good

wind-breaks. Most people are inclined to fall for the idea of planting trees close to the home, but I think that consideration should be given to planting trees farther away from the home.

It is not my intention to bore other honourable members, and, because I have made the points I had in mind about manning, it remains only for me to say that I agree with the general purport of the Bill. The Minister has been very courageous in his handling of the fire brigade section of his portfolio. It is fair to say that most fire brigade boards are on side with the Minister, despite the fact that he has pulled them into line somewhat.

Mr KRUGER (Murrumba) (3.24 p.m.): I, too, will endeavour to be brief while making my comments, but the issues raised by the Bill need to be canvassed thoroughly. I turn my attention, firstly, to the fire services levy system that is in operation. From 1 July 1985 to 30 June 1986, problems arose in the Pine Rivers shire that are indicative of the problems that are emerging throughout the State.

I have a copy of the board's budget. The Group 1 figure shows that revenue of $28,240 was collected for 1 765 blocks of vacant residential land. In Group 2, which relates to houses, revenue of $867,600 was collected for 1 895 houses. I now turn to the commercial category. Only 15 lots are shown in Category 12, but the revenue was $276,000.

I have taken out a list of all the amounts that would have been collected by the Pine Rivers Shire Council under the new system. That system was altered following the stir over the collection of levies on commercial blocks. The total amount was $1,651,421.60.

Before going into the details relative to commercial establishments, I want to relate a complaint that I received from a gentleman who owns a shop. His premium increased from $100-odd to $350. I received another complaint from a gentleman in a similar situation. Because I had been told that the problem was to be looked at, I advised them not to pay. The second gentleman's premium was reduced considerably, but that of the first gentleman remained at $350. He asked why and was told, "You've got a bigger block of land." I do not know why the fact that that gentleman's block was larger than the second gentleman's—it was well mown—would mean that a higher premium would be charged. As a matter of interest, I point out that the first gentleman's shop was smaller than that owned by the second gentleman. The criteria laid down by the Government seem to me to be absurd.

The Pine Rivers Shire Council has now advised that there will be a rebate adjustment of $430,494.20 in the commercial area. That shows just how far off course the Minister was when he made his initial announcement. The 1985-86 collections by the Pine Rivers Shire Council on behalf of the local fire brigade board will be $1,224,427.40. The 1984-85 annual report of the Pine Rivers Fire Brigade Board shows that the actual expenditure was $1,195,164.49 compared with the budgeted figure of $1,240,396. It seems that the money collected by the Pine Rivers Shire Council will exceed the amount required to run the fire brigade board. I do not know on how many occasions that will occur——

Mr Tenni: Plenty of times.

Mr KRUGER: That seems strange when one considers that the Minister said in his second-reading speech that the fire brigade will be funded by the State Government and by the levies collected. I appreciate that. But if the Minister believes that more than the amount required will be collected "plenty of times", the State Government will be providing very little towards fire brigade operations. It is obvious that if sufficient local authorities collect more——

Mr Tenni: Many do not collect as much. It balances itself out.

Mr KRUGER: That still means that the State Government will not be paying out a considerable amount.

Mr Tenni: Two and a half per cent of the total budget—$8m, near enough.

Mr KRUGER: That is not bad, considering the amount of money that the Government wastes in other areas. I repeat that some local authorities will be receiving more money than is actually required.

One of the points that has concerned me since the change of regime and all the goings-on in the fire brigade is that the morale of the fire-fighters in my area has hit rock bottom. They used to be a happy group of people. I hasten to point out that I am referring to fire-fighters who work all over Brisbane but live in my electorate. I have not had one complaint from the men at my local station. I am not saying that my area is disadvantaged, but I have received a large number of complaints from fire-fighters living in my electorate who work at Wynnum, Nudgee, Brisbane or wherever. I am worried about the general low morale in the fire services. The Government will have to try to overcome the problems. I hope that when the amendments come into force, they will take care of some of the problems.

Mr Ahern: They are disillusioned with their local member, I think.

Mr KRUGER: If the Minister had been listening, he would have heard that the local firemen do not have problems, but that the officers who live in my area and work in other areas do have problems.

Mr Prest interjected.

Mr KRUGER: They have to move round, but they always come back to live in my electorate because they know how well they will be treated.

The Minister told us—

> "Because of the greater demands now being placed on boards to ensure effective administration and management of the fire services, it is also appropriate that the number of Government nominees on boards be increased."

The Minister is virtually saying that, because the Government has had nothing to do with appointing the people elected to local fire boards in the past, they have not been effective. That is a slur on the intelligence of people who have done a great job. I might say that the local-authority-nominated members of the Pine Rivers fire brigade are a mixed kettle of fish in political terms. However, they have done a very good job. The former chairman, who recently passed away, did a wonderful job in organising the board. He told me before he died about the problems that he had with former Ministers and the present Minister in trying to get sanity into the operation of fire boards generally.

It seems to me that appointment of the chairman by the Minister is not usual. Certainly I do not think that that is necessary. The people on the boards usually adopt a sensible approach and do the right thing without Government interference. That is what it really boils down to.

The Minister also told us—

> "The revision of the system of funding of fire brigades has necessitated alterations to the basis for charging for service by fire brigades."

He then went on to speak about prescribed areas.

Today, I want to bring to the attention of the House the problems that can occur. I want to warn the people of Queensland of the problems that have occurred since the change in the approach by insurance companies to designated areas.

When the Minister introduced this legislation, his photograph, showing him without a hat, appeared in the magazine *Turnout* in June 1984. At that time, he spoke of the levy to be paid on insurance of $50,000 for a house plus $20,000 for the contents, making a combined total of $70,000. He said that under the old scheme the $70,000 insurance would attract a fire levy of $77, but that under the new scheme it would attract a levy of $48.

I was in a designated area, but not connected to a reticulated water supply. When the new scheme came in, the local authority decided that the reticulated area would be

the prescribed area. That meant I was living outside the prescribed area. I inquired from my insurer and was told that if I was insured heavily enough I would be covered, and could claim the cost of fire-fighting.

I have here a great deal of documentation, which I will not detail, but if the Minister would like to see it, I will be quite happy to show him exactly what takes place.

When I spoke to the Insurance Council, I was informed that the situation was quite clear, namely, that I could collect if I was sufficiently insured.

Most people insure for about seven-eighths of the value of their properties, and that gives them full insurance at the time of settling an insurance claim after a fire. If a house and contents valued at $70,000 are insured for $70,000 and are destroyed in a fire, the owner is still a few thousand dollars behind, because he has no insurance left to cover the cost of fire-fighting. I have tried to tell the insurance companies that, to cover such a situation, they should include a clause which clearly states that X amount, be it $2,000 or $3,000, of the insurance cover is set aside for fire-fighting costs. It might cost an additional $2 or $3 a year.

Mr Tenni: That is a good idea.

Mr KRUGER: It is very important that that be done. On most occasions when a house and contents are destroyed by fire, the owners find that they have insufficient insurance cover to pay the fire-fighting costs. They have enough problems as it is, but they have the further worry of the fire costs of $2,000 to $3,000, which could easily be covered.

The insurance companies should include a clause in their policies to cover that matter. The Minister is nodding his head. I ask him to talk to his advisers about the matter. It does not involve a great number of people in the State. It involves only those people who were covered but are not now covered.

I spoke to a gentleman who was selling insurance for the company with which I deal. He said that, in the past, people in areas in which water was not reticulated—even though they were prescribed areas—were not charged the fire brigade costs. Some companies said that people would be able to collect insurance to cover the costs, and other companies said that that was not on. There is confusion and the position should be sorted out.

The Government should either introduce legislation or apply pressure on the insurance companies to adopt a uniform approach to overcome the problem. As I say, the only way that I can see to overcome the problem is for the insurance companies to include a special clause for people outside the prescribed areas.

Mr STEPHAN (Gympie) (3.36 p.m.): I have much pleasure in joining in the debate. I appreciate the co-operation that the Minister and his department give to me. I have had quite a deal of correspondence with the Minister about the new categories of fire levies. Perhaps I have given him a little work. Be that as it may, I am not convinced that I have received the correct answers in all instances. Some anomalies still exist in the fire levies. I look forward to receiving continued co-operation in that matter.

This afternoon, I listened with interest to the speeches of a couple of Opposition members. The member for Murrumba (Mr Kruger) said that he is looking for co-operation between fire brigade boards. The honourable member for Everton (Mr Milliner) referred to co-ordination of fire brigade boards. I do not know what is happening in some of those areas.

Great co-operation exists between the Gympie Fire Brigade Board and the bush fire brigade that operates close to Gympie. They have been able to communicate satisfactorily with each another.

The bush fire brigade has the wheelbarrow ahead of it when it comes to controlling fires. When fires break out, members of bush fire brigades are not always available. For that reason, I am keen to see co-operation between the Gympie Fire Brigade and the

bush fire brigade. Problems arise when a large fire breaks out and it is fanned by a hot north-westerly or north-easterly wind.

I am concerned about the collection of moneys outside the prescribed areas. That problem has worried me for a long time. I hope that these amendments will help to overcome it.

When fire brigades are called out, it is often difficult to determine who made the call. When people see a puff of smoke, their first thought is to call the fire brigade. When it comes to paying the bill, the owner of the property says, "It is not my responsibility. I did not call the brigade. I had the fire under control when the brigade arrived. It was so-and-so down the street."

The person who made the call may have just been driving past and had no connection with the property, and that has been a very real problem. I understand that, in some instances, the brigade will not turn out unless the secretary or an officer of the bush fire brigade makes the call. As a result of this Bill, some of the problems will be overcome and greater co-operation will result.

I note also that the personnel on the boards are to be changed. Presently, boards comprise two Government nominees, two insurance representatives and three local authority representatives. The composition of the boards will now be four Government nominees, one of whom shall be nominated by the Insurance Council of Australia. I support the member for Warwick, who said that insurance companies have a vested interest and, for that reason, the insurance industry is entitled to have a representative on the board. It is also sensible that three local authority representatives be members of the board, because, in some parts of the State, a fire brigade board may service more than one local authority area.

I compliment the Minister for giving recognition to board members and fire brigade officers for outstanding service. The awards that have been made in the last 12 months have been particularly well received. At one time, years of service were not recognised, and the awards, which do not involve much money, are a good way of recognising the service and pride of the officers.

Fire brigade boards have a great deal of pride in their work, and that is shown in the condition of the equipment. The trucks have hardly a speck of dust on them, and one could certainly not find any spots of rust or grease. From time to time, the media suggests that the boards let the equipment run down to a very low standard. I am sure that the only equipment in poor condition would be an old vehicle at the back of the board's premises that is very rarely used. I know from my own experience that the equipment is kept in particularly good order, and I would be proud to drive the cars, utilities and trucks home. The equipment will provide good service for a long time to come. I am surprised that the media would make a point of mentioning one rusty vehicle, because I know that there only a few in that condition.

I turn now to discuss the difference between fire prevention and fire protection. The Fire Brigades Act charges fire brigade boards with the responsibility to carry out fire-prevention work. Chief officers of brigades have the authority to enter certain public buildings, such as hotels, boarding-houses and theatres, to check for breaches of legislation relating to protection from fire. A chief officer does not have authority to enter the same buildings to carry out an inspection in relation to the prevention of fire. It is important that chief officers have the authority to conduct inspections of buildings, other than private dwellings, for the purpose of preventing fires, so this amendment is welcome. Fire-prevention inspectors must ensure public safety in their district; that is of paramount importance.

A number of fairly old buildings often do not have external fire-escape ladders. One can only wonder what would happen if a fire broke out in one of those old buildings and went through it like a box of matches. There would be a great possibility of lives being lost.

Earlier, I mentioned problems connected with funding and the collection of funds for work done outside brigade areas. The move away from an insurance-based funding system removes the basis of charging for services to uninsured properties. The Bill will allow brigades to charge for services provided to the owners of property other than prescribed property in respect of which a fire service levy has been paid or is due, and for all services rendered outside a brigade district. That is a step forward.

I see a slight problem with the anomalies in the different categories of fire levy. Some work needs to be done on them. Judging by the letters of complaint that I have received and judging by the correspondence that the Minister has forwarded to me, the problem is receiving careful consideration.

I commend the Minister on the introduction of the Bill and I wish him all the best with it.

Mr GOSS (Salisbury) (3.46 p.m.): I wish to speak to two aspects of the Bill. The first relates to the reconstitution of the appeal board and the right to legal representation before that board. I support the comments that have been made by the Opposition spokesman about the retention of appeals being heard by a magistrate and the retention of the right to legal representation.

I know that, in his second-reading speech, the Minister referred to appeals being decided on the basis of legal argument rather than merit. It is fallacious to suggest that the two courses are mutually exclusive. Honourable members should recognise that the sorts of hearings that are involved—there is a range of them—can have very important consequences for the individual concerned. In those circumstances, people should be entitled to reasonable representation. Many people are not able to represent their own position fully, even though some may think they can. It is important that they have somebody objective to argue their case and protect their interests, if they so choose. It is not compulsory, but they should have the right. I do not know the position in relation to other lay representation. Could the Minister tell me if there is provision for lay representation?

Mr Tenni: No, there is not.

Mr GOSS: I take it, then, that there is no provision for representation at all. If there is no representation at all, that is a very poor state of affairs. I reaffirm the argument that, from the Opposition's point of view, there should be the right to legal representation. I am sure that the new member for Redlands (Mr Clauson) would join with the Labor Party in upholding the rights of citizens to be represented in these circumstances where the results of the hearing could mean so much to them. I am sure that the member for Redlands would agree that it is highly desirable that if they wish to exercise that option, people are entitled, as of right, to the services of people such as himself.

The other aspect that I wish to raise relates to safety inspections of fire brigade equipment. They are most important because the highest standards are required to ensure that equipment has the highest possible safety level. In the last year or so, this State has witnessed the exposition of inadequacies in the fire services. Probably they are partly due to inadequate funding. This is not an area in which I claim any great expertise, but the suggestion was made to me last week by a constituent that, in recent times, problems in safety inspections of equipment have arisen, particularly in Brisbane.

The Minister can clarify the following matter in his reply. It was suggested to me that, until recently, the safety inspection section of the Department of Employment and Industrial Affairs carried out safety and machinery inspections on fire brigade equipment. I was told that recently there had been a decision—I do not know from where it emanated—to discontinue the inspections of——

Mr Tenni: That is not right.

Mr GOSS: I will go a little further. The reason was that the department had staffing problems. I understand that the Department of Employment and Industrial Affairs used

to carry out the inspections as a service, and, I would think, rightly so. It would perform or supply the service, which is a necessary service. The obvious people to do the inspection would be the officers of the safety inspection section. It was suggested to me that, because of staff shortages, the department had stopped carrying out inspections. If that is true—the Minister says that it is not—there would be serious repercussions.

As I said, if such a decision has been made, I do not know from where it emanates. I understand that it was put to the fire brigade boards that if they wanted inspections carried out, and as they could no longer be carried out because of staff shortages, the inspection department would carry out the inspections after hours and would require the fire brigade boards to pay a fee to have the fire brigade equipment inspected.

The Minister said that the initial suggestion that safety inspections had ceased—it was put to me by a constituent last week—is quite wrong. I understand that the issue is twofold. Firstly, it was suggested that the inspections could not be carried out; later the department said, "Look, although we cannot do them because of staff shortages"——

Mr Tenni: We have sorted it all out. I will tell you about it later.

Mr GOSS: I would particularly like to know what happened, because it is a serious matter. Is it true that inspections are to be carried out and paid for by the fire brigade board? If so, what is the cost.

Mr Tenni: No.

Mr GOSS: The Minister is indicating quite strongly that that is not correct. In those circumstances, I will wind up. I look forward to hearing the Minister's reply.

Rather than go through the matters in detail, I will mention them briefly. If someone is being paid to carry out the inspections, I would like to know how much he is being paid and where the money is coming from. Is the money coming from a special allocation from the department, or must it come out of the existing budget? If the inspections are being paid for out of the existing budget, out of what item in the budget are they coming? It may be that there is a special allocation in addition to the standard budget that is being extended by the Minister's department. If that is so, I would be pleased to hear about that.

In any case, I would be interested to know what the problem is and why there should be such a problem in the Department of Employment and Industrial Affairs. It should have sufficient staff to carry out the most important work of safety inspections. If that department does not have sufficient staff, it is a poor reflection not on the Minister for Environment, Valuation and Administrative Services but on the Minister for Employment and Industrial Affairs (Mr Lester).

If there are insufficient safety inspectors to carry out the work, the potential for a disaster or tragic incident is obvious to all members. That is something that should be corrected without delay. If inspections are not taking place, it is not good enough for the Minister for Environment, Valuation and Administrative Services to make up for that inadequacy by providing extra funds or for the brigade to take the money from some other part of its budget to pay for inspections.

As I said, it was put to me that this is the situation in Brisbane. The Minister will explain the position. I would be pleased and reassured if he could make reference to the situation outside Brisbane, about which I know nothing.

Mr SCOTT (Cook) (3.54 p.m.): I have a brief contribution to make to the debate on what should be important legislation. The Bill is garden-hose legislation in an area in which something much stronger and more wide-ranging is required. All honourable members have said that fire brigades are most important.

An integral part of fire brigade operations seems to be the operation of an entity called a board. It is time that the role and the structure of boards were examined more closely.

Some quasi-Government organisations in this State operate with boards and others operate without them. I cite the example of hospitals boards. In this day and age, one wonders about the role of a board, particularly a board that comprises four Government members and three or four so-called elected members. Unfortunately, I have never had the opportunity of sitting in on the deliberations of a board, either a hospitals board or a fire brigade board. I certainly had a bit to do with the operation of regional electricity boards. However, that is a different entity. The general opinion round the countryside in which I travel is that boards today are simply a rubber stamp, a means of adding some legitimacy to the operation of a very important organisation.

The Government does not have the courage to bite the bullet, so to speak, and to institute some form of centralised control. That is a shame. The Education Department, which is a very important department, operates without the control of a board. The same applies to the Police Department. The responsibilities of those organisations and the way in which they carry them out is a matter of opinion. However, I believe that the Police Department, with a regional type of control under a police superintendent or deputy commissioner, works quite well. The same can be said of the Education Department, which has a regional director and a series of officers, with direct control from Brisbane at a high level.

My point is that those organisations consist of people who are experts in their field. Apart from the innovation of employing clerks, who are generally female and unqualified, the whole operation of the Police Department is conducted by trained policemen. Quite often, their talents are misplaced and their education is not appropriate for the particular role that they play.

The Education Department is in exactly the same position. The Government has not yet got round to bringing in outsiders. I know that the Government has been toying with the idea. Perhaps one day, if this Government remains in office, that will occur. The Education Department is run by educators, by qualified teachers. The aim is to have, as far as possible, people with higher qualifications than the ordinary diploma of education.

The same could be done in relation to fire brigade boards and, quite possibly, the Health Department, although I would not welcome the running of the Health Department by a group of doctors and nurses. It is a distinct possibility—and it should be investigated—that the fire brigade system in this State will be run by firemen who are promoted up the ladder. Those firemen would have basic experience and would aim at qualifications that would assist them in their jobs.

I am concerned about a very large area of this State that is not covered by fire brigade boards. I refer to Aboriginal communities. I would like an indication from the Minister as to whether he has thought of the possibility of establishing far better fire brigade services in Aboriginal communities. The Minister knows well that his Government claims that Aboriginal communities are now local authorities. That statement is always qualified by a statement to the effect that they are not total local authorities but that, in the eyes of the Government, they are close to being local authorities.

In my view, Aboriginal communities are a long way away from being local authorities. Once again, the Government has not had the courage of its convictions and it has not been prepared to implement the type of legislation or structure that is associated with a fully fledged local authority.

Mr Ahern: But you approve of the general direction in which we are heading?

Mr SCOTT: Yes. I have stated that publicly and in this Chamber. I do not back away from that.

The Government half does things. It starts at the middle of a problem and ignores each end. In this case, the Government is certainly ignoring the safety of the large number of houses in Aboriginal communities. A reading of the Community Services (Torres Strait) Act reveals that fire services are relegated to one word under the reference to the duties of policemen. Aboriginal and Islander policemen are untrained even in normal police procedures. They have been given virtually no training at all. A small group of policemen on Thursday Island have been given a bit of training by conscientious police officers more or less off their own bat. As far as I am aware, nothing has been done in Aboriginal communities in that regard at all.

Aboriginal and Islander police officers have duties that pertain to fire services, so they are also fire officers. That is a totally ridiculous state of affairs and, in this regard, the Government has been absolutely remiss.

I realise that the Minister prides himself on the role that he has played as the Minister responsible for the provision of fire services in Queensland. He has brought a fresh, if not proper, approach to the administration of fire brigade boards. It is certainly true that he has taken an interest in it, and I am certain that he will give consideration to the situation that exists in Aboriginal and Islander communities.

I advise Mr Tenni not to accept the word of the Minister for Northern Development and Aboriginal and Island Affairs (Mr Katter). I notice that Mr Katter has seated himself next to Mr Tenni so that he can give Mr Tenni the drum on what to say to me in reply. Mr Katter does not know very much about Aboriginal communities, so Mr Tenni would be leaning on a very weak branch of knowledge if he took heed of Mr Katter.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member for Cook is straying from the subject of the Bill.

Mr SCOTT: I defer to the judgment of the Chair.

The point is that nothing has happened that would provide for adequate fire services in Aboriginal and Islander communities, and the Minister is the Minister for Northern Development and Aboriginal and Island Affairs. If I claim that that Minister is not doing his job properly——

Mr DEPUTY SPEAKER: Order! There will be no argument with the Chair. I have directed the honourable member for Cook to return to the subject-matter of the Bill. He should not argue with the Chair as to whether his remarks relate to the subject-matter of the Bill or not. I have ruled that his remarks do not relate to the provisions of the Bill.

Mr SCOTT: Thank you for your advice, Mr Deputy Speaker.

I point out that no fire services are provided in Aboriginal communities, and the responsibility for that omission lies directly at the door of the Minister for Northern Development and Aboriginal and Island Affairs. I would like the Government to do something about the problem. However, I am happy to take the advice proferred by the Chair if it is thought that the matter is not relevant to the debate on fire services.

Mr DEPUTY SPEAKER: Order! The Minister in charge of the Bill is the Minister for Environment, Valuation and Administrative Services.

Mr SCOTT: I am happy to confine my remarks to the Bill, as you have directed, Mr Deputy Speaker. I do hope, however, that, as a result of my few words on the subject, something positive will happen and a better service will be provided for those communities.

I would appreciate hearing from the Minister about his plans for the Thursday Island Fire Brigade Board. I wrote to him and suggested that another board be established. Despite the fact that I do not support the operation of boards, I accept that that is the way that fire services are administered in Queensland and, that being so, boards should administer the fire services on Thursday Island. If the Minister believes that fire services

on Thursday Island are not being properly administered by the Cairns Fire Brigade Board, another board should be established.

The Minister made earlier statements that have worried people on Thursday Island. His comments sapped the confidence of the people who live in that community and are protected by a small but quite efficient fire services operation. The Minister publicly suggested that the provision of fire services on Thursday Island should come under the control of the Department of Community Services. I should imagine that, subsequent to my suggestion being made, the Minister for Northern Development and Aboriginal and Islander Affairs would have sat beside the Minister in Cabinet and said, "What are you doing, mate? Don't land us with the responsibility of running fire services on that island."

The provision of an adequate fire service is an important aspect of government. Again, the Queensland Government has been remiss. The statement made by the Minister created deep concern about the future of the fire service that was provided on Thursday Island. Time has passed, but nothing has been done, so I would be pleased to hear the Minister's comments. I note that he has a smile on his face. Apparently something has been done, and I hope that that is the case.

Mr PREST (Port Curtis) (4.3 p.m.): I am pleased to address some remarks to the Bill to amend the Fire Brigades Act. In my view, some of the amendments will have a very detrimental effect on the provision of fire services in this State but, more importantly, its detrimental effects will flow on and effect the morale of fire officers.

Since the Minister took up his portfolio, he has displayed nothing but a provocative attitude towards fire brigade officers. The Bill reflects his intention not to relent. The provisions will take away the rights that officers have enjoyed for a long time.

I have referred to provocation from the Minister, and I inform the House that, earlier this year, he visited Gladstone to open a Sunmap office three times during the last 12 months.

Mr Tenni: What was that?

Mr PREST: The new building in Oaka Lane was opened twice, and the then Minister opened another Sunmap building in Goondoon Street.

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest that the honourable member speak about fire brigades.

Mr PREST: I am just trying to show how the Minister gets lost unless he has a map. He does not know where he is going. The same applies to his control of fire services in this State. Fire-fighters do not have a clue where they are going. I do not blame the Minister alone for the problem; it is caused partly by the calibre of the advisers he employs.

At the opening of the Sunmap office, the Minister said that firemen in Queensland should all have concrete boots and be put in the ocean—meaning to say that they should all be drowned. He said that that would be the best place for them. I am certain that provocation of that sort is the reason why so many long-serving officers in the fire services are submitting their resignations. They have decided that they cannot depend on the future of the fire services in this State under the control of this Minister. At a dinner held during the Local Government Association conference, I heard it said that the Minister talks a lot but that he does not know what he is talking about.

I now turn to the Bill, in which the Minister again attacks firemen. It removes the right of the fire-fighters to appeal to a magistrate. Offences involving a small fine will be heard by a person appointed by the Minister. That is unjust and unfair. I am certain that fire-fighters will not have their rights upheld or receive the attention they deserve as they did when they had the right of appeal to a magistrate. Major offences involving fines of over $30 will be heard by a tribunal of three. The chairman will be appointed

by the Governor in Council, one member will be nominated by the Queensland Fire Services Association—another puppet—and the third will be selected from a panel of names submitted by the staff organisation. Again, the Minister or the Governor in Council will decide the selection of two of the three wise men on the board. Members can be assured that a fire-fighter will have to have an open-and-shut case in order to win an appeal. Similar changes have been made to the tribunals dealing with police appeals, railway appeals and other appeals.

Mr FitzGerald: They are going very well, aren't they?

Mr PREST: Fire-fighters are being asked to put their faith in such a board, which the honourable member says will work as well as other boards.

Having been involved in a railway union for 30 years, I can assure the honourable member that it took a very select person to achieve a three-nil result at an appeal hearing. Usually the vote was two to one, for or against. Yet this legislation provides for the setting up of a similar board to hear the complaints of fire-fighters in this State.

I have already referred to the Local Government Association conference held in Gladstone this year. In his address to the conference, the Minister said that if the Labor Party gained power it would dismantle or do away with boards. What does this legislation do? What rights does it take away from boards in Queensland? The boards will be stacked. The Minister said that the composition of a standard board will be altered to four Government nominees, one of whom is nominated to the Minister by the Insurance Council of Australia, and three local authority nominees. One of the Government's nominees will be the chairman. I cannot find any mention of a representative of the employees. Without doubt, the four members nominated by the Minister will be National Party puppets or ticket-holders. The new scheme will not work in the best interests of the fire services.

The Government's idea is to take over all boards and statutory authorities in Queensland, do away with the majority of elected representatives, and stack the boards with Government appointees. It would be bad enough if we had only Government nominees, but when the members lose their right to elect their chairman, that will put the Government at the bottom of the barrel. If the Minister thinks he is acting in the best interests of the fire brigade boards and the fire services throughout the State, he is very much mistaken. Opposition members should be opposed to these amending provisions.

I agree that the fire brigade chief officers should have authority to inspect buildings other than private dwellings. Furthermore, if a chief officer believes that a private dwelling is a fire hazard, he should have the right of inspection. The first obligation on a fire service is to protect life and property. The chief officer should have full knowledge of all properties in his area. As well as having the right to inspect industrial premises, the chief officer should have the right to inspect large industrial complexes that have their own brigades. No-one can tell when such complexes may have to call for assistance from the local brigade. The chief officer should be familiar with the fire equipment in the big complexes, otherwise the local brigade could be called to the complex and not know what equipment is available. What is provided is sensible, but it should go further.

When chemicals and flammable goods are stored, the brigade and the local authority should be notified. Because of chemicals stored in premises, too many fires are dangerous to firemen. I understand that in Western Australia, if a building contains certain materials, a notice has to be displayed in a prominent place. The Queensland legislation is long overdue in requiring the display of such notifications.

The local government conference was told that the first stage of the fire services levy is working well, but that the second phase is still at the hit-and-miss stage. I was hoping that before this session of Parliament ended I would be able to ask the Minister about the number of commercial enterprises in each category and the amount of money being collected.

Recently, the Minister said it was significant that the property fire levy for homes and home units this year had not risen one cent over the levy for the previous year.

That is so. The annual report of the State Fire Services shows a surplus of almost $3m. Why should the levy be increased, particularly when, under stage 2, there will be many more subscribers? We were told that many industries that were not insured in Queensland, and therefore were not subscribing to the fire service charges in this State, will now be caught in the web. Therefore, the levy should not be increased. In fact, considering that there was a surplus of almost $3m last year, the levy should be reduced.

Local authorities refer to the fact that many new buildings are being constructed and many new subdivisions are being established in their areas. Therefore, a great deal more money will be collected from categories A, B, C and D under stage 1. That money should be sufficient to meet the additional cost of providing fire services in this State.

On 22 May 1984, the Minister said that the Government might sell the fire services in Queensland. At that time, the fire officers claimed that the Government was putting money before safety and that short-cutting measures could cost lives. Their first consideration is the saving of lives; their second consideration is the protection of property. Again, the Minister was provocative and accused fire officers of using scare tactics to try to create a public panic over false claims about safety problems.

One year and five months later, the Minister has come out with the same story, saying that fire services should go private. There has been talk about the privatisation of banks and airlines, so the Minister has jumped on the bandwagon. He said that Phoenix, Arizona, which has a population of four million, has a fire brigade staff of only 100. Writers of press articles stated that they did not know where the Minister got his figures from. On 27 October 1985, a press report stated—

> "Administrative Services Minister Martin Tenni would be well advised to start doing a little more research himself.
>
> Last week, he was quoting Phoenix, Arizona, as having a population of 4 million and a fire brigade staff of 100.
>
> The 1984 copy of the Fire Protection Directory puts the population at 690,000 and the fire brigade at 800.
>
> I guess an all-expenses paid trip to Phoenix, footed by the taxpayer, would enlighten Mr Tenni."

I do not think that one trip would enlighten him very much.

The author of the "Day by Day" column in *The Courier-Mail* did not believe the figures that the Minister gave. He said that the firemen of the Brisbane Metropolitan Fire Brigade were not really impressed with the statement that the Minister had been making about selling the brigade. They erected a sign, which said, "For Sale. Tenni Realty". The author of the column stated that the 1985 editions of *The World Almanac* and *World Book Encyclopaedia* both agree that the city has a population of 764 911, with a metropolitan area population of 1 500 000. The Minister was a long way out in his figures.

The *Daily Sun* editorial stated that it may be a good thing to sell Queensland's fire services, but not at the expense of safety. It suggested also that it is time that the Minister and others decided to pull together and have a little bit of respect for the services.

A person buying the fire services would want a profit. If the services were sold, fire costs would not be reduced; to the contrary, the costs of running the fire brigades would increase. More importantly, not only would the costs be increased so that the profit would increase, but the owners of the fire services would try to cut corners and safety would go by the board.

The attitude of the Minister to his employees causes concern. Those officers who have given years of service to the brigade should be given consideration. In addition, the brigades should be able to work in harmony with the Minister and his advisers. Because the officers are experienced in the service and know of the problems that are encountered, they should make most of the decisions or, at least, advise the Minister.

It is no use buying a cow if one intends to milk goats. If a person wants to run a dairy, he should stock it with the best cows and make sure that the milk is of the highest quality. The same can be said of fire services. Queensland needs the best firemen available, and the Minister should consult with them more often. In addition, the Minister should have more compassion and a greater understanding of the problems faced by the service. When that happens, the morale in the fire services will improve and the work-force will be more stable.

Mr DEPUTY SPEAKER (Mr Row): Order! I call the Minister for Environment, Valuation and Administrative Services.

Mr INNES: Mr Deputy Speaker——

Mr DEPUTY SPEAKER: Order! The honourable member for Sherwood does not appear on the Whip's list, and when I called the Minister, the honourable member was not in his seat.

Mr INNES: I gave my name to the Government Whip.

Mr DEPUTY SPEAKER: Order! I will give the honourable member the call.

Mr INNES (Sherwood) (4.24 p.m.): The first matter that I wish to raise concerns the sufficiency of fire services in the metropolitan area. I had the pleasure of attending the opening by the Minister of a new fire station on the Centenary Estates in my electorate. At the moment, that area has 6 000 or 7 000 houses, and the new fire station is well and truly justified. I am grateful to the Metropolitan Fire Brigades Board and grateful to the Minister for the provision of those services. With that, I have absolutely no complaint.

Approximately two-thirds of my electorate is an older established area with many old Queensland-style wooden houses on stumps. There are many, many such houses, some of them up to 100 years old. In that area there has been a reduction in fire protection cover. The Corinda fire station was closed and the services covering the Corinda area were transferred to the Rocklea station, which is not in my electorate and which was designed for two units but is currently operating with one.

Parts of my electorate have access to the Oxley fire station. An appliance from that station could get down as far as Corinda within five to 10 minutes. That station had two units but is currently reduced to one. In short, what I am saying is that the fire services covering my area have been reduced. Neither of those fire stations is in my electorate, yet they are the stations that the greater part of the older, established area of my electorate has to rely on. If my information is not up to date, I would be grateful to have the Minister give me the correct information. However, as I understand it, Oxley and Rocklea fire stations have one unit each.

The Oxley fire station has to cover a wide area, including the Inala area. The decision to close the Corinda station, which was basically surrounded by a residential area, and move it to Rocklea was made because that gave closer access to a vast number of industrial facilities, such as paint factories, some of which certainly contain highly flammable and combustible material. I am a little less interested in paint and combustible materials than I am in the protection of house-holders. What I see is a reduction in the fire services covering an area that is particularly prone to quick damage by fire, being a large and densely populated area with many old wooden houses.

In my letter of objection to the closure and removal of the Corinda fire brigade—which was done entirely on the grounds of manning and not on the ground of fire safety; the dominant thing was rationalisation—I set out not only that the area is densely populated with many wooden houses but also that there are aged persons' facilities in the area, some of which themselves are in old colonial houses.

I instance the Bethesda Hospital for Sick Aged, which is located in a historical house on top of the bluff at Corinda. It cares for bed-ridden aged persons. That hospital is now further from fire protection than it was four or five years ago.

I have brought this matter up before and I will persist with it. The reason I do so is that I strongly remember, at the time of the Supreme Court fire, getting to know George Healy, the then fire chief, and talking to him about the problems of fire-fighting. He told me that if a brigade does not get to a fire in a wooden house within two to three minutes, it has gone. All the brigade can do is hose down the houses next door—that is, if it gets to the houses next door in time.

Mr Scott: If you are not in a prescribed area, you still get the bill.

Mr INNES: Yes.

In the last three years, two houses have been completely gutted by fire, one at Corinda and one at Graceville. After a fire in a wooden house, all that is left is the outer shell. The interior is gutted. If people are trapped inside, no doubt they will be killed by the intense flames and heat. In the case of the fire at Corinda, despite some suggestions from fire control headquarters, my inquiries reveal that the period that elapsed before the arrival of the brigade was 10 minutes. The nearby neighbours, who were agitated, thought it was 20 minutes—so long was the period. There was absolutely no hope of saving the house. The lives of people and the preservation of property such as houses are of prime concern.

I am concerned that, no matter what the reason for rationalisation of cost, in part of my electorate there is a reduction in the potential efficiency and turn-out rate of the fire cover. If anything happens in my electorate, I will nail that letter to the door of the Metropolitan Fire Brigades Board. If it happens in an old person's home, it will be despite the very clear warnings that I gave about turn-out time and the reduced coverage that would occur in that area. As a result of one's concern and the observations of professional fire-fighters, such as George Healy, anybody in an old, wooden Queensland house must make provision for his own safety.

As a result of my experiences, I have purchased two fire-extinguishers, one of which I leave downstairs in case a fire breaks out upstairs. I leave one fire-extinguisher adjacent to the underhouse sheds so that a fire can be attacked from the outside. The other fire-extinguisher is located in the kitchen so that a quick response can be made to a fire there. The fire service will not be able to meet my needs for home protection.

Everybody in Brisbane must make a very careful examination of his accessibility to fire stations, which I suspect are being spread more widely. Examination of turn-out and travel times reveals a less desirable situation than the one that existed five or ten years ago, except in the new suburbs. People must make provision for their own safety. That is all right for me and for young people. However, elderley people experience some problems. Many people in their eighties live in their own homes. That is a time when they are a little confused and are rendered inactive by any small crisis. They are unable to look after themselves and they have a special problem that my advice will not solve. It is all right for the young and self-determined person. Everybody in this city who lives in an old house must take some steps to protect himself by purchasing fire-extinguishers.

Recently, I visited Fire Protection Engineering Services, which is a division of Wormalds. It is near my electorate. It produces a range of fire-protection equipment, including a domestic pack containing an automatic fire-warning system operated by batteries that will last for a year or more. The pack includes an asbestos cover that can be placed immediately over stoves, and that is one of the most common sources of fires in homes. The pack also includes a small fire-extinguisher. The pack is very useful. I have no doubt that other firms produce comparable packs. Such equipment should be installed in the older houses in this city. The company also produces a simple portable motor-driven hose system that can be put into a swimming-pool. It is very effective, particularly on acreages. It is self-propelling. If a person puts one end of the hose into the pool, he has an instant source of water to use in the event of a fire.

Now or at some future time, I would be pleased if the Minister could clarify the details about the two fire stations in my electorate. Turn-out times are increasing because many residential areas are getting further away from their fire stations.

Mr Lickiss: Roads are becoming more congested.

Mr INNES: That is certainly so.

One of the complaints that I received is that, if Oxley Creek floods, which it does usually once a year, my area is cut off from the Rocklea Fire Station. The next nearest fire station is at Indooroopilly and, with the congestion potential there——

Mr Lickiss: Kenmore.

Mr INNES: Kenmore/Toowong, which is hopelessly removed.

The Liberal Party opposes the principle of removing rights to representation for people whose jobs can be put in jeopardy as a result of disciplinary types of appeals.

In his second-reading speech the Minister said—

> "In appeals against major punishments and promotions, appellants often employ legal counsel and substantial costs can be involved."

The Minister went on to say that if a person is found guilty, the money that he loses during a period of suspension—and I believe that no limit is imposed on the period of suspension—can or will be forfeited.

Obviously, a person can be sacked. Honourable members are talking about the livelihood of a person employed in the fire brigade. If livelihoods are involved, the right to be heard and the right of representation are also involved.

An appellant can appear before the board in person or obtain legal advice. What argument is put forward by the Minister as to why an appellant is not allowed legal representation? Frankly, it is the most insubstantial argument that I have heard in years. The argument outlined in the Minister's second-reading speech is as follows—

> "Substantial legal argument can result in an appeal being decided on the basis of that argument rather than on merit."

If something is not legal, how can it be suggested that it is not being decided on the merits?

The only difference between the appellant appearing on his own behalf and having legal or professional representation is that the trained representative is in a better position to present the facts—the appellant is not properly trained to present the facts himself—or he might light upon a legal point on which a decision might be made in favour of his client.

To suggest that some sort of no man's land of merits exists outside the law is nonsense. I thought that this Government was trying to bring industrial relations back within the general spirit, mainstream and traditions of the law.

The Minister said this also in his second-reading speech—

> "This appeal board will hear all appeals against punishment involving a fine of greater than $30. Legal representation will not be allowed before the appeal board."

Legal representation is allowed before a variety of other tribunals. That point has previously been made by members of the Liberal Party. In the end, the Minister responsible for Police wanted to decide within the Police Department, in an informal way shall I say, issues relating to licences to conduct second-hand businesses. The Liberal Party said, "No, not if it affects a man's livelihood. That is one of the most important things in a man's life. It should be done openly and with recourse to proper representation."

A man has a right to be heard and a right to be represented by somebody who can present his case as competently as possible. That is why he might think of hiring a lawyer. The Liberal Party proposes that that provision not be deleted, and amendments will be moved accordingly.

The Liberal Party proposes also that the new appeal board be chaired by a stipendiary magistrate. There is a railway appeal board, which consists of one person appointed by

the union, one person appointed by the commissioner and a stipendiary magistrate. A magistrate is used to making decisions on fact, deciding on the onus of proof and applying the law or applicable by-laws. The Brisbane City Council has an appeal board, which is in exactly the same situation. Unless the Minister has had an unhappy experience with one man who recently spoke out vigorously in defence of other firemen and the standards of fire services, why should the law be changed?

Far too much legislation is being introduced that deserts principles and is based on the last experience that the Minister thinks was against the Government's interest. Consistency is needed. What is good enough for one is good enough for another. It is most important in this instance because the Government is dealing with a man's livelihood, his wages, and he is therefore entitled to be heard as effectively as possible. If that involves engaging a lawyer, so be it. It will be either at his own cost or perhaps the cost of the union. That is a vital part of a vital right that people should have.

Hon. M. J. TENNI (Barron River—Minister for Environment, Valuation and Administrative Services) (4.40 p.m.), in reply: I thank all honourable members for the comments made on the provisions of the Bill. I intend to refer to each speaker in turn.

Firstly, the honourable member for Townsville West (Mr Smith) spoke about *Blue Hills*. I point out, however, that the main thing is to ensure that the hills are not red. With the way in which the fire service operations are conducted in this State, it is almost certain that Queensland will not have red hills; they will all be green and grassy, at all times.

The honourable member referred to consolidation of the Act. I agree with his suggestion, and the Government would have wished to incorporate consolidation as part of the amendments contained in the Bill. However, future amendments will be made to the Act, and I imagine that, all going well, the Act will then be able to be consolidated when amending legislation is brought before the House. On that occasion, honourable members will be able to express a view.

It must be pointed out that, if one were to examine the operations of boards throughout the State, it would be seen that the composition of each board is a matter of concern to members of the Opposition. They suggest that the boards are made up of mainly National Party members, but that is wrong. Many fire brigades boards in Queensland comprise Labor Party supporters. It is not a practice of this Government to ask board members about their politics.

Honourable Members interjected.

Mr TENNI: The Government allows councils controlled by the Australian Labor Party to appoint members of their own choosing. If members of the Opposition assert that all members of the boards in this State are National Party supporters, I say that is totally wrong. Throughout the State, many boards comprise Labor Party supporters and, in my honest and personal opinion, most of them are doing a very good job.

The point has been made that fire brigade boards provide no career structure for officers. Contrary to that claim, for the first time in the history of the operations of fire brigade services, that is exactly what has been done. The Government is setting up a career structure that will allow fire officers to take on positions of authority. However, the Government does not want to set up a career structure that will appoint to the top jobs officers who have merely served in the fire services for decades. The Government wants to appoint people of ability who can carry out the responsibilities of chief or deputy fire chief—officers of high calibre. I point out that in the past that has not always occurred. By offering a career structure, the Government will ensure that that will be the case in the future, and the officers who will benefit will be the officers who demonstrate ability.

The honourable member for Townsville West also referred to members of boards being overlooked when a chairman of the board is to be appointed. I make the point that when the Australian Labor Party gets control of the Government benches—and the

Lord knows I hope it does not happen—members of the ALP will do exactly as this Government intends to do, that is, empower the Government to appoint a chairman who demonstrates ability to carry out such a role in a proper manner. It is this Government's intention to appoint chairmen from the ranks of members who are elected to the boards. The Government does not merely pull chairmen out of mid-air. When a board is fully elected, the Government will choose the chairman of the board.

I inform the House that privatisation of fire brigade boards is a measure that is well down the track in the administration of fire services in Queensland. It is my view that the sooner that occurs, or the sooner that private enterprise takes over the operations of fire services, the better off will be tax-payers in this State. I inform members of the Opposition that a great many representations have been made to me by groups of fire officers who are willing to take over the operations of fire brigades and fire stations in this State on a private basis. Two weeks ago, when a new fire station was opened on the Gold Coast, a group of fire officers expressed an interest in operating certain fire stations in that part of the State on a private basis.

Mr Prest: But under what conditions?

Mr TENNI: The honourable member for Port Curtis is not worth replying to. I listened to his comments a while ago, and I realised that he would not know what he was talking about.

There are any number of capable fire officers in this State who would like to engage in private enterprise and own their own fire stations. That might seem odd to members of the Opposition, but it is a fact of life that not all fire officers are the kind of people Opposition members think they are. A great many firemen want to get somewhere in the world. They want to own and develop something and create employment for other people. I only hope that that concept can be put into effect in the long run. I assure the honourable member that the privatisation of fire services is well down the track.

Mr Smith: Do you accept the point, though, that privately owned fire services are not viable in the larger centres, particularly in America? Experience suggests that they are not viable in cities of over 100 000 people.

Mr TENNI: That has to be looked at. I cannot see why such services would not be viable in Brisbane and in the larger cities along the coast of Queensland. I cannot see any problems at all.

The honourable member was concerned about employees transferring to other boards and losing service increment payments. I assure him that that is not on, that such employees will be looked after.

Mr Smith: They are not at present, are they?

Mr TENNI: No, but they will be. That problem will be overcome. Service increment payments for employees on transfer will be protected.

Mr Smith: What about transfer costs?

Mr TENNI: Transfer costs have already been looked after.

Mr Smith: I have been told of a case in Townsville in which people have not been given those costs. You might care to look at that one.

Mr TENNI: The honourable member should talk to the board. As far as I am concerned, that is a matter for agreement between the board and the men. My understanding is that the removal expenses of employees are paid at the discretion of the board. I have not had a complaint or a letter from any fireman or fire officer saying that he has not been reimbursed.

The honourable member has generally made himself familiar with fire services and the problems that exist throughout the State. I appreciate his contribution.

The honourable member for Redcliffe was worried about manpower requirements. I cannot recall him, when he was a Minister, ever saying that a manpower resource study, a vehicle resource study or any study whatsoever was necessary relative to fire services in this State.

Mr White: I didn't have that portfolio.

Mr TENNI: I cannot recall any comment being made by the Liberal Minister who previously held the portfolio. Such a study has been undertaken since I became Minister. The Government now knows what manpower, vehicles and equipment are required in every station in the State. That was not a once-only study; a similar study will be carried out every 12 months.

The honourable member was also peeved that one of his mates was not appointed to the Redcliffe Fire Brigade Board. He said that the person appointed instead of his mate did not even know where the board was. Surely the honourable member is not suggesting that one of the criteria to be used in selecting a board member is his knowing where the board is situated. A number of other criteria are used and that is done with all appointments. I am very happy with the excellent appointment of Mr Les Kerr.

The honourable member also seemed to be greatly worried about legal representation. Of course, that is a matter of balance. Tax-payers' money must be protected, and that is another thing about which the honourable member should be worried.

He referred also to Mr Wilkinson—

Mr White: A very fine gentleman.

Mr TENNI: A very fine gentleman? Is the honourable member protecting him?

Mr White: Yes.

Mr TENNI: That is nice to know. He breached a long-standing chief officer's order stating that officers should not make public statements. That case had nothing to do with me as Minister. It related to a long-standing order laid down by the chief officer of the Metropolitan Fire Brigades Board, and the action was taken by that board. I point out to the honourable member that the man he is protecting was lucky to escape being charged with more serious offences related to the improper use of board equipment. The honourable member's mate was lucky to escape more serious charges.

Mr White: Why didn't you charge him?

Mr TENNI: It has nothing to do with me; it is the board that makes the decision on what charges will be laid. If the honourable member believes that the Metropolitan Fire Brigades Board is not doing its job, he should lodge his complaint with the board, not in this House. The board runs that show.

The member for Everton was very worried about the reduction in the insurance council representation on boards.

The Insurance Council and the Government had discussions on this matter. The council is quite happy to have one or two representatives. It makes no difference, because the council is no longer financing fire services in Queensland. The Insurance Council is quite happy with having one representative; it is quite happy with the final decision. The member for Everton raised a number of other problems. I think all of them related to the Metropolitan Fire Brigades Board. He should talk to that board about them.

Either the honourable member for Redcliffe or the honourable member for Salisbury spoke about the condition of vehicles at the Metropolitan Fire Brigades Board.

Mr Goss: It was the inspection.

Mr TENNI: The lack of maintenance of the Metropolitan Fire Brigades Board vehicles was disgusting. I took a hand in it to make sure that the vehicles were safe for

the men, not for the board members. I do not know whether honourable members realise that board members run round in cars, not on the machines. I wanted to do something about upgrading the fire-fighting vehicles to protect the men and the people who pay fire levies in the Metropolitan Fire Brigades Board area. The machines were examined at the Government Motor Garage, which has many qualified mechanics. Each fault, whether it was a bad brake or a rust problem was attended to within 18 or 19 days. About 40 vehicles, which were in an absolutely disgraceful condition, had to be attended to. I have not seen any other board vehicles in a similar condition. They were completely run down. That does not happen now. The Metropolitan Fire Brigades Board has been given a service manual for every vehicle.

Mr Innes: Is that what happens when you have out-of-town farmers as members of the Metropolitan Fire Brigades Board?

Mr TENNI: The honourable member said that, I did not.

All the faults have been corrected. Quite a deal of work remains to be done, but it is not of a serious nature. Rust spots and other faults may look bad, but they are not dangerous. In time, they will be corrected. We will spend about $250,000 on vehicles belonging to the Metropolitan Fire Brigades Board which should never have been allowed to get into such a condition.

Mr Smith: Who meets that cost? Presumably the maintenance wasn't done because the Metropolitan Fire Brigades Board did not have the cash.

Mr TENNI: In the same way as every other board, the Metropolitan Fire Brigades Board has to prepare a budget. In it, it has to make provision for repairs and maintenance. In my opinion, it has never allowed sufficient money for maintenance. That is the only reason I can see for the lack of maintenance.

It should be remembered that the vehicles were controlled by the secretary of the board, not the fire chief. That was stupid. I do not know how that situation came about, but it is no longer the position. The vehicles are now under the control of the fire chief. The Government Motor Garage mechanics, together with the board's six or eight mechanics, are making sure that normal daily running requirements are attended to promptly.

The Government is protecting the men who have to use the machines.

Mr Innes: Wasn't it publicity that brought that to a head?

Mr TENNI: The honourable member might like publicity, but the matter could have been brought to a head if I had received a letter from that gentleman, the board, the fire chief, the secretary, anyone in the Metropolitan Fire Brigades Board, or even a member representing the board. One should not have to read about it in the press. I assure the honourable member that I took quick action to ensure that it will not happen in the future.

One of the main points that the member for Salisbury (Mr Goss) made concerned the inspections carried out by the Department of Employment and Industrial Affairs. I assure him that I knew nothing about that matter until I received a letter in this morning's mail. The Metropolitan Fire Brigades Board has written to me explaining that there are difficulties in obtaining the services of the department to inspect vehicles. I have now written to the Minister for Employment and Industrial Affair (Mr Lester) to see whether there is any way out. Failing that, the inspections of all the vehicles and equipment can be carried out at the Government Motor Garage, which has qualified people, at no cost to the board.

Mr Goss: Is it right that the Department of Employment and Industrial Affairs wanted to charge the brigade to do it?

Mr TENNI: I do not know. As I say, I have written today to the Minister for Employment and Industrial Affairs. The matter to which the honourable member referred

was not mentioned. I was concerned only to ensure that the vehicles are inspected. I think that a charge is made for every vehicle inspection that is carried out in this State. I do not know what it is. When I was in business, I paid so much to have every vehicle and fork-lift inspected by the machinery department.

Mr Goss: But surely the fire brigade would not be subject to that.

Mr TENNI: The department has to be paid by someone. I do not know whether the fee is $5 or $10, but it has to be paid. However, that is not my main concern. My main concern is to ensure the vehicles are inspected regularly.

Mr Goss: So who will do that now—the Government Motor Garage?

Mr TENNI: I await a reply from my colleague. If he can organise the inspections through his department, it will do them. Failing that, the inspections will be carried out by the Government Motor Garage.

Mr Goss: There is no problem?

Mr TENNI: There are no problems. The first that I knew of that matter was when I opened the mail this morning.

Mr Prest: How often are those vehicles inspected?

Mr TENNI: I do not know, but I imagine that it would be the same as with other vehicles—every six or twelve months. I do not run round looking at those little matters.

The member for Warwick (Mr Booth) made a very good speech, and I thank him for it. He said that fire brigade board members need to show commonsense. There is no doubt that they do need to show commonsense. That is probably the most important consideration when appointing a member. Most members of fire brigade boards throughout the State have commonsense. If they do not, they are chucked out at election-time, because I think that four members of the boards are appointed by the local councils.

The honourable member referred to the appointment of the chairman of boards. That provision is necessary. I do not care what a person's politics are; I want the cream of the board to be the chairman of the board.

The honourable member for Warwick referred to manning and said that he hoped it was based not on population but on situation. As I said, this is the first occasion on which a manpower resource study has been carried out. We have looked at the requirements. The only way to obtain the requirements is to look at the types of buildings in an area.

I think that the member for Sherwood referred to the high-block, old-style Queensland homes. That type of building must be looked at when manpower requirements are being considered. Consideration has to be given to the types of homes in an area—whether they are old timber homes, concrete-block homes or brick homes. Consideration has to be given to whether it is a heavy industrial area with large fuel storage areas, and so on. Consideration also has to be given to whether a street is narrow with many traffic problems; whether traffic-lights will slow down the movement of fire brigade vehicles; whether there is a large floating population during the tourist season, which crams the roads with more traffic; and whether the shire is long and narrow or small and square. A number of factors must be considered before the basis on which manpower requirements are determined is decided. I assure the honourable member for Warwick that that matter is given careful consideration.

About half the fire stations in Queensland are fully manned by auxiliary brigades. The turn-out time of those brigades—the time from when a call comes in and a vehicle leaves the station until it gets to the scene of the fire—is as good as if not better than that of some of the permanently manned stations. The totally auxiliary brigades have call-out times as short as two or three minutes. I have the highest regard for those stations, because they make the costs to the people very low.

I support the member for Warwick's suggestion about removing trees from around houses. Another problem is caused by rural residential subdivisions, which tend to have a lot of long grass. In addition, usually no-one is home during the day. All members of Parliament should stress to their constituents that they should not grow trees too close to their houses and that they should protect their own property.

Mr Scott: Would an adequate fire-break be just as good?

Mr TENNI: I suppose that it would help, but a fire could start in the yard, and, if it happens to be a two-acre or five-acre block, a real problem could result. However, I take the honourable member's point that an adequate fire-break round the outside fence line could be a great help.

The member for Murrumba talked about a collection of $1.5m. Quite frankly, I do not know what he was talking about. The State Government provides 12½ per cent of the total budget for fire services. That amount is based on a consideration of the protection of the State's property. The Federal Government puts in about 0.8 per cent of the total budget, which is a little different from the State's contribution of 12½ per cent. On a consideration of the land and buildings owned by the Commonwealth in this State, and if it wanted to be fair to the tax-payers of Queensland—I hope that Opposition members will support this—the Commonwealth Government should contribute in excess of $3.5m to service its own property. I have tried very hard to get that money, but the Commonwealth Government has completely scrubbed me. It contributes roughly $650,000.

Mr Vaughan: Does the State Government pay rates to the Brisbane City Council?

Mr TENNI: No, it does not.

Mr Vaughan: Isn't that a parallel case?

Mr TENNI: Does the Federal Government pay rates to the Brisbane City Council?

Mr Vaughan: I am talking about the State Government.

Mr TENNI: I am talking about the Federal Government.

Mr Vaughan: You should tidy up your own house first. You are a hypocrite.

Mr TENNI: In other words, the honourable member does not support the people of Queensland in the Government's attempts to get $3.5m from the Federal Government to support fire services in this State. I will let the people of Queensland know his views about that.

Mr Smith: Is the 12½ per cent based on the estimated total revenue collection?

Mr TENNI: It is 12½ per cent of the total budget, which, this year, is about $8.5m.

Mr Smith: What happens if the collections are in excess of that estimate?

Mr TENNI: The collections will not be in excess of the estimate. The collections are designed to operate the fire services, less the 12½ per cent that the State Government puts in and the $600,000 that the Federal Government puts in. The fire services must balance their budget; they do not have a surplus.

Mr Prest: Weren't the receipts greater than the estimate?

Mr TENNI: No, they were not. The honourable member should take a look at the budget.

Mr Prest: Have a look at your report.

Mr TENNI: I will discuss that in a minute.

I thank the member for Murrumba for his comments, but on a couple of points he was completely wrong.

As the member for Gympie (Mr Stephan) said, I always try to help. I do not care what the politics are of the board members and I do not care where members are in the State. It is my principle to help all honourable members and all the people in this State. Although I have helped out a number of Opposition members with problems concerning the levy, they do not hesitate to go to press to try to assassinate me publicly. It does not worry me, and I will continue to help them.

The member for Gympie spoke about bush fire brigades, which do a wonderful job throughout the State. There is no doubt that they have a funding problem. My department has submitted a proposal to Treasury that I hope will help bush fire brigades to increase the quantity of their equipment.

The member for Gympie also spoke about the importance of fire prevention. I hope that early next year I will be able to introduce new fire prevention legislation in an endeavour to solve most of the existing problems.

The member for Salisbury (Mr Goss) seemed to be greatly worried about legal representation. One need only look at his occupation to know why he was concerned. He also mentioned equipment safety, which I have already dealt with. I will have to check to see whether the Department of Employment and Industrial Affairs levies a charge for its services.

Mr DEPUTY SPEAKER (Mr Row): Order! The level of conversation in the Chamber is becoming excessive, particularly from Government back-benchers.

Mr TENNI: The member for Cook (Mr Scott) spoke about the level of fire protection at settlements in his electorate. I would like to see full protection of those settlements, but the inhabitants have to do what people do in every other part of the State—they have to get up and start working. All rural fire brigades are formed by the people in an area. I suggest that the member for Cook start the ball rolling by forming rural fire brigades in all the mission areas. If he would listen to me, he would find that I can be of help to him.

Mr Scott: I am listening. I am pleased that you have paid attention to my speech.

Mr TENNI: The honourable member would probably know that the Cook electorate already has a number of rural fire brigades.

Mr Scott: Not on Aboriginal communities, I do not think.

Mr TENNI: The people of an area have to start them off. If the honourable member for Cook does not have rural fire brigades on Aboriginal communities, perhaps that is because he has not explained the facts to them or perhaps they have not had the nous themselves to get up and form one.

Mr Scott: That is a put-down. You have an active officer in Cairns who goes round promoting the places where boards are formed. He does an excellent job—Mr Phillips—but I do not think he is charged with the responsibility of going onto these communities. Perhaps you should extend his authority.

Mr TENNI: The inspector in Cairns can go onto the communities. The member for Cook knows that as well as I do.

Mr Scott: Can, or should?

Mr TENNI: Can.

Mr Scott: Why not "should"?

Mr TENNI: I can recall no request coming to me or to my department. Requests come from all over the State to form rural fire brigades. The State has approximately 1 600 rural fire brigades, the majority of which have been formed by people who have got up off their backsides and decided they want something to protect their property and their homes. Just because the inspector has not gone up to those areas, surely to

goodness the people there will not sit round and wait until their property is burnt out before they decide to form a rural fire brigade.

I can assure the honourable member that when my department next receives a request to set up a rural fire brigade, the inspector, on his visit to that area, will assist in the setting up of that brigade. He will explain to the people of the area the requirements for the raising of funds—they have to pay for 50 per cent of the equipment that is needed and my department pays for the other 50 per cent, provided that the amount has been allowed for in the department's budget. I suggest to the honourable member for Cook that he go to those areas and get the people moving on this. I assure the honourable member that Mr Phillips will go in and do everything that he possibly can.

Mr Scott: It doesn't only come back to rural fire brigades. I was talking about the shortcomings of fire services in that area and I was called to order in this place because the responsibility lies with another Minister. I do not think that is a good state of affairs.

Mr TENNI: Is the honourable member saying that the responsibility for rural fire brigades lies with another Minister?

Mr Scott: No, for fire services on Aboriginal communities.

Mr TENNI: The responsibility for rural fire brigades lies with the people, and I am prepared to help them out. I suggest that the honourable member get moving on that.

Mr DEPUTY SPEAKER: Order! I ask honourable members to be seated.

Mr TENNI: As the honourable member would know, many rural fire brigades are located in the Gulf area and on the Peninsula. They would be only too happy to go across and help out.

Mr Scott: The Community Services Act is the problem with one of them.

Mr TENNI: If that presents any problems, I am sure they can be solved.

For the information of the honourable member, I point out that the Minister responsible for the Department of Community Services wrote me a letter two or three weeks ago. He asked whether, when next an inspector was in the area, an inspector could talk to the people at the missions to see whether training could be given in the use of equipment and fire-fighting appliances at those missions. I do not even know what equipment the honourable member has at the missions in his electorate. He might be able to write to me and let me know what is available. If there is no equipment on which the people can be taught, I will not send an inspector to the area. First of all, boards should be established so that equipment can be made available and training provided in the area by my inspectors or officers. I am prepared to do that, and there would be no problems.

Mr Scott: You didn't cover the Thursday Island board.

Mr TENNI: There is a problem with that board. I would like to see it taken out of the Cairns Fire Brigade Board area. I would like to see it become a board on its own. It has problems.

Mr Scott: You did say it was impossible.

Mr TENNI: It is impossible under the legislation at present. The matter is being examined further. I hope that something can be done for the honourable member when the Act is next amended. At present, the board is operating reasonably well. I believe that it is too far from Cairns to be part of the Cairns board. I do not want it to be tied in with the Department of Community Services; I want it to be retained with its own identity. If we examine it together, I think that we will find a solution to the problem.

Mr Scott: So nothing is going to happen for the time being?

Mr TENNI: No. There is no great hurry. If we are going to do something about it, we could probably think about it as from 1 July 1986. However, I think that we should look more closely at the matter.

The honourable member for Port Curtis (Mr Prest), in his usual vicious attack—that is the only way to describe it——

Mr Prest: That's unkind. I always say, "If you can't say nice things, say nothing."

Mr TENNI: In that case, the honourable member should have his mouth sewn up.

The form of attack that he makes is unbelievable. He has no common sense or knowledge. He is trying to foster his own image. However, it is too late. I have been to Gladstone twice in the last few weeks. The honourable member is history. He should not waste his breath or run the risk of getting a sore throat.

The honourable member referred to opening a Sunmap centre three times.

Mr Prest: That's right.

Mr TENNI: I only wish that he would tell the truth to the people of this State and to this Assembly.

Mr Prest: Twice in the Government offices. You opened one; a Government fellow opened it again; then you opened it again in Goondoon Street.

Mr TENNI: That is the honourable member's story. It can be proved that the honourable member is totally wrong. I opened that mapping and surveying office once. It is the Government's policy to make sure that, where it can obtain surveyors in private enterprise to operate Sunmap centres so that people buying maps can be given specialist advice on them, Sunmap centres are put into private enterprise surveying offices. That is exactly what happened. The Sunmap centre was taken from the Department of Mapping and Surveying. A private enterprise Sunmap centre was opened. The honourable member should be proud of it, because it now services the people in his electorate very well. No matter what comments the honourable member makes, the Government will continue to do that.

Mr DEPUTY SPEAKER: Order! I have already drawn the attention of honourable members to irrelevance in this debate. The same subject has arisen again. I will not permit discussion on it.

Mr TENNI: The honourable member referred to minor fines under $10 being imposed by only one person. That situation has existed for donkey's years. The Bill increases the fine from $10 to $30. That is how much the honourable knows.

The honourable member referred to the appointment by the Government of four board members. I point out to him that one of those four members will be nominated to the Minister by the insurance council. The honourable member is not capable of telling me anything. Is he saying that every person working for an insurance company in this State is a member of the National Party? I hope that he is right. The honourable member will never make the Government benches. Surely one of the persons appointed by the insurance council may, by chance, be a member of the Labor Party. According to the honourable member, all persons working for insurance companies are members of the National Party. I am sure that they must be members of the National Party, because most insurance people are intelligent and have brains. Whether they are members of the National Party or members of the Labor Party, those nominated by the Insurance Council of Australia will be members of fire brigade boards. Their political allegiance is a matter for themselves.

Mr Prest: Because they are puppets for you.

Mr TENNI: I have no doubt that the speech made by the honourable member for Port Curtis was written by the unions. He does not have the ability to write that rubbish.

The honourable member for Sherwood (Mr Innes) talked about a $3m surplus in the Budget. Is that what the honourable member said?

Mr Innes: No, I did not mention it.

Mr Littleproud: No. Somebody in the Opposition mentioned that.

Mr TENNI: I apologise. I thought that the honourable member for Sherwood said that.

There was no surplus. Last financial year, the funds received were $62,156,000, and the same amount was paid out.

I was very interested to hear the comments made by the honourable member for Sherwood about the Corinda Fire Station. Quite frankly, I do not know anything about the matter that he mentioned. Apparently, it was long before my time. It is strange that during my two years and four months as the Minister responsible for fire brigades, the honourable member has not previously brought the matter to my attention. It was a bit silly leaving it that long, because the protection of people is very important.

I have instructed my advisers to ask for a report on the system. I will examine that full report to ascertain whether there is complete coverage and protection of the people in that area who are represented by the honourable member for Sherwood. If adequate protection is not provided, I will ask the Metropolitan Fire Brigades Board to consider the possibility of construction of a fire station in that area.

Mr Innes: I didn't suggest that it was your doing.

Mr TENNI: I know that. As I said, I did not know anything about it. However, action will be taken.

It is interesting to note that the honourable member for Sherwood supported the honourable member for Salisbury (Mr Goss) in seeking legal representation. The Liberals are again joining with the ALP in a conspiracy to rip off the tax-payers of this State. If the honourable member for Sherwood intends to continue supporting the ALP, I do not know why he does not join that party.

Is it only a coincidence that the honourable member for Sherwood and the honourable member for Salisbury are both lawyers, or are they representing the lawyers' party? So much for those honourable members being people's representatives! I believe that it is a case of profit before principles, and that is a sad and sorry state of affairs.

Motion (Mr Tenni) agreed to.

Committee

Mr Booth (Warwick) in the chair; Hon. M. J. Tenni (Barron River—Minister for Environment, Valuation and Adminstrative Services) in charge of the Bill.

Clauses 1 to 26, as read, agreed to.

Clause 27—Amendment of Schedule I—

Mr SMITH (5.19 p.m.): I move the following amendment—

"At page 12, lines 34 and 35, omit the words—

'The Governor in Council shall appoint one of the members of a Board to be Chairman thereof.'

and substitute the words—

'The members of a Board will elect one of their number as Chairman.' "

The purpose of the amendment is to get away from the situation in which the Government is not only selecting the team but also appointing the captain. It seems to members of the Opposition that the Government is breaking new ground, especially

when a comparison is made with appointments of board chairmen in other quangos, such as harbour boards, electricity boards and hospital boards. It disturbs me that——

Mr Borbidge: The Government appoints chairmen to hospital boards.

Mr SMITH: I stand corrected on that point, but I believe that what I have said is the case in respect of the other boards.

Irrespective of whether the Government appoints chairmen to the boards or not, the appointment of chairmen by the Government is a dangerous trend that I would not wish to expand. A number of speakers referred to that matter, and I believe that, because of the arguments that have been advanced during the course of the debate, each and every member of the House is aware of the amendment, which is proposed by the Opposition.

Mr TENNI: I oppose the amendment.

Amendment (Mr Smith) negatived.

Question—That clause 27, as read, stand part of the Bill—put; and the Committee divided—

AYES, 46		NOES, 23	
Ahern	Lee	Braddy	
Alison	Lester	Burns	
Austin	Lickiss	D'Arcy	
Bailey	Lingard	Eaton	
Bjelke-Petersen	Littleproud	Gibbs, R. J.	
Borbidge	McPhie	Goss	
Cahill	Menzel	Hamill	
Chapman	Miller	Kruger	
Clauson	Muntz	Mackenroth	
Cooper	Newton	Milliner	
Elliott	Powell	Palaszczuk	
FitzGerald	Randell	Prest	
Gibbs, I. J.	Row	Price	
Glasson	Simpson	Row	
Gunn	Stephan	Scott	
Gygar	Stoneman	Shaw	
Harper	Tenni	Smith	
Harvey	Turner	Underwood	
Henderson	Wharton	Veivers	
Hinze	White	Warburton	
Innes		Warner, A. M.	
Jennings	*Tellers:*		*Tellers:*
Knox	Kaus		Fouras
Lane	Neal		Comben

Resolved in the affirmative.

Clause 28—Amendment of Schedule II—

Mr INNES (5.29 p.m.): I foreshadow three amendments to this clause, all relating to the same topic. I move the following amendment—

"At page 14, omit all words comprising line 22."

The effect of the amendments that I am proposing relates to the point that the appeal board shall include a stipendiary magistrate and that the stipendiary magistrate shall be the chairman of the appeal tribunal. I also intend to propose amendments that remove the attempt to deprive a person legal representation when appearing before the appeal board. In short, those are the two principles involved.

The TEMPORARY CHAIRMAN (Mr Booth): Order! The Committee will be dealing with a number of amendments. They will be dealt with more quickly if honourable members listen. I suggest that they do so.

Mr INNES: The first amendment will overcome the Government's attempt to remove the entitlement of a person appearing before a board to have legal representation. The second amendment——

The TEMPORARY CHAIRMAN: Order! The Committee will deal with each amendment separately. Is the honourable member speaking to the first amendment at page 14, line 22?

Mr INNES: Yes.

I understand the Government's attitude. If it supports the Minister in his last statement, which suggested that, because the Liberal Party raises this matter, it is in the pecuniary interests of lawyers and an attack on the tax-payers, I simply point out to the Minister, in words a little more restrained than those that he used, that all we seek to do is to give a person the right, if he sees fit to go before the tribunal, to have legal representation. The tribunal can affect his livelihood. If he thinks fit, he is entitled—if he is prepared to pay for it, or gets the union to pay for it—to legal representation. The principle is very simple. It does not involve any demand that people shall have legal representation. It is offering the option.

Mr TENNI: The Government opposes the amendment.

Question—That the words proposed to be omitted from clause 28 (Mr Innes's amendment) stand part of the clause—put; and the Committee divided—

AYES, 40	
Ahern	Lester
Alison	Lingard
Austin	Littleproud
Bailey	McPhie
Bjelke-Petersen	Menzel
Borbidge	Miller
Cahill	Muntz
Chapman	Newton
Clauson	Powell
Cooper	Randell
Elliott	Row
FitzGerald	Simpson
Gibbs, I. J.	Stephan
Glasson	Stoneman
Gunn	Tenni
Harper	Turner
Harvey	Wharton
Henderson	
Hinze	*Tellers:*
Jennings	Kaus
Lane	Neal

NOES, 28	
Braddy	Vaughan
Burns	Veivers
Comben	Warburton
D'Arcy	Warner, A. M.
Eaton	White
Gibbs, R. J.	
Goss	
Gygar	
Hamill	
Knox	
Kruger	
Lee	
Lickiss	
Mackenroth	
Milliner	
Palaszczuk	
Prest	
Scott	
Shaw	*Tellers:*
Smith	Innes
Underwood	Fouras

Resolved in the affirmative.

The TEMPORARY CHAIRMAN (Mr Booth): Order! Before honourable members leave their seats, I advise them that further divisions may be called before 6 o'clock. If that transpires, the bells will ring for only two minutes.

Mr SMITH: I move the following amendment—

"At page 14, line 37, omit the words—

'appears on a list of not fewer than three names'

and substitute the words—

'shall be'."

The purpose of the amendment is to vary the composition of the appeal board. As the clause presently provides, the Queensland Fire Services Association is required to put forward only one name for appointment to the three-man board. The Opposition's objection to that has been well voiced. It is not acceptable to the Opposition that the employee associations do not have the same rights and must submit a panel of names.

As I indicated earlier, a well-known principle is involved and I am sure that every member of the Committee is aware of the Opposition's concern.

Mr TENNI: I cannot accept the amendment.

Question—That the words proposed to be omitted from clause 28 (Mr Smith's amendment) stand part of the clause—put; and the Committee divided—

AYES, 46		NOES, 22
Ahern	Lee	Braddy
Alison	Lester	Burns
Austin	Lickiss	D'Arcy
Bailey	Lingard	Eaton
Bjelke-Petersen	Littleproud	Gibbs, R. J.
Borbidge	McPhie	Goss
Cahill	Menzel	Hamill
Chapman	Miller	Kruger
Clauson	Muntz	Mackenroth
Cooper	Newton	Milliner
Elliott	Powell	Palaszczuk
FitzGerald	Randell	Prest
Gibbs, I. J.	Row	Scott
Glasson	Simpson	Shaw
Gunn	Stephan	Smith
Gygar	Stoneman	Underwood
Harper	Tenni	Vaughan
Harvey	Turner	Veivers
Henderson	Wharton	Warburton
Hinze	White	Warner, A. M.
Innes		
Jennings	*Tellers:*	*Tellers:*
Knox	Kaus	Fouras
Lane	Neal	Comben

Resolved in the affirmative.

Mr INNES: The amendment that I am about to move relates to ensuring that a stipendiary magistrate sits on the appeal board.

I move—

"At page 15, after line 8, insert the following words—

'(c) one shall be a stipendiary magistrate who shall be chairman.' "

I have already pointed out to the Committee that the same provision applies to a variety of other appeal boards, including the Railway Department, and also applies under local government legislation. A magistrate is trained in making judgments, in dealing with onuses of proof and in understanding by-laws, and therefore should sit on appeal boards as being neutral between the appointee of the employer and the appointee of the unions.

It is a decision that potentially has very serious consequences for the future employment or the wages of the person concerned. The Liberal Party believes that it should be done, as it has been done in so many other places, with the dignity and the clear neutrality of a stipendiary magistrate, particularly as other ramifications, including secrecy, are involved in the amendments.

In 1957, when the coalition came to power, one of its central planks was the reassertion of the neutrality of the judiciary. It was a proud boast resulting from the problems that it experienced over many years with the Labor Party's trying to siphon off everything into controllable tribunals. Unfortunately, in the last two years that seems to have been the trend with legislation in this State. The Liberal Party believes that the lessons of history, including the lessons learnt under periods of Labor rule, should be heeded. I understand that the Minister, unlike members of the Liberal Party, was a member of one of the socialist parties or the Socialist Party at one stage.

Mr SMITH: In joining with the Liberal spokesman, I make it quite clear that the Labor Party circulated a similar amendment.

The Labor Party regards the removal of a magistrate from the board of appeal, as it presently stands, as a very dangerous erosion of the principles that have applied for many years. Although the Minister referred to a nominee, no reference was made to the qualifications of that nominee. Opposition members are not prepared to give the Government a carte blanche go-ahead on such a proposal. We believe that a very strong case exists for the retention of the status quo.

Mr Warburton: "We will not accept the amendment."

Mr TENNI: Is the honourable member saying it for me? He is right. The Government will not accept the amendment.

Question—That the words proposed to be inserted in clause 28 (Mr Innes's amendment) be so inserted—put; and the Committee divided—

AYES, 28		NOES, 39	
Braddy	Vaughan	Ahern	Lingard
Burns	Veivers	Alison	Littleproud
D'Arcy	Warburton	Austin	McPhie
Eaton	Warner, A. M.	Bailey	Menzel
Gibbs, R. J.	White	Borbidge	Miller
Goss		Cahill	Muntz
Gygar		Chapman	Newton
Hamill		Clauson	Powell
Innes		Cooper	Randell
Knox		Elliott	Row
Kruger		FitzGerald	Simpson
Lee		Gibbs, I. J.	Stephan
Lickiss		Glasson	Stoneman
Mackenroth		Gunn	Tenni
Milliner		Harper	Turner
Palaszczuk		Harvey	Wharton
Prest		Henderson	
Scott		Hinze	
Shaw	*Tellers:*	Jennings	*Tellers:*
Smith	Fouras	Lane	Kaus
Underwood	Comben	Lester	Neal

Resolved in the negative.

Sitting suspended from 5.58 to 7.15 p.m.

Mr INNES: The proposal put forward by the Government not to allow professional representation in appeals indicates what is becoming a pattern of National Party government in this State, based on its attitude towards the rights of people and the rights of employees. That is a matter for regret. The Government's attitude is indicated by the provision in the Bill that states that no party—which, of course, refers to the person who is before the appeal tribunal, and who undoubtedly will be a fire officer—shall be represented by counsel or solicitor. The argument that was presented before still applies. There is no compulsion on the officer to have a professional advocate, but if an officer chose to do so in future, the right to do so will have been taken away.

A subsequent provision in the Bill refers to the hearing of an appeal either in private or in public. The Government has moved from a situation in which the rights of people in employment are determined in public, with a right of representation, to a situation in which people in employment are judged in private, without any professional representation, by people who do not possess any legal or professional skill.

I stress that the amendment was not an attempt at seeking jobs for the boys. The principle is basic and fundamental, and of a type that the Government used to stand for when it held office in coalition. The provisions of the Bill to which I have referred are regrettable.

Members of the Liberal Party know what the vote will be. I will not move to divide the Committee or persist in proposing the amendment. I simply conclude by saying that the provisions are a matter for great regret. In other words, I will not move the

amendment I foreshadowed, because I know what the result will be. I know the attitude of the Government.

Clause 28, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

HOLIDAYS ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 16 October (see p. 2070) on Mr Lester's motion—

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

Mr VAUGHAN (Nudgee) (7.20 p.m.): In his second-reading speech, the Minister for Employment and Industrial Affairs (Mr Lester) said—

> "Since becoming Minister for Employment and Industrial Affairs, I have arranged for a number of Acts to be examined with a view to eliminating any shortcomings.
>
> . . .
>
> Nevertheless, it has been of concern to me that, as the Act presently stands, the situation could arise in which a local authority may not apply for a holiday on the occasion of the local show and thus the citizens of the authority could be disadvantaged. There is no authority in the Act for the granting of a special holiday in situations in which the local authority does not make application to the Minister for such a holiday."

The fact is that if the Government had listened to the Opposition at the time of the introduction of the Holidays Bill in 1983, there would be no need for this legislation to be before the House today. When that Bill was debated, it was pointed out by the Opposition that it had obvious shortcomings; that it had been hastily drafted and would most certainly be back before the House within a short period in an amended form such as members see in this legislation. Another Opposition prediction has been proved correct.

In fact, the legislation before the House tonight contains exactly the amendments suggested by the Opposition during the 1983 debate. If the Opposition's advice had been accepted, this legislation would not be being debated. The then Opposition spokesman on Employment and Industrial Relations (Mr Warburton) said, in reference to clause 6 of the 1983 Bill—

> "I am most concerned about such a penalty being imposed upon citizens because of the failure of their local council to submit an application on time."

He went on to move an amendment in these terms—

> "6. Special Holidays. (1) The Minister may from time to time, by notification in the Queensland Government Gazette or the Queensland Government Industrial Gazette appoint a day or the forenoon or afternoon of a day to be a holiday either throughout the State or within such district as may be specified.
>
> (2) A holiday appointed pursuant to sub-section (1) shall be a bank holiday in the district specified in the notification except where the holiday is in respect of an annual agricultural, horticultural or industrial show when it shall be a Public Holiday."

That amendment was defeated, yet only two and a half years later one sees virtually the same amendment being submitted by the Government. As I said, the original Bill was hastily drafted, and the Opposition's predictions in regard to it have proved correct.

In the original debate, it was pointed out that clause 9, headed "Banks may close on certain afternoons", was outdated and unnecessary. It is now to be repealed. If the Government had heeded the Opposition's advice originally, this legislation would not have been necessary.

The Opposition has no major disagreement with the legislation, but I repeat that too often legislation is brought back here for amendment when it would have been very simple to correct it at its first appearance. The Opposition will therefore support the legislation even though, as I pointed out, had the Minister taken note of what the Opposition spokesman had to say in 1983, it would not have been necessary because the Holidays Act would have existed in the form it will now take after this legislation is passed.

Mr BURNS (Lytton) (7.25 p.m.): I rise to support my colleague the member for Nudgee. I remember the 1983 debate, and it is true that the then Opposition spokesman (Mr Warburton) suggested the amendments that are now being made.

I want to say a few words about bank holidays. Queensland has many great tourist attractions, and it is time that thought was given to more festivals and holidays associated with them. Bank holidays are granted to coincide with country race-meetings, which is a good idea. On bank holidays, I have attended race-meetings at Coen, Richmond and Cooktown, although I have been unable to attend similar meetings at Laura and Charleville. Those race-meetings are great country events at which most of the people have an opportunity, when there is no local show, to enjoy a day together in a happy environment.

I am thinking particularly of the Fun in the Sun festival and other festivals held at Cairns, Townsville and down the coast to the Gold Coast. In some instances they should be treated in the same way as bank holidays are treated. If the Government is trying to encourage the tourist spirit, with large numbers of local people and others enjoying themselves in the streets with floats and other attractions associated with festivals, it should seriously consider granting special holidays.

For some time now, I have been associated with a number of show societies. Problems arise when the local authority decides to grant a holiday for the local authority area but ignores one section, or when it decides to apply for the show holiday on other than the official opening day.

Many people devote a good deal of work to show societies. Some of the smaller shows that were fading away years ago are becoming highly successful, thanks to pony clubs and a large number of young people joining in the festivities. The Brookfield Show is one of the largest horse shows in Australia. More horses are handled in three days at the Brookfield Show than at any other horse show in Australia. I emphasise that Brookfield is a suburb of Brisbane. The late Bill Kay, who was associated with the Brookfield Show Society and its development as a horse spectacle, worked very hard with many other people to improve its image. I am sure that, in times gone by, they wondered why they could not get recognition, but, no doubt, they realised that they could not do so while the Royal National Association show took precedence in Brisbane.

When talking about the Royal National Association show, I must say that the change in the school holidays has led to a dramatic decrease in attendances. Show week used to be a major week for country people who brought their kids down during the holidays and attended the show. With the change in the school holidays, schoolchildren on the north side and the south side of the river each get a special day, as well as the public holiday, to attend the show. However, the change in the school holidays has dramatically affected attendances at the show.

The RNA show is the show-case of Queensland agriculture. It is our big show, the show that the Government should be making every effort to support to make certain of its success.

All the little shows throughout the State should be given an opportunity to benefit from a public holiday. The Government should recognise the work done by the show society committees that do so very much for the shows and the competitors.

Hon. Sir WILLIAM KNOX (Nundah) (7.28 p.m.): I am happy to support the legislation. The Minister pointed out that, before I presented this legislation to the House in 1983, I initiated a review to ensure that the Government got rid of the anachronisms and other superfluous provisions in it. The Minister also pointed out that the legislation has been in existence for some considerable time. It is proper that some authority should determine when holidays will be held, either as race days, show days, or holidays for public purposes.

I note that the Minister is amending the legislation to include a blanket clause to cover all public holidays. That is because, on occasions, it is appropriate to have a holiday. Special legislation has been passed in this House to declare a holiday to celebrate the visit of a royal personage and other special events. No doubt similar occasions will arise with Expo and the bicentenary celebrations. I hope that this legislation will take care of such situations.

At the same time, we must ensure that people do not become confused. In Queensland, with its huge area, many holidays are declared throughout the year. I do not know what the number is now, but I think that when I last looked at that matter I found that about 130 different holidays for shows and other events are held throughout the State. Perhaps the Minister could refresh my memory on the actual number. It is an enormous number.

Most of the holidays are associated with show days. Because of the high degree of mobility in the community today, show days are not as significant in some localities as they used to be. Because of the mobility of the people who usually patronise shows, some show day holidays are not supported as much as they were in the past.

I am sure that the Minister has received differing opinions about when certain holidays should be held. If he has not had that experience, he certainly will have it. Sometimes there is a difference of opinion among members of a committee. There can be a difference between a show society and a chamber of commerce. That causes some disruptions in the community and places a heavy onus on the Minister. Sometimes it is very embarrassing for the Minister when sorting out that problem. Nevertheless, it has to be sorted out by somebody, and the Minister has to accept that responsibility.

One regular complaint that is received is that some bodies delay in making the necessary approach to the Minister for a holiday. Often, that means a delay in the publication of the date of the holiday. Previously, the legislation was amended to try to overcome that problem. Administrative action has been taken to prompt various show societies and other bodies to submit their applications for a holiday to the Minister's staff so that applications can be processed.

It is important for the public, for the people in the tourist industry and for those who provide train, plane and other services to know well in advance when a holiday is to be held. Before the end of the calendar year, it should be possible to publish the dates on which holidays will be held the following year.

Sometimes, those responsible for making an application for a holiday forget that other people are involved. It is not just the show society that is involved. Employers have to decide whether they will employ people at additional rates of pay on a holiday. A show holiday also involves commercial operators who may wish to do business on certain days. It is very handy for those people to have the information about a holiday well in advance.

Another group of people who need to know the dates of holidays are those involved in side-shows, who travel from show to show. Obviously, they keep in close contact with the show societies so that they know well in advance when a holiday is to be held. They probably know the date before it is published in the *Government Gazette*. But they cannot always rely on that date. My experience is that, because of special circumstances,

the date of holidays has been changed at very short notice. There could be a clash of events. On occasions, floods have prevented an event from taking place and the event has had to be held on another date. It is important to have flexibility in fixing dates for holidays.

I compliment the Minister for his approach. I hope that some of the problems that have arisen in the past will not be experienced in the future. That will make it more comfortable for everybody involved.

It will be of enormous benefit if the Minister can ensure that, as early as possible, a gazette is printed listing all of the holidays on one sheet of paper so that the people who print diaries and calendars and those involved in the transport and tourist industries, among others, know well in advance and can plan adequately.

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs) (7.35 p.m.), in reply: I thank honourable members for their contributions to the debate. As I indicated in my second-reading speech, when the legislation was introduced in 1983 the then Minister stated that, when the Act next came before Parliament, consideration might be given to repealing those provisions of the Act considered to be outdated.

The repeal of section 9 of the Act will eliminate a provision that is clearly no longer appropriate in this day and age.

The amendments to section 6 will ensure that citizens of a local authority area will not be disadvantaged when a local authority does not apply for a special holiday. If such a situation should arise in future, the Governor in Council will have the authority to grant a holiday. In addition, the Minister responsible for the Act will now have discretionary power to appoint, as a show holiday, a day other than the one sought by a local authority should there be special circumstances. If the Minister agrees that it is a fair request, he should try to assist.

Whilst it could well be argued that there should be further amendments to the Holidays Act, I can assure honourable members that the whole Act has been examined in detail and it has been the subject of much discussion with relevant organisations. I am of the firm opinion that other amendments are not justified at present. That does not mean to say that, in future, further amendments will not be justified. If, at any time, an honourable member has any thoughts on these matters, I will be more than happy to take them up.

I thank the honourable member for Nudgee for his comments. He mentioned that the Leader of the Opposition said, "I told you so." Put simply, the Government has seen fit to amend the Act, and that is what it has done.

I take the good point made by the honourable member for Lytton about festival holidays. Recently, the city of Ipswich was granted a special holiday for its 150th year celebration. A precedent has been set and, although things have slackened off recently, it was quite common to grant these holidays. Because the State is entering a new era of tourism, the need may well arise to grant them.

The leader of the Liberal Party (Sir William Knox) obviously did quite a deal of research, and I thank him for his contribution. His comments were helpful. I am sure that this amending legislation has held interest for him, because he was the Minister when the Act was introduced.

His comment that holidays should be gazetted earlier is a fair one, and I agree with it. People should always be given ample time to prepare diaries, and so on, and I was the instigator in making sure the Government diary was printed more quickly, because it was being released after people already had diaries, which was extremely unfortunate.

The points raised by honourable members are well worth consideration, and it seems that all honourable members have entered into the spirit of the legislation, which is to try to make the whole deal better. For the information of honourable members who may be interested, I point out that Queensland has 132 show holidays and 13 bank holidays, as well as statutory holidays.

Motion (Mr Lester) agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

ANZAC DAY ACT AMENDMENT BILL

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Anzac Day Act 1921-1981 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs) (7.43 p.m.): I move—

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

Mr R. J. Gibbs: Say, "The cat sat on the mat."

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member will be on the mat in a moment.

Mr LESTER: It will be recalled that I presented a Bill to Parliament last year to amend the Anzac Day Act to authorise the Anzac Day Trust to invest funds in Treasury-approved investments.

The Bill did not proceed, as a number of other issues arose relating particularly to the opening of places of public amusement and entertainment and trading generally on the morning of Anzac Day. Detailed examination of these issues has been completed and the amendments now proposed are considered necessary to overcome a number of shortcomings in the legislation. Authority for the Anzac Day Trust to invest in Treasury-approved investments funds contained in the Anzac Day Trust Fund has been included, as originally proposed.

Established in 1965 following an amendment to the Anzac Day Act, the Anzac Day Trust disburses money received by it to institutions, organisations and associations. These bodies provide financial assistance and relief to aged or needy ex-servicemen and women and their dependants. Since its inception the trust has distributed almost $3.5m to various ex-service organisations. Applications for grants are received by the trust on an annual basis, and disbursements are made at the end of each financial year. The principal income of the trust is derived from the payment of a percentage of licensed victuallers' fees and book-makers' and totalisator takings at race meetings on Anzac Day. In addition, funds are received through an annual appeal for donations.

For some years, the trust adopted the procedure of placing moneys held by it in secure, short-term investments. In fact, interest earned in this regard was considerable. These funds were, of course, available for distribution in July each year when, as a general rule, all funds standing to the credit of the trust are disbursed. There is, however, no specific provision in the Anzac Day Act authorising the trust to invest moneys received by it other than in a bank account. Accordingly, this amendment will enable

the trust legally to take advantage of higher interest-bearing investments, such as bank-guaranteed interest-bearing deposits and Commonwealth securities.

The Anzac Day Act prohibits the opening of places of public amusement and entertainment prior to 1.30 p.m. on Anzac Day. It was found that a number of these attractions were opening on the morning of Anzac Day in contravention of the Act. Prosecutions were instituted for breaches against these provisions. However, legal opinion from the Solicitor-General expressed the view that, to police these provisions of the Anzac Day Act properly, it would be necessary to grant industrial inspectors power to enter premises for the purpose of obtaining evidence of a breach of the provisions of the Act. These powers will be identical to those contained in the Factories and Shops Act 1960-1983 to enter premises and obtain evidence, including evidentiary aids.

At present, the Anzac Day Act prohibits the opening of small shops on Anzac Day prior to 12.30 p.m. However, a trading hours order issued by the Industrial Commission in terms of the Industrial Conciliation and Arbitration Act 1961-1985 provides for the opening of small shops on Anzac Day from 1 p.m. To overcome this anomaly, it is proposed to delete reference to trading hours of small shops from the provisions of the Anzac Day Act. However, the trading of small shops on Anzac Day would still be the subject of the trading hours order. The definition of "small shops", which primarily are the suburban corner grocery stores, has the meaning assigned to that term by the Factories and Shops Act. It is proposed to insert a reference in the Act clearly stating that the trading hours of small shops on Anzac Day shall be those fixed by the Industrial Conciliation and Arbitration Commission.

Currently, the provisions of the Act requiring shops to be kept closed on Anzac Day do not apply to shops specified in Part 1 of the schedule to the Act, which includes service stations. It is also proposed that reference be made to the fact that trading hours of service stations on Anzac Day shall be those fixed by the Industrial Commission. This purely clarifies the present intent of the legislation and will not affect the trading hours of service stations at this stage. It will, however, be at the discretion of the industry itself to make an application to the Industrial Commission to vary trading hours orders should it so desire. The existing trading hours orders resulted from applications from the motor industry some years ago.

The amount of the fines determined for breaches against the provisions of the Act are considered to be small when one has regard to the revenue received from entrance fees charged by places of public amusement and entertainment. Accordingly, it is proposed to increase the penalty provisions for a breach of the Act from the present maximum of $400 to $2,000 for persons and $10,000 for companies. This is in line with fines prescribed for breaches of trading hours orders generally.

The Bill also seeks to clarify the intent of the legislation that bread shops, including hot-bread shops and restaurants, should include the operation of the kitchen or food-preparation areas, which, in terms of the Factories and Shops Act, are designated as factories. In terms of the Anzac Day Act, bread shops, cake shops, pastry shops and restaurants are currently permitted to open on the morning of Anzac Day.

It is also proposed to include in the Act evidentiary provisions similar to those contained in the Industrial Conciliation and Arbitration Act and the Factories and Shops Act. These provisions make the occupier of the premises solely responsible for breaches of the Act relating to trading hours on Anzac Day, and not "any person", as at present. Additionally, any occupier who invokes the Criminal Code as a defence to a charge relating to trading hours will be required to prove that the breach was committed without his knowledge and consent, and that he took reasonable action to prevent the breach occurring. This is also in line with the existing provisions of the Industrial Conciliation and Arbitration Act and the Factories and Shops Act.

Further evidentiary provisions will permit persistent offenders to be proceeded against by averring in the complaint that the person named therein was the occupier at the time of the offence. This will occur only where the occupier refuses to answer questions put to him by an inspector investigating an alleged breach of the Act.

The opportunity is being taken to make machinery amendments to update titles, etc., and to eliminate an anomaly that exists in the wording of section 3 (4) relating to the closure of factories on Anzac Day.

It is considered that all of the amendments are warranted and that they will assist in ensuring that the solemn occasion of the morning of Anzac Day is observed strictly. I therefore commend the Bill to the House.

Debate, on motion of Mr Prest, adjourned.

STATE HOUSING ACT AMENDMENT BILL

Hon. C. A. WHARTON (Burnett—Minister for Works and Housing), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the State Housing Act 1945-1984 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. C. A. WHARTON (Burnett—Minister for Works and Housing) (7.51 p.m.): I move—

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

My purpose in introducing the Bill is to provide legislation that will enable the Queensland Housing Commission to sell units to aged pensioners.

A clear market exists for these units. Research reveals that a substantial number of aged persons are not eligible for commission rental units, that is, they do not receive supplementary rental assistance but cannot afford to buy a unit on the open market. The commission has suitable land and can build and market the units at affordable prices—much cheaper than the private market.

Apart from the need to tidy up a definition, legislation is not needed simply to permit the commission to build and sell units. That power already exists. However, the desirability of preserving such units for aged persons necessitates the provision of a mechanism that will ensure this.

Various options were considered and referred to the Solicitor-General, who advised that the reservations required could be achieved by legislation. This legislation therefore clearly spells out the eligibility requirements to purchase a pensioner unit. Briefly, the applicant must—

(i) be of limited means;

(ii) be a pensioner or the spouse of a pensioner;

(iii) be 55 years or over;

(iv) intend to use the house for himself and spouse or another person;

(v) not own any other house in Queensland or elsewhere.

In order to provide a public awareness that the units are reserved for eligible persons only, the title of the land and, later, the titles for each of the units will be noted by the Registrar of Titles with the following endorsement—

"Attention is directed to the provisions of section 23B of the State Housing Act 1945-1985 relating to change of registered proprietors."

The registrar will not register a change of proprietor, subsequent to the first sale from the commission, unless it is accompanied by a form of consent from the Queensland

Housing Commission. That will establish to the registrar that the proposed proprietor is an eligible person.

It is a simple piece of legislation that will satisfy a public demand and permit pensioners of modest means to purchase a house at an affordable price. It will provide pensioners with yet another choice in their later years. The first units are being built at Mount Gravatt and, as demand indicates, an increasingly wide area of choice will be made available.

I commend the Bill to the House.

Debate, on motion of Mr Prest, adjourned.

LOCAL GOVERNMENT AND CITY OF BRISBANE TOWN PLANNING ACTS AMENDMENT BILL

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Local Government Act 1936-1985 in certain particulars and the City of Brisbane Town Planning Act 1964-1985 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (7.56 p.m.): I move—

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

This Bill, as the title indicates, is to amend both the Local Government Act and the City of Brisbane Town Planning Act. The amendments proposed to be made to the City of Brisbane Town Planning Act are, in the main, similar to those to be made to the Local Government Act.

A number of the amendments proposed have emanated from resolutions passed by the Local Government Association of Queensland. As honourable members will realise, a close working relationship exists between the Department of Local Government and that association so that a constant review of the laws affecting local authorities can be carried out in a harmonious and co-operative spirit.

It would be fair to say that the association fully supports all the provisions in the Bill. The Bill contains some amendments of a purely formal nature, for example, amendments necessary as a consequence of other substantial amendments, the insertion of definitions of particular terms used in the Act, and the correction of references in relation to decimal currency, etc. I feel that it is unnecessary for me to provide detailed explanations for these proposals.

I will now proceed to provide honourable members with details of amendments concerning matters of principle contained in the Bill. I will deal firstly with amendments to the Local Government Act and later with the amendments to the City of Brisbane Town Planning Act.

It is proposed to include in the Local Government Act a provision to clarify that regulations made under the Act may require the verification, by declaration under the Oaths Act, of information to be supplied pursuant to forms prescribed under such regulations. A number of existing regulations contain such a requirement, and the amendment provides that these regulations are valid and effectual.

Honourable members will no doubt be aware of the decision of the Government to constitute the shire of Thuringowa as a city for the purposes of the Local Government

Act. The intention is that the shire's altered status will take effect as from 1 January 1986. In terms of the Local Government Act, a shire council is required to comprise not more than 13 members including the chairman, and there are presently 12 members including the chairman on the shire council of Thuringowa.

The maximum number of members that a city council may comprise is 11, including the chairman. It is therefore desirable, so as not to disturb the existing composition of the Thuringowa Shire Council, to provide that a city council may comprise up to 13 members including the chairman, and the Bill so provides. This will place the maximum composition of all local authorities on a similar footing.

A further amendment of the Act is proposed to empower a local authority to remove from office a person appointed as deputy chairman and to appoint another member of the local authority in his stead. Under existing provisions, a local authority, at its first meeting after a triennial election, has to appoint one of its members to be deputy chairman, who acts as chairman when the chairman is absent. A person so appointed holds office until the conclusion of the next triennial election unless he dies, resigns or becomes disqualified to continue as a member.

It will be noted that no provision is included for a deputy chairman to be removed from office, even if the majority of members of a local authority are dissatisfied with his performance. I feel that this is unsatisfactory.

The Act will be amended to empower a local authority to pass a resolution declaring the office of deputy chairman vacant, subject to the giving of not less than 14 days' notice of intention to move such resolution. When the office is declared vacant by resolution, the members present at the meeting at which the resolution is passed may forthwith appoint one of their numbers to be deputy chairman.

The Act is to be amended to provide that the clerk of a local authority will be the chief administrative officer of that local authority. He is to be charged with responsibility for the administration and co-ordination of the business of the local authority, and the amendment provides that all reports to the local authority must pass through the clerk to the chairman before being placed before the local authority.

This amendment was specifically requested at the last annual conference of the Local Government Association of Queensland, and is designed to obviate the practice that has arisen in some local authorities where reports by committee chairmen and officers of the local authority, other than the clerk, are submitted directly to the council without first passing through the hands of the clerk and the chairman. I think that honourable members will agree that that is an undesirable practice.

So far as the role of the clerk is concerned, the Government and the Local Government Association are of the view that, in an organisation such as a local authority, it is necessary that a particular officer be charged with responsibility to act as co-ordinator and chief adviser to the local authority on administrative matters. By virtue of his qualifications and experience, the clerk is the appropriate officer to fill this role and many local authorities have already made by-laws providing to this effect. The amendment thus gives statutory recognition to a common current practice.

Section 19 of the Local Government Act presently provides that, where a local authority proposes to enter into a contract to carry out any work or purchase any goods or materials to a value in excess of $10,000, it must first call public tenders. There are circumstances, such as the case of major developmental projects to be carried out on land owned by or under the control of a local authority, in which the public tendering process may not be the most satisfactory method of determining to whom a contract should be awarded for the carrying out of such projects. As examples, I quote the major development, by the Brisbane City Council, of lands under its control at Boondall, as a sport and recreation centre with associated residential development in connection with the city's Olympic Games bid, and the proposed development of Cathedral Square.

Having regard to the magnitude of projects such as these, it is not really feasible to design the project initially and call tenders on the basis of that design. It is more

practical to call for expressions of interest in the development of the site and to invite interested organisations to submit developmental proposals setting out their terms and conditions for the proposed development. These proposals can then be assessed and a decision made as to which is the most advantageous, having regard to all of the circumstances.

It is therefore proposed to amend the Act to provide that a local authority, including the Brisbane City Council, may, with the prior approval of the Governor in Council, enter into a contract for major developmental works to be carried out on land owned by it, or under its control, without calling tenders. The amendment provides that the Governor in Council, when granting approval, may impose such conditions as he thinks fit.

Some little time ago, the Local Government Act was amended to provide that a local authority does not have power to make a by-law requiring the fencing of a swimming-pool on private land used for the purpose of a tourist resort complex located on an island off the coast of Queensland and specified by the Governor in Council by Order in Council.

Representations have been made that, from an aesthetic point of view, the Governor in Council should have similar power to relieve a tourist resort complex on the mainland from the requirement to fence swimming-pools in that complex if he considers such action to be desirable. The Bill makes provision accordingly.

The provisions of the Act which empower a local authority to make and levy rural rates at two levels are proposed to be clarified. Rural rates may, at the discretion of the local authority, be made and levied on land that, in its opinion, are being reasonably used for primary production or cannot be put to any profitable use and, to achieve rating equity, a local authority is empowered to levy such rates at two levels. The intention was always that each level of rate could embrace lands reasonably used for primary production and that cannot be put to profitable use. However, recent advice from senior counsel indicates that this is arguable, and it is considered desirable to put the matter beyond doubt.

When the new Aussat telecommunications system is fully operational, it will make available, to many outback communities in the country, television facilities which are not presently available to them, provided there are, in the area concerned, suitable technical facilities to receive and relay signals to people with television receivers.

At present, many people in outback areas have installed reception facilities for their own benefit in order to receive ABC television services, but it is understood that, with the advent of Aussat, this service may no longer be available through that equipment and new equipment may have to be installed.

Honourable members will appreciate that it will obviously be advantageous for community reception facilities to be made available to serve a particular area so that households in that area will not have to spend considerable sums of money in installing new equipment. It is accordingly proposed to empower a local authority, at its discretion, to provide, or to contribute towards the cost of providing, facilities to receive and rebroadcast, to its area, radio and television signals from satellites. Complementary amendments are to be made empowering such a local authority to rate property-owners to recover any costs incurred in providing such a facility.

For very many years, local authorities have been empowered, in the exercise and performance of the functions of local government, to enter privately owned land and to install sewerage, water and drainage pipes through such land without the necessity for taking easements or acquiring the land. Full compensation has, of course, to be paid to the land-owner for any damage caused to the land through the carrying out of such work.

As honourable members will be aware, this is a common practice throughout Queensland, and it is an integral part of the provision of these services by local authorities. Some doubt has, however, been raised as to whether a local authority, exercising this

power, retains the ownership of pipes installed on the land. Advice obtained from senior counsel indicates that an argument can be mounted that the local authority does not retain ownership in such circumstances and that ownership vests in the owner of the land.

Such a position would place a local authority in an untenable position so far as access to the pipes is concerned and in relation to the payment of compensation for land, which may contain such pipes, that has been compulsorily acquired by a local authority. To clarify the position, the Bill provides that ownership of services installed by a local authority in these circumstances vests, and has always vested, in the local authority.

To more effectively administer town-planning by local authorities, the Bill provides that a local authority shall not, in future, undertake the preparation of a development control plan without the prior approval of the Minister.

There has been a tendency in recent times for some local authorities, no doubt with good intentions, to embark upon a proliferation of development control plans which, in the final outcome, are found to be not really essential and can hinder the processing of developmental applications. It has therefore been decided to bring the preparation of developmental control plans under ministerial scrutiny.

Another town-planning amendment contained in the Bill is designed to assist in preventing the continuing contravention of the provisions of a town-planning scheme where a successful prosecution has been launched by the local authority.

I am informed that, at present, when a person is convicted of a breach of the provisions of a town-planning scheme, the defaulter, in some cases, immediately resumes the action which led to the conviction. In these circumstances, it is incumbent on the local authority to initiate a further prosecution or institute injunction proceedings in the Supreme Court, which is a costly exercise.

Actions of this nature take time to bring to fruition, as evidence has to be gathered in each particular case and the full legal processes have to be followed. In the meantime, occupiers of adjacent properties continue to be affected by the unlawful operation.

Most prosecutions of this type are instituted in the Magistrates Court, and, to assist in preventing recurring breaches of a town-planning scheme, the Bill provides that, where a successful prosecution is launched by a local authority in these circumstances, a restraining order may be issued by the Magistrates Court directing the defendant to cease any activity that is a contravention of or failure to comply with the town-planning scheme, or the court may direct him to take any action required to comply with or cease a contravention of the scheme.

A maximum penalty of $10,000 and $500 per day for a continuing offence is to be provided in respect of a failure to comply with such a restraining order. These provisions should act as an effective deterrent to the commission of continued breaches of a town-planning scheme.

Honourable members will be aware of the fact that, in recent times, there has arisen the practice of persons purchasing small sized allotments that were created by subdivision many years ago but never developed and then reselling such allotments for residential purposes without any development works being carried out.

The allotments in question are usually in the vicinity of 450 square metres, or 16 perches, in area, situated in reasonably isolated locations in the local authority area and lack the types of services, such as access, water supply, sewerage and electricity, normally expected by the purchaser of an allotment to be used for residential purposes. Unfortunately, in a number of cases, the town-planning scheme in force in the local authority area does not prevent the use of the allotments as of right for residential purposes.

It has been found that in many instances these types of allotments are marketed interstate and overseas to unsuspecting purchasers who, upon deciding to utilise the allotment purchased, bring pressure to bear upon the local authority for the provision

of the sorts of services that they thought would be available. To assist local authorities to deal with that situation and to properly control development, the Bill includes provisions authorising a local authority to rezone land in this category to control the erection of dwelling-houses thereon without having to meet any claim for compensation for injurious affection by virtue of the rezoning.

Where rezoning occurs in the above circumstances, an owner would, of course, have full rights to apply for a further rezoning of his land, and to negotiate with the local authority as to the conditions that might be applicable to such rezoning, such as the making of contributions towards essential services to serve the land.

The new provisions will apply to vacant allotments less than 1 000 square metres in area—approximately 40 perches—that were created by subdivision prior to 21 December 1966, which is the day on which the current town-planning provisions contained in the Local Government Act came into force and are included in a zone in which the erection of a dwelling-house is permissible as of right. Under the proposed amendment, the local authority will have 12 months within which to examine the situation in its area and initiate rezoning procedures in respect of lands of the type referred to.

The amendment further provides that where, on or after the date of the coming into force of this particular amendment, a person proposes to sell an allotment of the nature referred to, he must inform the intending purchaser of the possibility of the land's being rezoned to prohibit its use for residential purposes pending the provisions of essential services.

Where such a notice is not served on an intending purchaser, he may, within six months after the date the contract is entered into, avoid the contract and initiate action to have the land transferred back to the vendor at the vendor's cost and obtain a refund of the purchase price paid. All honourable members will understand the problems associated with unserviced allotments of this type and the need to institute some controls over the sale of them as proposed by the Bill.

As honourable members are aware, a Bill to remove the right of objectors to appeal against rezoning applications is currently before the House, and I invited interested parties to make submissions to me on the Bill before the second-reading debate is resumed.

A number of representations have been made to me and, after a full consideration of these submissions, it has been decided to retain the right of objectors to appeal to the Local Government Court against rezoning proposals but that certain amendments be made to the legislation in relation to the lodgement and hearing and determination of such appeals. I will outline to honourable members details of these proposed amendments. The intention is that, if these amendments are passed by the House, the Bill presently before the House will be allowed to lapse.

After a full consideration of the matter, the Government has decided to amend the City of Brisbane Town Planning Act and the Local Government Act to provide that, in the case of an objector appeal against the decision of a local authority to grant approval to an application for rezoning or for consent under a town-planning scheme or interim development by-law, it shall be the duty of the appellant objector to establish that the application should be refused or his appeal upheld.

At present, in the case of such an appeal, the applicant has to establish that his application should be granted, and it is contended that this can place the objector appellant in a favourable position. Since he is the appellant, it is considered that the onus should be upon him to substantiate his appeal, and the Bill provides to this effect.

An amendment is proposed to be made to the City of Brisbane Town Planning Act to the effect that the Local Government Court will be empowered at its discretion, to award costs in any proceedings before it. At present, the court has no general power to award costs, each party to the appeal being responsible for his own costs. The only power presently held by the court to award costs is where an appeal is withdrawn before

it has been determined by the court and the court is of the view that the appeal was frivolous or vexatious, or where a party to an appeal has not been given reasonable prior notice of intention to apply for an adjournment.

With a view to obviating appeals that are not bona fide, particularly by objectors, it is felt that the power of the court to award costs and the placing of the onus of proof in the case of objector appeals on the objector should act as a deterrent to the lodgement of frivolous or vexatious appeals. I might add that consideration is presently being given to the making of certain amendments of the Local Government Court Rules to provide for the expeditious hearing and determining of objector appeals by the court.

Section 34 of the Local Government Act provides that a local authority shall not approve an application for the subdivision of land included in a rural residential zone or similar zone under a town-planning scheme unless electricity is available at the time of the making of the application or, where it is not so available, an agreement exists between the applicant and the electricity authority to make electricity available within six months after the date of approval of the plan of subdivision by the local authority.

The provision is causing hardship to the intending developers of land in certain remote areas, for example, on Fraser Island, where it is highly unlikely that a reticulated supply of electricity will be available in the foreseeable future. Nevertheless, there is a demand for rural residential type land in those areas, and potential purchasers are well aware of the fact that electricity may not be available for some considerable time.

It is therefore proposed that the provisions referred to be widened to enable approval by a local authority of an application to subdivide land where, after consultation with the Electricity Commissioner, the local authority is satisfied that it is not reasonable to require that electricity be made available to the subdivision in question.

It is also intended to widen the existing provisions so that they will relate to land that is zoned for residential purposes as well as land zoned for rural residential purposes and to enable the period of six months allowed for the provision of electricity to subdivisions to be extended if considered desirable.

In terms of section 42A of the Local Government Act, an occupier of land upon which an animal is found trespassing may seize the animal and take it to a local authority pound. He may subsequently claim from the owner the expenses incurred in transporting the animal to the pound and any damages done to his land by the animal concerned. Alternatively, if he knows the owner of the animal, he may hold it temporarily for four days and, if it is not sooner released, take it to the pound or deliver it to the owner and claim damages.

In many instances, particularly in the case of rural residential allotments, it is not practical for the occupier of the land concerned to hold an animal and take it to the local authority pound. It is proposed, therefore, to amend the Act to enable a person in such circumstances to request the local authority to impound the animal on his behalf. Where this occurs, the occupier will be deemed to be the impounder of the animal and he may exercise, against the proprietor of the animal, the rights conferred on him by the Act as if he were the impounder.

As I stated earlier in this speech, a local authority has power under the Act in the exercise and performance of the functions of local government to provide any works—such as the laying of water, sewerage and drainage pipes—through, across or under privately owned land, subject to the payment of compensation for any damage caused by the carrying out of such works. Although there is no doubt as to the power of the local authority to carry out such works in the first place, doubt has been expressed as to its power to enter the land for subsequent inspections, maintenance, repairs, etc. It is, of course, essential that this power be available to local authorities, and the Bill provides accordingly.

As previously stated, this Bill amends both the Local Government Act and the City of Brisbane Town Planning Act, the proposed amendments to the latter Act being complementary to amendments of the town-planning provisions of the Local Government

Act. I have already explained these provisions and there is no need to go over this ground.

I commend the Bill to the House.

Debate, on motion of Mr Shaw, adjourned.

CITY OF BRISBANE MARKET ACT AND OTHER ACTS AMENDMENT BILL

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

"That leave be given to bring in a Bill to amend the City of Brisbane Market Act 1960-1982 the Fishing Industry Organization and Marketing Act 1982-1984 the Fruit Marketing Organisation Act 1923-1984 the Milk Supply Act 1977-1983 the Primary Producers' Organisation and Marketing Act 1926-1985 the Queensland Grain Handling Act 1983 and the Sugar Acquisition Act 1915-1984 each in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. TURNER (Warrego—Minister for Primary Industries) (8.24 p.m.): I move—

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

This Bill deals entirely with superannuation matters and is of a machinery nature. Nevertheless, it is an important Bill, since it relates to retirement benefits provided for employees of primary industry statutory authorities and to the common audit provisions that are to apply to such schemes. This Government maintains a continuing review of its policy in relation to superannuation and provident schemes operated by statutory authorities for the benefit of their employees.

This is recognition of the Government's responsibility for ensuring, through proper legislative authority and proper audit provisions, the protection of the rights of employees. At the same time, the Government has the responsibility for ensuring that such industry-funded schemes do not become overly onerous on the primary producers who ultimately have to fund them. Over the last 60 years, a range of approval and audit provisions has been included in legislation relating to superannuation schemes operated for the benefit of the staff of the primary industry statutory authorities that come within my portfolio.

Following consultation between officers of my department and representatives of the Auditor-General's Department and the Department of the Public Service Board, the Government decided on a uniform policy that would ensure proper accountability in this important area whilst recognising the particular circumstances of the different classes of primary producer statutory authorities.

This Bill therefore refers to two aspects. One is the approval mechanism that is to apply to new superannuation schemes and variations to existing schemes. The other element is the audit provisions that are to be exercised by the Auditor-General.

It is the policy of the Government and the intention of this Bill that any new or amended superannuation scheme operated by a primary industry statutory authority should be subject to the prior approval of the Governor in Council or the Minister for Primary Industries. For many years, it was the policy that the Minister for Primary Industries be charged with the responsibility for approving new and varied superannuation schemes of primary producer marketing boards and statutory representative organisations operating under the Primary Producers' Organisation and Marketing Act. These organisations are controlled by members elected by growers and are entirely industry-funded.

In reviewing its policy, and following representation from the Council of Agriculture as representative of those boards and representative organisations, the Government considered it proper for this policy to be applied and extended to like organisations constituted under the Fruit Marketing Organisation Act, the Fishing Industry Organization and Marketing Act and the Queensland Grain Handling Act.

In the case of the essentially trustee or regulatory type of authorities, such as the Queensland Milk Board, the Sugar Board and the Brisbane Market Trust, constituted under the Milk Supply Act, the Sugar Acquisition Act and the City of Brisbane Market Act, respectively, prior approval of the Governor in Council will be required. In exercising the respective approval authority, it is the policy of the Government that the provisions of new or amended schemes be monitored to ensure that no extravagance or lack of circumspection occurs. In this regard, I am grateful to the Superannuation Review Committee for its assistance.

It should be noted that this Bill is designed to apply to new schemes or schemes varied from now on. It is not designed to impact the various schemes currently in operation. However, I make the point that the Government's policy concerning circumspection is of long standing and applies equally to those schemes currently in operation.

The other purpose of this Bill is to amend the seven pieces of legislation involved to authorise the Auditor-General, or a person authorised by the Auditor-General, to audit the accounts and records of any scheme. This Bill is therefore designed to ensure the continued protection of employee benefits through proper approval mechanisms and thorough audit whilst ensuring proper management accountability for funds employed.

I commend the Bill to the House.

Debate, on motion of Mr Kruger, adjourned.

AUCTIONEERS AND AGENTS ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 16 October (see p. 2071) on Mr Harper's motion—

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

Mr GOSS (Salisbury) (8.29 p.m.): In rising to speak to the Bill, I refer firstly to the introduction of this legislation in April when the Minister said that he would allow the legislation to lie on the table for some time to allow a wide cross-section of the community and professional organisations to make submissions. That has apparently occurred. The Minister's approach ought to be commended. When framing complex legislation such as this, which affects the whole community and in particular persons who hold licences—members of the legal profession and so on—it is important to give those people an opportunity to have an input. As I have said, I commend the Minister's approach, and I am sure that the Opposition generally supports the legislation.

Although the Minister's approach is very conducive to creating good, practical and workable legislation, I do wish to express a complaint. That complaint is not really in relation to the legislative framework, which seems adequate enough. I believe that the problems in this particular area can be found in the performance of the department in question.

As I have said, the legislative framework that is in existence and is now being added to seems to me to be appropriate. I do not have much with which to quibble. However, I will refer to some specific provisions later in my speech. It seems to me that the intent of the legislation, in terms of protecting the public and of what the Office of the Registrar of Auctioneers and Agents actually delivers by way of community protection, leaves a great deal to be desired.

I ask the Minister, in his reply, to give honourable members an idea as to the number of prosecutions. I am particularly concerned about the prosecutions of motor

vehicle dealers and the number of those dealers who have had their licences taken away from them. It has been suggested to me that the number of prosecutions by the department is appallingly low. I believe that that is not conducive to a reasonable level of community protection and it also tends to encourage that small minority of shonky operators to carry on with their activities. I believe that the failure of the department to perform has in fact actively encouraged certain individuals to come to Queensland to take advantage of the lax enforcement of the legislative framework for which the Minister is responsible.

As I have said, the great majority of people affected or licensed under this legislation are honest businessmen and women. However, the lax attitude of the department is a matter for concern. I know that the Minister has an awesome load to carry in administering his portfolio. A wide range of Acts have to be administered, and many subsections and departments are under the Minister's overall supervision and control. Perhaps sometimes it is hard for the Minister to keep his finger on the pulse of all of them. However, if the Minister has not already given thought to it, I strongly urge him to give consideration to the performance of this particular section of his department. I believe that it does need a bit of a shake-up.

I do not know exactly what the problem is. I do not claim to know what it is. However, it is clearly evident that a problem exists. The problem should be identified so that action can be taken to remedy it. I do not know whether it is low morale, lethargy, a shortage of staff, whether the staff feel overcome by problems, or what. Nevertheless, the performance should be improved.

As I have said, I want to refer in particular to motor vehicle dealers, because I have received a number of complaints in that regard. It is important to the community because most people at one stage or another buy a car. It is an important purchase, probably the most substantial first purchase that many people, particularly young people, make.

First, I want to refer to a particular business in my area of Brisbane that has operated on the south side, particularly in the Logan city area for some time, and continues to operate, as far as I can ascertain, without any real interference by the Office of the Registrar of Auctioneers and Agents. I refer to the company that is best known under the name of Matilda Car Company, which engages in a number of quite unsavoury practices. I understand that that company changes its name quite regularly and that after it went out of business under the name of Matilda Car Company, it operated under the name of Ron Dennis Car Sales. I understand that since about August of this year, the company has operated under the name of Wholesale Cars and Finance. That company operates at the Pacific Highway, Underwood.

The practices that have always been the subject of complaint to members of Parliament, to officers of the Minister's department, to officers of the Trade Practices Commission and the Consumer Affairs Bureau, and heaven knows who else, continue unabated. The only difference is that the name changes from time to time. As I understand it, the principal person responsible for these activities and practices is one Mr Neville McKerrow. Apparently, Mr McKerrow runs this operation at arm's length, unhindered by legislation that has been passed by the Queensland Parliament or by any practical implementation of the provisions that are designed to protect the public. The last name of the licensee that I was given was Miss Smith. Nevertheless, in the end result, the responsibility is carried by Mr McKerrow.

I understand, from a Queensland public servant, that a fairly standard practice is that the Justice Department receives reports from the Trade Practices Commission and has in fact received various reports in relation to the operations of the Matilda Car Company. The Minister may be prepared to confirm that information.

Mr DEPUTY SPEAKER (Mr Row): Order! There is a considerable amount of background noise in the Chamber and, I suspect, in the gallery. I remind honourable members and members of the public in the gallery that they are required to listen in silence.

Mr GOSS: It has been suggested to me by the public servant to whom I referred and by people involved in the motor-trading industry that there are sufficient grounds on which the department can act and that, by any standard, the dealer's licence should be revoked. As far as I am aware, no action has been taken to revoke the licence. As I said before, I am anxious—and I am sure that members of the public are, also—to know how many prosecutions of motor vehicle dealers have been brought in the last three years.

Mr Harper: Officers of the Department of Justice are in the process of taking action against those motor vehicle dealers.

Mr GOSS: I ask the Minister to tell me what that action is.

Mr Harper: I will leave it until——

Mr GOSS: You will be able to tell me tonight?

Mr Harper: I will provide the honourable member with more specific information at a later time.

Mr GOSS: I thank the Minister for that intimation. I would appreciate receiving the details.

I would also be interested to know the number of prosecutions of motor vehicle dealers who have lost their licences during the last three years, or during the last two years since the present Minister has been the Minister responsible.

I understand that officers of the auctioneers and agents section of the Justice department should be in possession of evidence given by employees of these dealers. I am not sure whether the evidence was given to the Trade Practices Commission or to the officers of the auctioneers and agents section, but I understand that the evidence proves that motor vehicle dealers specifically undertake the practice of advertising motor vehicles for sale at low prices—sometimes the price stipulated is ridiculously low—and, when a customer goes out to the car yard, he is met with the claim that the particular car he wanted has been sold. The car-dealer then tries to sell him another car.

I understand that there is evidence of people being told that the specific car they wanted had been sold, yet, when they walked round the corner and telephoned the company, they were again told that that car was still available. That is nothing but a ploy to entice people to the car yard. That practice is well known in the trade as bait advertising. As I understand it, these practices continue.

Because those practices have continued for too long, I would like the Minister to give details tonight of firm and positive action that is being taken to put an end to it. I am told that other reputable dealers are very upset about competitors who engage in these kinds of activities, which amount to unfair and improper competition. The majority of the people in the trade find carrying on a business difficult enough but at least they play the game straight. Many of the people to whom I spoke are very unhappy about this company being able to continue this unfair and improper method of competition.

The Minister should examine not only what the department should be doing for the public but also what the department should be doing to protect the honest motor vehicle dealers. I understand that a wide cross-section of reputable dealers is represented by an organisation known as the Motor Trades Association of Queensland. From what I have seen, that organisation appears to be genuine and reputable. The people in the trade to whom I have spoken tell me that they have complained to the Minister about this matter and that, because of frustration caused by the department's failure to act, they were forced to place advertisements in newspapers. The Minister would be well aware of the advertisements to which I am referring.

I have here a photocopy of a large advertisement paid for by the trade in the hope that they could get some action—something that they were not getting from the Office of the Registrar of Auctioneers and Agents. It carries a banner headline—

"Public Notice Beware! A Warning To All Intending Buyers of Used Vehicles."

It goes on to talk about the practice of unscrupulous dealers offering for sale used vehicles that do not in fact exist. They point out that the advertisement is placed for the purpose of attracting people to the premises so that the trader can attempt to sell another more expensive vehicle. That practice is described in the advertisement as "bait and switch" advertising and selling. They point to a number of factors so that people can recognise the signs of this bait and switch advertising—

"1. Vehicles will be advertised at ridiculously low prices. Prices that you would realise are very much below what you would expect to pay.

2. Vehicles advertised will not show registration numbers.

3. When you go to the dealer's salesyard, and ask about the vehicle advertised, you would be told something like . . . 'It's just been sold. But here's another buy, a bit more expensive, but just what you want.'

4. If you ask who the advertised vehicle was sold to, you will be denied that information.

5. If you ask the registration number of the advertised vehicle, you will be denied that information."

The advertisement goes on to refer members of the public to the relevant Government departments, for example, the Consumer Affairs Bureau and the Office of the Registrar of Auctioneers and Agents. I understand from people in the trade that they were very disappointed to receive a letter from the Minister for Justice and Attorney-General chastising them over that advertisement and pointing out that there were some technical defects in it that they subsequently conceded.

I have here a photocopy of a letter of 21 February 1985 that the Minister wrote to Mr Harris, the executive director of the Motor Trades Association. I understand that there is considerable disappointment amongst dealers at the unco-operative and chastising attitude of the letter, which they say is particularly negative, seeing that they were trying to do the job that the Office of the Registrar of Auctioneers and Agents should have been doing.

I do not know the basis on which the letter was written—perhaps it was simply a case of sticking up for the department—but I tend to agree with the dealers that it is an unfortunate response in relation to what they were trying to do, which was really nothing more than an important service to the public. If they did direct people to the Consumer Affairs Bureau or to the Office of the Registrar of Auctioneers and Agents, I do not really see that very much turns on that.

I have here a photocopy of a letter from the executive director, Mr Harris, dated 22 February, replying in fairly stern terms to the letter from the Minister. Mr Harris pointed out that he had telephoned Deputy Commissioner for Corporate Affairs McKirdy and apologised for the error. He then said that the association had successfully sought the concurrence of the registrar, Mr Neylan, to identify his office in further advertisements that were subsequently published. He then said—

"Mr Harper, The Executives of this Association, but in particular, the Executives of the Australian Automobile Dealers Association (Queensland Division) who were the instigators of the public awareness advertising, and operate under the umbrella of the Motor Trades Association of Queensland, find it quite incomprehensible that a Government Minister should criticise any attempt by an industry to try to clean up its own area of concern evidenced by receipt of your communication which can only be described as an attempt to shirk the responsibilities set out and defined in the very Act that you refer to: refer to Section 59—Bogus Advertising.

In addition, it is the firm belief of this Association that the examples of advertising by certain dealers, does in fact conflict with the meaning of the Act and in particular we refer to Section 8 of the Code of Professional Conduct of Motor Dealers. It is considered therefore that your comments related in (3) of your letter further support our thinking that the Department is perhaps avoiding its responsibilities in terms of administration of the Act.

We respectfully suggest that the letter you have sent us has been received with a great deal of disappointment on the basis that your colleague, the Minister for Employment and Industrial Affairs, the Hon. Vince Lester, has personally applauded and congratulated our Association for taking the initiative through the placement of these advertisements. Similarly, the Trade Practices Commission through its Queensland Regional Office has afforded positive comments, and both have recognised that the industry is trying to do something to clean up its own untidy area. In particular, the Minister responsible for Consumer Affairs has directly encouraged this Association to institute the advertisements and yet we are subject to only criticism with no attempt at encouragement from your good self."

I appreciate, as do all honourable members, that in the system under which we operate, the Minister is ultimately responsible. No doubt he takes ultimate responsibility for that letter and for the subsequent letter.

Reading between the lines, it seems clear to me—the Minister might let us know where he stands on it—that the problem lies with the department. Clearly, the problem is twofold. Firstly, the department has not been doing its job. That is indicated clearly in the letter sent by Mr Harris. Secondly, when someone else tried to do the job, the sensitivity and embarrassment was such that a nit-picking letter, to which the Minister subsequently put his signature, was drafted.

The Minister's reply of 1 March to the letter of 22 February indicates that he realised that perhaps the first letter did not reflect the situation. Although the letter of 1 March is couched in fairly neutral terms, it is fair to say that, to a large extent, the Minister conceded the point made by Mr Harris, and certainly it withdrew from the critical position expressed in the Minister's letter of 21 February.

I have here the letter dated 1 March in which the Minister wrote as follows to Mr Harris—

". . . at no time was I criticising the motives of your Association . . .

I fully support action being taken to acquaint the public with the trading activities of some unscrupulous dealers.

. . .

. . . I would expect to be consulted before an advertisement is published listing alleged breaches of the Act and urging consumers to contact one of my Sub-departments to investigate such breaches.

. . .

It is regretted that your Association has interpreted my letter as a criticism of the Association's Campaign."

The Minister then reaffirmed in his letter that he fully supported the campaign.

Unfortunately, there is a big gap between the attitude of the Minister for Employment and Industrial Affairs, which seems quite positive—the industry seems happy with it—and the letter that emanated from the office of the Minister for Justice. Whether or not it emanated from the department originally, I do not know, but it is in black and white.

The situation is fairly unsatisfactory, because it does not give the industry the protection that honest dealers deserve. It does not even encourage the industry to spend its own money to clean up its own back yard, which would be commendable action on the part of the industry.

I now table the letters to which I have referred.

Whereupon the honourable member laid the documents on the table.

I have referred to the Matilda Car Company. I am concerned about its simply changing its name from time to time to suit itself. I understand that it changed its name to Ron Dennis Car Sales in about May of this year. By August, that name got too hot. I understand that even when it was operating as Ron Dennis Car Sales, people would

say when answering the telephone, "Matilda Car Company". By August, that name got too hot, so the company set up as Wholesale Cars and Finance, still at Pacific Highway, Underwood. The unsavoury practices to which I have referred continue.

As I understand it, Mr McKerrow has been run out of South Australia, Victoria and New South Wales, and has expressed the view to people in the industry that he came to Queensland because, thanks to the inadequate enforcement of the legislation by the Auctioneers and Agents Committee, it is so easy to fleece people here. Given the way in which, as I understand it, he has been operating unhampered by the department to this stage, that seems to be a fairly accurate statement.

I warn all people who live in the Underwood area and are interested in buying used cars to stay right away from that operation, irrespective of the name used. A rose by any other name smells as sweet, and certainly Mr McKerrow's operation, by whatever name, smells pretty foul.

The Minister indicated that he will advise honourable members later of the action taken against the Matilda Car Company. I certainly hope that it has been more than a mere recommendation of some pending action while the department awaits the result of a decision of the Full Court of the Federal Court, which I am told is pending. I understand that the company has appealed against a recent prosecution brought against it by the Trade Practices Commission, as a consequence of which it was fined about $20,000 for bogus advertising.

The Trade Practices Commission has taken action. An appeal is before the court, and we will have to await a decision. Irrespective of the results of that decision, the evidence is there. The evidence that has been gathered over a period warrants the taking of firm action against those shonky dealers to protect not just the public but the rest of the industry. Their licence should be taken from them.

I have spoken to people in the Logan city area, and my colleague the member for Woodridge (Mr D'Arcy) has received a number of complaints. I understand that he is very concerned about the operations of that company. The company puts incredible pressure on people, particularly young people. I urge anybody who is dealing with that company to be very wary. It preys like a vulture on the unwary and trusting customer. Some of the practices include not just this bait advertising but also the winding-back of the mileage indicator on vehicles.

The company also adopts the practice of putting the trade-in that a young person takes to the yard into what is called a pigpen. The idea is to say, "The trade-in is there; it is locked up. You can't get it back." It is part of the process of pressuring people into thinking that they cannot back out and that they are stuck with going ahead with the deal. That sort of unsavoury practice must be stamped out. Those sorts of people cannot be trusted. More than a fine, a reprimand or a visit and stern talking-to from an inspector is needed. The licence has to be taken off them. That is the only way to deal with them. As I understand it, this company is still trading. Tonight, I would like to hear what positive and final action will be taken to rid the trade of that operation.

The dealers are fairly disappointed in the performance of the department. I understand that they appreciate not just the efforts and approach of the Minister for Employment and Industrial Affairs (Mr Lester) but also the efforts of the Trade Practices Commission relative to the Matilda Car Company. Certainly the commission launched a prosecution and had the company fined $20,000, which is a fairly effective form of action.

This matter is not restricted to that company. I have also received complaints from the trade about a company known as the Brisbane Discount Motor Market. I understand that it is one of the biggest used car dealers in Queensland. I am told that in May of this year, that company was fined $5,000 twice for winding back the mileage indicator on vehicles. On 19 September this year, again the company was fined $5,000 for a similar incident.

Those prosecutions were brought by the Trade Practices Commission. As I understand it—I would be interested to hear confirmation from the Minister—in the normal course,

details of the evidence and the prosecutions would have been forwarded to the Auctioneers and Agents Committee. What action has been taken against the Brisbane Discount Motor Market? Is it still in business? How long will it stay in business carrying on that practice? A person in the trade told me that the mileage indicator on one vehicle had been wound back 80 000km. That is incredible. Those are the lengths to which that operator is prepared to go.

Another dealer has complained to me about the operations of a dealer at Nambour, one Mr Berwick, trading as Used Car World. I understand that the licensee is a Mr Hendry. Once again, over the last couple of years, the mileage indicators on up to 150 cars have been wound back. A substantial amount of information on the operations of that company also has been forwarded to the Auctioneers and Agents Committee and to the Corporate Affairs Office.

With that volume of evidence, it would be fair to say that if the department has not acted against Used Car World, it is clearly failing in its duty. It is clearly falling down on the responsibility that it has to protect members of the public. I understand that, in relation to Used Car World, the Auctioneers and Agents Committee has been asked, either by somebody in the industry or by the Motor Traders Association, for advice as to what action will be taken, and nothing has been heard from the committee. Perhaps the officers who are here can advise the Minister of what action, if any, will be taken in response to the information that has been passed on to the Auctioneers and Agents Committee.

Dealers complain to me that, in relation to the operations of some of these companies, the problems relate to the continual change of names. The principals of these companies, such as Mr McKerrow, can operate at arm's length, change the name over and over, and the Office of the Registrar of Auctioneers and Agents does nothing. It seems that that office always has an exuse for not acting against companies such as the Matilda Car Company. If, at last, action is taken, well and good, because action must be taken against these unscrupulous traders. Their modus operandi has not changed; it is just the names.

I understand that Mr Hendry's operation has gone out of business. If that is correct, I would like to know the basis on which that happened, because it was suggested to me that it was not because of any action by any auctioneer or agent but because a finance company withdrew finance. But for that, he would still be operating unhampered and unhindered by auctioneers and agents. In any event, Mr Hendry can still be the subject of action, and I would be interested to learn whether action has been taken against him. I understand that the Registrar of Auctioneers and Agents should be in possession of his home address and I would like to know whether it is possible to take any action against him personally, if so, whether it will be taken and, if not, why not.

I have made reference to the correspondence from the Motor Trades Association of Queensland. If the Minisiter has not done so already, he would be well served by talking more directly to that body. He should then talk to his officers to try to get the whole operation moving so that they carry out the job that they are supposed to carry out.

Section 60 of the principal Act deals with the code of professional conduct of motor dealers. It sets out that the committee may, from time to time, as a guide to the standard of professional conduct expected of motor dealers and motor salesmen, compile a code of professional conduct of motor dealers. The section also points out that such a code will be submitted to the Governor in Council for approval.

What is the point of having the committee, the code and the provisions in the Act if the bottom line is that the office will not act? It is high time that action was taken. I am sure that all honourable members would have received complaints at one time or another from constituents who had unfortunate experiences with used car yards. Some of those complaints would be warranted, but a number would not. A number of operators are operating in an unscrupulous and blatant way with contempt and disregard for the legislation and for the officers from the Office of the Registrar of Auctioneers and Agents.

The Opposition has no particular problem with the legislation, and I have already commended the Minister for the process that he has undertaken to arrive at the final form of the Bill. I understand from people in the legal profession that submissions were made but, generally, no great concern has been expressed. The industry and all other relevant groups have had an opportunity to have an input. I have no doubt that, although I have not seen the submissions, the legislation that has been withdrawn and amended again reflects those particular submissions and the industry's concerns and aspirations.

I seek clarification from the Minister about the Auctioneers and Agents Fidelity Guarantee Fund. Fairly detailed provisions are set out in the Bill. It is specified that the amount of all claims including any costs established against the fund are to be paid out of the fund, as are all legal expenses, the costs of any inquiry of the committee and refunds of contributions to licensees. Those provisions are quite acceptable.

However, I am puzzled by the provision whereby the executive officers can be personally liable for claims. Reference is made to the situation in which payment may be made out of the fund in settlement, in whole or in part, of any claim relating to the business of an auctioneer, a real estate agent, a commercial agent or a motor dealer carried on by a corporation or a business carried on by a person pursuant to a franchising agreement.

That new section goes on to say that the executive officers of the corporation, at the time when the act or omission that gave rise to the claim occurred, shall be jointly and severally liable to compensate the fund in respect of that payment. I do not criticise that particular provision. What I am saying is that I do not fully understand the reason for its inclusion in the Bill. All honourable members are aware of the principle of limited liability and the advantages and disadvantages, to the public, of that and the corporate veil.

Mr Harper: We are bringing it into line with the Companies (Queensland) Code.

Mr GOSS: Sure. And that is the main reason for it? There are no particular problems associated with these licences or businesses?

Mr Harper: No. We believe that we should bring it into line with the Companies Code before we do have problems.

Mr GOSS: That is fair enough. I will accept that.

In concluding my comments on the Bill, I again commend the Minister on the approach that he has taken. However, I strongly express my concern. It is all very well to have a good legislative framework but, if it does not work on the ground and if it does not operate at the practical level, the community is not well served and not well protected. No matter how good the legislation is, if the troops are not doing the job or if, for some practical reason, because of staffing or whatever, they cannot do the job, the purpose of the legislation is defeated.

I appreciate the extent of the Minister's responsibilities. The first letter that I referred to, that is, the letter to Mr Harris, to a certain extent indicated that the Minister may not be fully aware, or fully informed, as to the activities of the department. Hopefully, the experience gained from that advertisement and the correspondence relating to it have brought the Minister more up to date. The debate tonight would be lacking if the Minister was not in a position to give the House some fairly definite indications as to what will be done to stamp out these practices.

Mr JENNINGS (Southport) (9.2 p.m.): In commenting on the Bill, I should say that the real estate industry is of vital importance to this State, as is the car industry, which the member for Salisbury has just mentioned. With the opening of the casino and the other new developments in Queensland, such as the Gateway Bridge, the stabilisation of the Southport bar and roadworks all the way up the coast, there is no doubt that Queensland is exciting from a real estate point of view.

Real estate agents have a very important function. I am the first to say that a good real estate agent, or a good agent in any field, pays for himself handsomely. That they be good and have a code of behaviour and a code of ethics is important.

The member for Salisbury complimented the Minister on the legislation and I, too, compliment the Minister on the legislation, which was introduced last April and allowed to lie on the table. Many submissions from many different people have been made. No area of Queensland would have more real estate agents, or probably car-dealers, too, than the Gold Coast. In response to input from the community, the Bill has been amended in a number of areas.

The member for Salisbury, on behalf of the Labor Party, said that, to him, the legislative framework was appropriate, but he felt that it left much to be desired on the protection that it gave to the community, particularly from disreputable car-dealers. Problems have always existed with car-dealers. The Government has always tried to face up to that. Whenever problems have arisen, they have been brought to the notice of the Consumer Affairs Bureau, and the provisions of the Trade Practices Act have been enforced. The honourable member also spoke about misleading advertisements in the press about low prices, the fact that the vehicles had no registration plates and the fact that the prospective customers are told that the vehicle advertised has been sold. Those sorts of things have been going on since Snowy off the trams got on.

Those practices are basically abhorrent. Most people have found that, unfortunately, dealers do those sorts of things. For many years, car-dealers have been winding back odometers on second-hand cars. As far as the Government is concerned, if they are caught doing that, they will be run out of business. No-one would disagree that the Minister is 100 per cent behind taking action against shonky car-dealers.

Last year, I raised the matter of the swindle concerning Land Bank. The Minister took prompt and precise action to ensure that the money was returned to the people. When I raised the matter in the House, there was no doubt that the money was returned to the people because of the prompt action taken by the Minister. Within 24 hours of my raising the matter in the House, the Minister made a statement to the effect that there could be a conflict with prescribed interests. Within a few days, he stated in the House that the people should get their money back; and the people got their money back. A great deal of credit should be given to the Minister and the Government for that.

The matters raised by the honourable member for Salisbury about the car-dealers is not as specific as the Land Bank issue. He said that some car-dealers were disappointed with the performance of the department. A car-dealer who winds back an odometer up to 80 000 km is a crook. If evidence of such practices is provided, I am sure that prompt action will be taken.

Some aspects of the Bill ought to be mentioned specifically, including the franchising arrangements and agreements. It is in the interests of the public, the franchiser and the franchisee that people, when dealing with agents, know with whom they are dealing. Many people think that they have dealt with an agent under a franchise arrangement, such as Ray White and PRD. The people think that they are dealing with that company and that they are backed by that company. Of course, that is not the case. Previously, the signs were larger. However, that will be amended. It is clear and specific that the franchisee will be shown on the signs, and that is important. It is important also for the Auctioneers and Agents Committee to be notified of the franchising arrangement.

The franchiser and the franchisee want to make clear their obligations under the Auctioneers and Agents Fidelity Guarantee Fund. The fidelity fund is very important. On the Gold Coast, an incident involving Hibiscus Village was brought to public notice. A dear old couple gave a solicitor title to their house. Honourable members know that the solicitor is now in gaol. Although a dispute existed for some time, the legal fidelity fund is now compensating the couple because, fortunately, they had dealt with that solicitor. Unfortunately, the old man involved in the matter has died, but the dear old lady will receive $57,000 or $58,000, which will enable her to buy another property.

It was intended that the advertisements for the franchisee and the franchiser would appear in newspapers. However, after a great deal of discussion, it was decided not to do that provided that the matter is made clear and specific on such things as stationery. That will be of great benefit to the public and to everyone involved in the industry.

The amendment relating to pastoral houses is very practical. When a pastoral house is conducting a clearing sale in the bush, it will now be able to sell plant, machinery, furniture and all the odds and ends that go with a disposal sale.

Any agent who buys or sells a property must declare any interest. That is clearly in the interests of all concerned.

Provision is made that a real estate business must be carried out in premises of an appropriate standard. Certain requirements must be met. However, to permit a degree of flexibility, it is proposed to allow an application to the Minister for exemption from the prescribed requirements. That is also fair and reasonable. Factors to be taken into account include where the agent is situated, how long he has been operating, whether he is in retirement, and so on.

Generally speaking, it is an excellent Bill. It has received a great deal of consideration from the industry. I am very pleased that the Labor Party supports it. No politics are involved in this Bill. It is a genuine attempt to help an important industry. As I have said, real estate agents are an important part of the community. A good agent is the first to get onto the barometer of the economy. A reasonable agent at the Gold Coast will tell honourable members how well houses are selling.

Mr Simpson: He's a good PR man for the area, too.

Mr JENNINGS: That is correct.

Real estate agents know what is happening in the economy. I know a few fellows at the Gold Coast whom I could telephone and ask, "How is it going?" They would tell me, "It is starting to lift this week," or, "It is as flat as a tack." The agents are spot on because they are dealing in the market-place all the time. The real estate industry is important in Queensland.

I compliment the Minister and the officers of his department who have assisted in the compilation of this Bill. I am sure that it will have a big impact and will be of great benefit to the community in general.

Mr WHITE (Redcliffe) (9.12 p.m.): Members of the Liberal Party join with those who have spoken previously in expressing appreciation to the Minister for the way in which he has handled the legislation and the fact that it has laid on the table so that people who are intimately involved have had the opportunity to peruse it, make submissions on it and discuss it within the industry.

My comments will be addressed primarily to the real estate industry. I support the latter comments of the honourable member for Southport, who emphasised the importance of the industry. The real estate industry is a multimillion-dollar industry. It is a particularly significant industry in Queensland.

It could be said that the real estate industry has played a major role in the development of this State. Far-sighted people involved in the real estate industry have recognised the potential for growth and development. That has been demonstrated throughout the State, particularly in the tourist industry. Were it not for some of the more entrepreneurial people involved in real estate, I dare say that many of the magnificent tourist areas of Queensland would not be developing in the way in which they are.

Unfortunately, these days, it is pretty common for many members of the public not to have a very high regard for real estate agents. I suppose that, on the totem pole, real estate agents rate with politicians and used car salesmen.

An Honourable Member interjected.

Mr WHITE: Pharmacists are much higher up on the scale, particularly on the Redcliffe Peninsula.

Mr Borbidge: I understand that it is a monopoly situation.

Mr WHITE: I wish that it was, but it is not.

As I have said, the real estate industry is a very important industry in Queensland. It is important not only because of the people who are involved in the service industry but also because of the opportunities that are opened up. Honourable members can imagine the spin-off business to the finance industry. If a piece of land is not sold and a house is not built, banks do not provide loans and do not employ people. I could include building societies and finance companies.

The opportunities that have been perceived over the years by the real estate industry in the development and construction industry alone have been quite remarkable and, as I said earlier, have led to the great development that has taken place in Queensland. Many other professional bodies feed off the real estate industry. The legal profession is a major employer of people as a direct consequence of the business that flows to it from the real estate industry.

One could refer at length to the provision of management resources by consultants and the development of marketing organisations that have occurred because of commercial activity. I understand that in Queensland alone approximately 12 000 people are directly employed in the real estate industry, without including employment that has been generated by the multiplier effect of all the other industries that are associated with it.

I wish to make a number of comments that relate directly to the legislation. It is pleasing that all honourable members have been given sufficient time to examine the provisions of the Bill. However, I find myself at odds with the way in which the Bill purports to deal with franchise dealers. As I understand the legislation, the franchise operators will have to take down existing signs from their business premises. I realise, of course, that a phasing-in period has been provided for, but I understand that the signs will ultimately have to be taken down. I ask the Minister whether it is the case that if a person holds a L. J. Hooker franchise agency, he would have to alter the sign.

Mr Harper: A phasing-in period has been provided to cater for a sign that has recently been erected. Obviously, the Government has in mind a period that would last longer than the phasing-in period. Provision has been made for applications to be lodged with the Minister for an extension of time.

Mr WHITE: I understand that.

Many of the people I refer to have incurred considerable expense. It seems inconsistent, from the point of view of free enterprise, that a Government should interfere in that kind of activity. For instance, hotels have XXXX signs and Fosters' signs all over them, and over the doorway the name of the licensee or registered proprietor appears. The same practice applies to franchise agencies that operate in the food industry at fast-food outlets, and in the pharmaceutical industry, of which I have some knowledge. Many people operate under a corporate franchise banner, as it were, but their names are placed over the doorway or on a sign that is placed in the window of their shops.

It is overwhelmingly the case that franchise operators provide a high degree of professional service. As a rule, they demand more of the franchisee, although there can be exceptions which prove the rule. It seems rather discriminatory to point the bone at the franchise operator as distinct from the individual operator.

Mr Harper: The people to whom you are referring, of course, are not trustees of public money, as auctioneers and agents are.

Mr WHITE: I take the point made by the Minister, and I do not doubt what he is saying. However, I still believe that the legislation represents overkill. The point I wish to make is that the legislation that relates to franchise operators as distinct from individual operators seems to be pretty rough.

As I read subsection (2) of the proposed new section 15A of the Act, it appears to be an invasion of corporate privacy and against the spirit of free enterprise, because it prohibits a licensee from carrying out business pursuant to a franchising agreement without approval of the committee. Why should a franchisee be singled out for special treatment? The choice of whether or not a licensee undertakes a franchising agreement is a commercial decision, and not one that should be interfered with by legislation. For the life of me, I find it difficult to understand why this particular sector of the industry has been singled out.

Mr Harper: I think you may be looking at the earlier Bill. The provision now is that a franchisee has to advise the committee of a franchise. It does not have to approve it.

Mr WHITE: Is it only a matter of registration?

Mr Harper: Yes.

Mr WHITE: I am pleased to hear that.

An Opposition Member: Haven't you read the Bill?

Mr WHITE: I have, as a matter of fact. I queried this point with somebody in the department, who was not able to give me an answer.

Moving on, there are a number of problems in the industry at which the Government ought to look, particularly the entire concept of self-regulation. If the Government really believes in free enterprise, why does it not bite the bullet and give the industry an opportunity to look after itself?

In commercial practice, one sees that businesses and professional people set their own fees and the market-place provides the competition. I understand that the Minister either is looking or has looked at the whole structure of the fees of real estate agents, but I cannot understand why, in a free enterprise society, as it were, the Government cannot allow the market-place to prevail.

My other point relates to the whole question of the licensing of real estate agents, auctioneers and managers and the registration of real estate agency staff. The licensing and registration role of the Government does not support the granting of licences by registration without proof of the competency, knowledge and professional integrity of the applicant. The Government is really saying that it is not prepared to insist upon educational standards. It wants to register those people, but it is not doing anything to command that they be educated to do the job. That has been a bone of contention within the industry for some time, particularly with those responsible people who want to see standards raised. I again ask the Minister to have another think about the whole educational role and to insist upon some sort of educational standard as a prerequisite for registration.

Like the member for Salisbury, I welcome the beneficial interest aspect of the legislation. It is something that the industry has asked for, and it is pleasing to see that the Minister has responded to that request. Overall, the Bill is a positive move. There is reason to congratulate the Minister. However, there is room for reconsideration of deregulation in this industry. Perhaps one way of dealing with, say, complaints at the moment is to give the REIQ or some other industry body some teeth. The industry does have a code of professional practice, but it really has no teeth. Such a provision would not be exceptional today.

Similar provisions have been applied to most professional bodies over the years, whether it be the Queensland Law Society, the Pharmacy Board, the Medical Board or whatever. Those boards have been given statutory backing to enforce a code of professional behaviour. I know that the Trade Practices Act and companies legislation is available to deal with a number of aspects of the industry; nevertheless, the Government ought to give consideration to giving the industry more autonomy in order that it can move along a progressive line of deregulation.

As I said, the Liberal Party welcomes the initiatives taken in this legislation. We again express appreciation to the Minister for giving us the time that we requested, and I am sure that people in the industry appreciate that as well.

Mr SMITH (Townsville West) (9.25 p.m.): Occasionally, it is good to have a reasoned debate, without drama, in the House.

Mr Prest: All the drama happened this morning.

Mr SMITH: That is true. I support the comments of the Opposition spokesman, who dealt in detail with matters that I intended to raise. I certainly will not traverse the same territory.

I bring to the Minister's attention the way in which country areas are disadvantaged by all the shonky deals in the second hand motor vehicle industry. It is one thing to talk about the problems in Brisbane but, at least, they are within easy reach of the departmental officers, who can almost make checks on a daily basis. In country areas, it is a case of out of sight, out of mind.

Townsville, Mackay and Cairns, which are cities with substantial populations and large numbers of used car dealers, are paid fleeting visits by the appropriate inspectors, probably at intervals of between three and six months.

I am in no way reflecting on the capacity or the endeavours of the officers. They are simply not in the towns long enough. It is also clear that there is a severe shortage of staff.

Many Government departments are established in Townsville, the main business centre in north Queensland. The Office of the The Commissioner for Corporate Affairs has a branch in Townsville, but it is really a body without a heart. It has no muscle to keep it going. The few local officers have a multiplicity of duties to perform. The Minister should know, from his other areas of responsibility, that they cannot devote sufficient time to all their many duties.

The Commonwealth has a growing recognition, and so does the State, to some extent, of the fact that more attention must be given to appointing permanent staff in Townsville and the whole of north Queensland.

Some used car operators who indulge in very unsavoury practices can virtually thumb their noses at the Minister's officers. When they get rid of them, they know darned well that they will not be back for three to six months. Because they can almost predict when the officers will make their next visit, they have all the time in the world to arrange their affairs and put up a front when the officers next come to town. It is like what happens at a two-up game. As soon as the Minister's officers hit town, the word is spread and all of these operators are on their best behaviour. All problems are put out of sight. No-one can say that that does not happen.

Motor vehicles are very important to people in country areas because, generally speaking, public transport is totally absent. Many families are obliged to run two or three old, inexpensive cars. When working-class families are taken down for hundreds, and sometimes thousands, of dollars, they are in serious trouble, and, without doubt, most of them are paying off their cars.

No matter what is done, another used car dealer is always waiting to start another rort. It is high time that certain dealers in Townsville got a mention. The department should crack down generally on the operations of professional back yard used car dealers. They virtually operate their businesses in their backyards and, in doing so, they buy, repair and resell cars without adhering to normal practices. Frankly, at the moment, the Minister's officers have no opportunity to crack down on them. The Main Roads police have some idea of who these people are.

Mr Harper: If they are reported, action is taken.

Mr SMITH: I know.

Mr Simpson: They park them up on the side of the road and put a sign on them.

Mr SMITH: That is true.

This is a widespread practice. Many dealers tell me that they believe that the volume of sales of used vehicles by that method probably equals the volume of sales through the legitimate dealers.

Mr Simpson: They appear on the surface to be private sellers, but they are not. They are back-yarders doing quite a business.

Mr SMITH: It is quite a big business. Frankly, no half-hearted effort will do anything about it. A policy decision has to be taken to crack down very solidly on that practice for a sustained period. I am not talking about the owner who wants to sell a family vehicle every three years.

The other problem that is arising increasingly is that usually a new car dealer will have a used car yard in which he displays the more respectable vehicles. He is happy to market those vehicles under the name of that company. Increasingly, dealers, in order to compete with the less legitimate dealers and the back-yard dealers, are setting up secondary car yards under another name in which they can market their "bombs". If a dealer does not do that, he enters into an arrangement with a shonky dealer, which has the same effect of giving him an outlet for his less serviceable vehicles.

Members of Parliament become aware of those practices because the problems land on our doorsteps; we are asked to do something about the matter. If I bring a matter to the attention of the more recognised dealers, I find that they are willing to do something about it, because they know that it is in their own interests to do so.

A John Daley in Townsville—I would not be surprised if he is the brother of Arthur Daley of the well-known television series *Minder*; who runs a similar type of operation—runs a business known as Southside Autos in Boundary Street, South Townsville. I understand that he operated for a considerable period without a licence. I have received a number of complaints from various dealers in Townsville. They have asked me, "What is going on? This fellow can operate without a licence. What are we paying our money for? What sort of protection are we getting?"

I must admit that I have been reluctant to raise this matter, because the operation is not exactly in my electorate. I had hoped that other action would be taken. But I have received so many complaints that I have no option but to bring the matter to the attention of the Chamber.

According to my information, because of his previous history, John Daley would not have been able to obtain a licence in his own right. He was smart enough to set up, through other people, a corporate company, in which originally he had no part. At a later stage, he was able to secure the resignation of certain principals of the company, and he became a principal of the company. That seems to me to be a pretty smart alec tactic. I have been told by other people in the industry that it is certainly not the first time that that has been done.

I ask the Minister to thoroughly investigate the operations of this man. A check should be made to see how the company was set up and whether any fraudulent actions have taken place. The trading practices of the particular operator should be examined closely.

A very large dealer in Townsville brought to my attention a case involving a young man who received a fairly substantial compensation payment. In fact, he lost most of the fingers on one hand. He bought a car worth about $8,000 from the dealer. Probably that young man had not had the opportunity to handle that sort of money before.

Over a couple of deals with Southside Autos, he finished up with a vehicle worth a few hundred dollars that was sadly in need of repair. I understand that he has very little prospect of getting a roadworthiness certificate for it. That is the type of operation that is going on.

I am sure that the Minister is aware of another dealer in the town who I am about to mention and whose name is Donald Ramsay. He does not have a very good history, and I certainly experienced some problems with him when he came to town. Over time he has improved his business to the extent that I now receive very few complaints about him. In fact, I have not had a complaint for a couple of years.

Mr Mackenroth interjected.

Mr SMITH: Well, I think that he has seen the error of his ways.

His operation is now a very legitimate business and he has done what the other fellow to whom I referred has not done; that is, he has discharged his bankruptcy. I am not saying that this man is a criminal; to the contrary, that is far from the truth. However, someone who is a criminal gets the opportunity to rehabilitate himself.

I am surprised that this man, who has discharged his bankruptcy to the satisfaction of all concerned, and who is in possession of a number of businesses connected with motor vehicles in one way or another, is still unable to secure a licence in his own name. He has appeared before the crew down here in Brisbane, and from what I have heard, not only from him but from other people, the people who heard his case were rank amateurs and did not know what they were talking about. I am very dissatisfied with the treatment that this fellow received. At one time I had no hesitation in taking him to task; but he deserves a chance—he has earned a chance—and he has been treated very unfairly. I hope that the Minister will give some consideration to his case.

Mr Harper: As you know, I know the case very well indeed.

Mr SMITH: Yes, but I say publicly that it is my belief that the man has earned the right to be given that opportunity.

Mr Harper: I would not disagree with you.

Mr SMITH: I thank the Minister. Mr Ramsay will be pleased to hear that.

The professional associations of real estate agents believe that they are not getting the support that they should from the Government in their endeavours to maintain and lift standards in the industry. Although the associations police actively those agents who carry on practices that might bring disrepute to the industry and their members, in any town of a reasonable size a number of people operate outside of the influence of those agencies, and seem to do so with impunity. As fast as one group disappears, someone else takes its place. The response from the Government in dealing with these problems is terribly slow.

I put that to the Minister as part of the evidence that needs to be examined. It should cause him to give consideration to placing permanent staff in areas outside Brisbane, because time has long gone when these sorts of practices can be policed from Brisbane.

Because it will sharpen the impact of what I am saying, I will give an example. About 18 months ago—this has certainly happened since the Minister was appointed—a shire councillor by the name of Frank Percival obtained his licence improperly by providing false evidence with respect to his experience, among other things. That was drawn to my attention by the local people and it was a very long time before any action was taken against him. Even after appropriate action was taken, and he was advised that he was not able to carry on his business, he continued to do so, apparently with impunity, for at least a year. He thumbed his nose at authority.

Unless action is taken to put teeth into the legislation so that the Government can enforce it, that practice will spread. The next person will say that, even if he does get nobbled, he can still carry on for another 12 to 18 months without anything very much happening.

It is not very often that I become involved in this type of thing in the Brisbane area, but I have learnt of a fellow named John Delahunty, who operates John Delahunty

and Associates, a design consultancy, at Spring Hill. That man was declared bankrupt in 1978 and again in 1982, but he is operating this business. As an undischarged bankrupt, he is certainly not entitled to do that. More than 15 months ago, I drew that fact to the attention of the Minister's departmental officers. I have received a couple of letters and some telephone calls from them.

The group of business people in the city area whom I know and who brought the matter to my attention have said to me that they did not really expect anything to happen, because they know of many other instances in which the Corporate Affairs Office has taken no action. They told me that, although this was one case that they had pointed out, they knew of a dozen more. They say that it is hopeless and not worth while bringing these matters to the attention of anyone, because nothing is ever done. I am simply quoting to the Minister the one instance that I know of. I have correspondence on the subject. The Minister's advisers will certainly be aware of it. That man has continued to operate in business for 18 months. Surely it does not take 18 months to take action against someone who is an undischarged bankrupt and who is openly operating against the law by running a business in the city area—in fact, it is almost within a stone's throw of the Corporate Affairs Office.

To me, that highlights the fact that the office must be understaffed. It is a glaring example of the fact that the legislation has not the teeth to enable the department to enforce the rules and regulations contained in legislation.

Debate, on motion of Mr Wharton, adjourned.

PETROLEUM ACT AMENDMENT BILL

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Petroleum Act 1923-1983 in certain particulars."

Motion agreed to.

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) (9.43 p.m.): I move—

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

The Bill proposes amendments to the Petroleum Act 1923-1983 that will provide for certain powers under the Act to be applied to facilitate construction and operation of long-distance pipelines for the transport of petroleum products within Queensland.

At the present time, a petroleum product pipeline can be constructed under the provisions of the flammable and combustible liquids regulations under the Local Government Act 1936-1975. Those regulations are adequate for small-diameter pipelines over short distances, such as between a refinery and bulk-storage facilities. The construction of a long-distance pipeline requires extensive surveys and investigations of alternative routes in order to achieve the most economical and environmentally acceptable solution.

The existing provisions of the Petroleum Act 1923-1983 enable a person to obtain right of entry on land for the purposes of surveys and investigations and to construct a pipeline under the authority of a licence granted by the Governor in Council. The rights and interests of any owner or occupier of land affected by the pipeline are protected and compensation provisions are included.

The effectiveness of the Petroleum Act in facilitating the construction of long-distance petroleum pipelines has been demonstrated most recently by the Jackson to Moonie oil pipeline, which was completed in 10 months in 1983-1984.

The proposed amendments will allow the relevant provisions of the Petroleum Act to apply also to a petroleum product pipeline declared by the Governor in Council by Order in Council.

I commend the Bill to honourable members.

Debate, on motion of Mr Prest, adjourned.

LANG PARK TRUST ACT AMENDMENT BILL

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

"That leave be given to bring in a Bill to amend the Lang Park Trust Act 1962-1981 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (9.47 p.m.): I move—

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

The purpose of the Bill is to bring under the umbrella of the Lang Park Trust Act an area of land comprising 2 340 square metres that was acquired by the trustees of the Lang Park Trust by way of an exchange.

Honourable members will be aware that, for many years, the Queensland Police Citizens Youth Welfare Association has operated in premises at the Caxton Street/Hale Street corner of the Lang Park complex. In 1969, an alternative site was acquired for the association. This comprised an area of 2 340 square metres, then described as portion 1163, situated across Castlemaine Street from Lang Park. It was found that drainage works at considerable cost would be required to use portion 1163 for the association's purposes. There were also problems with the size of the parcel of land and the lack of vehicle parking space.

In August 1984, after considerable negotiation, an area of 6 320 square metres containing the association's premises was surrendered from the Lang Park complex and transferred to the trustees of the Queensland Police Citizens Youth Welfare Association for recreation (youth welfare) purposes under a deed of grant upon trust. In exchange, the parcel of land on the opposite side of Castlemaine Street, now described as lot 1163 on plan SL7066, containing the 2 340 square metres referred to earlier, was transferred to the trustees of the Lang Park Trust by way of a deed of grant upon trust for recreation and sporting purposes. That deed issued under the Land Act only, since there was no provision in the Lang Park Trust Act for its issue under the ambit of that Act.

The rearrangement of the lands is considered to be in the best interests of the Police Citizens Youth Welfare Association and the Lang Park Trust. For the purposes of future management of the Lang Park complex, it is essential that the recently acquired parcel of land be brought under the provisions of the Lang Park Trust Act, and, as I have said, that is the main thrust of the Bill.

The new schedule at the end of the Bill sets out the new description of the two parcels of land that now comprise the Lang Park complex. Other clauses in the Bill provide for the deletion of sections of the Act that have become redundant owing to the passage of time and for the updating of certain terms and titles.

Clauses 1 to 3 include the preamble, short title, citation, and collective title of the amended Act, and update the definition of "Minister".

Section 3 of the principal Act provides for the composition of the trustees, which includes representatives of Queensland Rugby Football League and Brisbane Rugby Football League. Clause 4 of the Bill provides a change of those names to "Queensland Rugby Football League Limited" and "Queensland Rugby Football League Limited (Brisbane Division)", respectively, which are the current registered names of those organisations.

Clause 5 of the Bill deletes the reference in section 5 of the principal Act to "Queensland Rugby Football League" and "Brisbane Rugby Football League", as both are represented on the Lang Park Trust, and reference to the leagues, in that context, is not required.

The requirements of sections 7, 8 and 9 of the principal Act are now matters of history and, as such, are redundant. Clause 6 of the Bill repeals those sections and substitutes new sections 7, 8 and 9.

The new section 7 preserves the deed that issued under the previous provisions, and provides an assurance that the deed continues to be subject to the provisions of the Lang Park Trust Act 1962-1985.

The new section 8 provides for the new deed in respect of the newly acquired lot 1163 on plan SL7066 to be deemed to have issued to the trustees of the Lang Park Trust in fee simple for recreation and sporting purposes under the Lang Park Trust Act 1962-1985 rather than under the Land Act.

The new section 9 provides that both titles shall continue to be subject to the reservations and conditions provided by the Land Act, and it also provides for a continuation of the requirements for maintenance of a register of trustees as provided by the Land Act.

Section 12 of the principal Act is provided for leasing of parts of the trust land to Queensland Rugby Football League, Brisbane Rugby Football League and Queensland Police Citizens Youth Welfare Association. Both leagues, under the the new style names of "Queensland Rugby Football League Limited" and "Queensland Rugby Football League Limited (Brisbane Division)", are represented on the trust and are users of the land. Consequently, no leases are proposed and none are required.

The area used by the Queensland Police Citizens Youth Welfare Association has been excised from the Lang Park complex and, as I said earlier, was transferred to the association for recreation (youth welfare) purposes. No lease is required in respect of the remaining Lang Park land. Clause 7 of the Bill repeals section 12 of the principal Act.

Clause 8 updates the penalty clause in respect of breaches of the by-laws that were made by the trustees with the approval of the Governor in Council.

Clause 9 updates titles of Acts and other expressions, and clause 10 substitutes the new schedule containing the new description of the Lang Park complex.

I commend the Bill to the House.

Debate, on motion of Mr Mackenroth, adjourned.

FIREARMS AND OFFENSIVE WEAPONS ACT AMENDMENT BILL

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

"That leave be given to bring in a Bill to amend the Firearms and Offensive Weapons Act 1979-1984 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (9.54 p.m.): I move—

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

The principal thrust of the Bill is to make special provision for collectors of antique and souvenir firearms and certain dangerous articles of a prescribed class. As well as providing for collectors, the Bill contains a number of consequential amendments that flow from the collectors provisions. The Bill contains certain other amendments, which I will outline.

The first three clauses of the Bill are machinery clauses. Clause 1 provides the citation of this Bill as the Firearms and Offensive Weapons Act Amendment Act 1985. Clause 2 provides that the Act will commence on a date to be proclaimed. Clause 3 amends section 3 of the principal Act by the insertion of reference to "Division 11—Licensing of Collectors".

Clause 4 amends section 6 of the principal Act in paragraphs (d) and (e). Sections 60, 61 and 62 of the Firearms and Offensive Weapons Act create certain requirements and offences in respect of prohibited and prevented persons. Prohibited persons are persons prohibited from possessing and using firearms, either as a result of convictions for drug offences under the Health Act or certain offences under the Criminal Code, or persons who have been prohibited by a commissioned officer from having firearms because of their attitude to the use of firearms.

However, it has been found that some of these prohibited persons have become members of rifle clubs to circumvent the intent of the Act. Recently, a prohibited person was found shooting at a rifle club and subsequently charged. The magistrate convicted the offender, who later appealed to the District Court, Brisbane, claiming that he was exempted from the Act by virtue of the provisions of section 6 as it relates to rifle and gun clubs. The District Court judge upheld the appeal, holding that the provisions of section 6 allowed prohibited persons to continue using firearms because, by virtue of the wording of section 6, they were exempt from the provisions of the Act. It was never intended that a prohibited person could circumvent the Act by simply joining a rifle club.

It may well be that the Full Court of the Supreme Court of Queensland could take a view different from that of the judge of the District Court. However, to make it clear that a prohibited or prevented person cannot circumvent the Act, it is intended to amend subparagraphs (d) and (e) of section 6 by inserting the words "not being a prohibited or prevented person" in both subparagraphs.

Clause 5 amends section 7 of the principal Act in respect of meanings to be given to certain words. Some of the changes are necessary as a result of making provision for collectors. For example, the term "dealer" needs to be amended to make reference to a collector. Some collectors will have replica grenades in their collections, so "replica grenade" is defined. Because of the provisions being made for collectors, the term "collector" has been defined.

The definition of "firearm" is extended to exclude "captive bolt weapons designed for killing livestock". These firearms have been designed specifically for killing livestock at abattoirs, and at present are required to be licensed or specially exempted. These firearms do not discharge a projectile in the sense of a true firearm. When discharged the bolt protrudes a short distance from the end of the barrel and then retracts. There is no need to license these particular firearms. Should they be used offensively against a person, they then come, of course, within the provisions of the Act.

Clause 6 amends section 16 of the principal Act and is a necessary amendment to provide for collectors' licences insofar as duration of a licence is concerned.

Clause 7 amends section 29 of the principal Act and is necessary to provide for collectors. A new subsection (2A) is to be inserted to provide for the furnishing of

certificates concerning certain firearms being rendered inoperable. Antique firearms will not be rendered inoperable. The amendment will also allow for a person (other than a police officer) to render such firearms inoperable. At present, only police officers are authorised to render firearms inoperable, and in some circumstances it would be more appropriate for some other person to carry out that task.

Clause 8 amends section 35 of the principal Act and is also necessary in view of the provisions for collectors. Restricted firearms going onto collectors' licences will be rendered inoperable. Restricted firearms are those of the anti-tank-rifle class.

The amendment of the section will make provision for the restricted firearm to be rendered inoperable, and for a certificate to that effect to be issued by the person rendering the firearm inoperable. Restricted firearms that are currently licensed will be rendered inoperable as the licences are renewed.

Clause 9 amends section 37 of the principal Act and is a machinery provision clearly providing that a dealer licensed under the provisions of section 37 (1) may have possession of the particular type of firearm in which he is dealing.

Clause 10 inserts a new section, section 39A. Problems have arisen with a number of dealers who do not enter concealable firearms into their registers. Unless dealers keep their registers correctly and advise the authorised officer of acquisitions and disposals, police will never be able to keep track of concealable firearms. One dealer was recently found in possession of 26 concealable firearms, none of which were entered into his register. One concealable firearm was found to have a silencer attached, which is a serious offence in itself. Some of the concealable firearms had been in the dealer's possession for a number of years and he declined to supply details of how he came by them.

It is considered that, in such instances, dealers who do not enter these firearms into their registers are in possession of unlicensed concealable firearms. Some magistrates have accepted that view, whereas others have taken the opposite view.

To make that clear once and for all, this clause provides that a dealer found in possession of concealable firearms, conversion units, restricted firearms, machine-guns or sub-machine-guns not entered into his register will be in possession of unlicensed concealable firearms, unlicensed conversion units, unlicensed restricted firearms or dangerous articles.

Clause 11 amends the principal Act by introducing a new Division II to Part 2 of the Act. That division, which consists of 13 new sections, 42A to 42M inclusive, makes provision for the licensing of collectors. This is a completely new concept and was brought about as a result of submissions from the Arms Collectors Guild and other interested parties.

Under these new provisions, collectors will be able to collect various types of firearms and dangerous articles. The types of firearms and dangerous articles will be prescribed in the regulations and be known as prescribed items.

Section 42A will provide that a person may have possession of prescribed items so long as he holds a collector's licence for those items.

Section 42B will provide that an applicant for a collector's licence must be over 18 years of age, must supply a full description of all articles in his possession that are to form part of his collection, and must also supply details of where he is to keep his collection and the security he proposes for same.

Applications for collectors' licences will be made in the usual manner that is already provided for in the Act in relation to other licences. Souvenir machine-guns, sub-machine-guns, souvenir concealable firearms, restricted firearms and dangerous articles will all be rendered inoperable. In the case of antiques, as they are still operational, they will be required to be produced for inspection.

Section 42C will provide for the production of antique concealable firearms subsequently acquired by a licensed collector after the initial issue of his licence. It also

requires that certain items acquired after the issue of the licence be rendered inoperable by an authorised person and a certificate issued to that effect.

Section 42D will place certain requirements upon the person authorised to render an item inoperable. That authorised person—whether he be a member of the police force or a firearms dealer—will be required to furnish a certificate to the authorised officer, and a copy to the applicant, to the effect that he has rendered an item inoperable. Should he submit a false certificate, he will commit an offence.

Section 42E will provide in effect for a type of amnesty. It is recognised that within the community quantities of illegal firearms are held as souvenirs or mementos or simply handed down through families. It is also recognised that some collectors will be in possession of illegal items. To bring these items out into the open, section 42E will provide that where a collector has possession of such items and has not used them, he will not be guilty of an offence. The clause will also allow other persons to sell items to collectors so long as they have not used them in the commission of offences.

That will overcome one of the collectors' main complaints, that they cannot bring these items out into the light of day without committing an offence.

Section 42F will provide for the keeping of a register. At present, a person who collects souvenir and antique firearms is required to hold a separate licence for each item in his collection. Under the new arrangements, a person who wants only one or two firearms can remain under the present system. A collector who is active in the field of collecting will hold one licence and will be required to maintain a collection register. This is similar to the situation currently existing in respect to a dealer. In this register, the collector will keep details of all the items in his collection. When the collector acquires or disposes of an item, he must forthwith enter the particulars into his register and, within 14 days, notify the authorised officer of such acquisition or disposal.

Usually, a collector would be required to keep his register of collections and his collection at his place of residence. However, because the Arms Collectors Guild and similar groups hold displays every so often, section 42G will permit licensed collectors to take their collections to those displays. At the same time, they will be required to have their register with them at the display. Unless he is taking his collection to a display, a collector cannot remove his collection from his place of residence unless he has a reasonable excuse for doing so.

Section 42H requires a collector to take reasonable precautions to prevent unauthorised persons from gaining access to their collections.

Section 42I will allow a collector to transfer his collection from the premises shown on his licence to other premises as long as he makes application to do so. The application to transfer the collection has to be approved by the authorised officer.

Section 42J is a deeming provision. If a licensed collector does not enter the prescribed particulars into his register of collections, he will be deemed to be in possession of an unlicensed concealable firearm, unlicensed restricted firearm, protective body vest, or dangerous article, as the case may be.

Section 42K prohibits a collector from disposing of items in his collection to unauthorised persons.

Section 42L provides that when a licensed collector is about to leave Queensland, he is to advise the authorised officer of his date of departure, new place of residence and his intentions regarding his collection.

Section 42M considers the area of collectors' fairs. When a person or organisation wishes to conduct a collectors' fair or exhibition, he or a representative of that organisation it to make application to the authorised officer for approval to conduct the fair or exhibition. It has been found that, at present, there is no real control over these fairs or exhibitions and there have been complaints of illegal dealing in firearms at these places. Under the new provisions, there will be some control over the activities of dealers and collectors at these fairs or exhibitions.

The person who wants to conduct a fair or exhibition will be required to seek approval and give details of which collectors or dealers will be in attendance. These fairs or exhibitions attract dealers from both within and outside the State, and, without some kind of check, there will be no knowledge as to what type or quantity of firearms they buy and sell.

Clause 12 amends section 60 of the principal Act by inserting the words "dangerous articles" in subclause (1) (a) (i), and is necessary in view of the provisions made for collectors.

Clause 13 amends section 61 of the principal Act by inserting a new subsection (1A).

Clause 14 amends section 65 of the principal Act by inserting a new subsection (1A).

The amendment to sections 61 and 65 is necessary to overcome a problem that has recently arisen. Section 61 creates a special class of persons who are prohibited from possessing firearms. They are drug offenders and others convicted of offences of violence. Section 65 creates a serious offence where these persons offend again by having possession of firearms.

Some magistrates have, in the first instance, placed some of these offenders on probation. Where an offender is placed on probation, it is clear from the terms of section 33 (1) of the Offenders Probation and Parole Act that the offender is not a convicted person and therefore does not come within the provisions relating to prohibited persons.

This problem was encountered in the Traffic Act and was overcome in that Act by taking the same steps as proposed for the Firearms and Offensive Weapons Act.

The same situation arises when offenders are discharged under the provisions of section 657A of the Criminal Code or placed on community service orders.

Clause 15 amends section 67A of the principal Act by the insertion of the words "the proof of which shall be upon him". This makes the section consistent with other sections.

Clause 16 amends section 68 of the principal Act by including the words, "unless he has reasonable excuse (the proof of which shall be upon him) for so having, acquiring or using as the case may be". At present, section 68, by its wording, places a total prohibition on any person having possession of dangerous articles.

Because of the proposed provisions for collectors, it is considered necessary and desirable that this section contain a provision giving a person the opportunity to establish a reasonable excuse for having possession of a dangerous article. Under the new provisions, collectors will be able to have certain dangerous articles as part of their collection.

Clause 17 amends section 81 of the principal Act by the inclusion of a new subsection (2), which creates the offence of using a replica firearm in any place in a manner likely to cause alarm to any person. At present, a person can have a replica firearm in a public place as long as he has a reasonable excuse.

Over the past couple of years, offences have occurred involving the use of replica firearms. The most recent instance involved a male person who carried a replica .357 magnum pistol in the main street of Mooloolaba. He discharged the pistol, through the use of special caps, while people were leaving late-night spots in the area. Alarm was caused to persons, resulting in complaints to police.

Other complaints have been received that persons carrying replicas and driving vehicles have waved them at other drivers, causing alarm.

The new provision will still allow people to have possession of replica firearms, but they will not be allowed to use them in any place to cause alarm to people.

Clause 18 inserts a new section 83A—false certificate—into the principal Act. The new section relates to possible offences that could be committed in relation to the rendering inoperable of certain firearms and dangerous articles.

If a person knowingly obtains or attempts to obtain, or knowingly completes, a certificate under this section that is false in any material particular, he will have committed an offence. These certificates under this new section relate to the rendering inoperable of certain firearms.

Clause 19 amends section 105 of the principal Act and is considered a necessary tidying-up of the evidentiary provisions in view of the changes that have been made to certain definitions or sections in the past year or so. The scientific officer will be able to give a certificate stating, among other things, that an item was or was not a spear gun, silencer, crossbow or handcuffs, as the case may be.

Clause 20 amends section 107 and is a necessary amendment to provide authority to make regulations for collectors.

Under these amendments, collectors and organisers of fairs and exhibitions will have a right of appeal to a Magistrates Court in circumstances in which there is a refusal to issue or renew a licence or to approve a fair or exhibition.

I commend the Bill to the House.

Debate, on motion of Mr Mackenroth, adjourned.

The House adjourned at 10.15 p.m.