Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 7 SEPTEMBER 1988

WEDNESDAY, 7 SEPTEMBER 1988

Mr SPEAKER (Hon. L. W. Powell, Isis) read prayers and took the chair at 2.30 p.m.

DISTINGUISHED VISITOR

Senator R. R. Jeune, OBE (Jersey)

Mr SPEAKER: Honourable members, I wish to acknowledge the presence in the Speaker's gallery of Senator Reg Jeune, OBE, from Jersey. Senator Jeune is the Treasurer of the Commonwealth Parliamentary Association executive committee and President of the Finance and Economics Committee, Jersey. He and his wife are visiting Queensland.

Honourable members: Hear, Hear!

PETITIONS

The Deputy Clerk announced the receipt of the following petitions—

Licensed Sporting Clubs

From **Mrs Chapman** (64 signatories) praying that the Parliament of Queensland will review restrictions on trading hours, fund-raising and other activities in licensed sporting clubs.

Third-party Insurance for Vans and Utilities

From **Mr Stephan** (122 signatories) praying that the Parliament of Queensland will take action to decrease third-party insurance on vans and utilities.

Cut-backs in Teacher Aide Hours

From **Mr Sherlock** (124 signatories) praying that the Parliament of Queensland will reverse the Budget decision on cut-backs in teacher aide hours.

Alterations to Kingaroy Hospital

From **Mr Perrett** (2 signatories) praying that the Parliament of Queensland will ensure that a complete review is made of the proposed alterations to the Kingaroy Hospital.

Petitions received.

PAPERS

The following papers were laid on the table—

Proclamations under—

Motor Vehicles Control Act Amendment Act 1988

Diseases in Plants Act 1929-1972

Orders in Council under—

City of Brisbane Market Act 1960-1985 and the Statutory Bodies Financial Arrangements Act 1982-1988

Soil Conservation Act 1986

Water Act 1926-1987

Harbours Act 1955-1987

Canals Act 1958-1987

Grammar Schools Act 1975-1984 and the Statutory Bodies Financial Arrangements Act 1982-1988

Regulations under the Sugar Experiment Stations Act 1900-1983

By-laws under the Harbours Act 1955-1987 and the Gold Coast Waterways Authority Act 1979-1987

Reports—

The Peanut Marketing Board and the Queensland Peanut Growers' Co-operative Association Limited for the year ended 30 June 1988

The Island Industries Board for the period 1 February 1987 to 31 January 1988

The Darling Downs Institute of Advanced Education for the year ended 31 December 1987

Supplemental Agreement to the Housing Agreement dated 12 March 1985 between the Commonwealth of Australia and the States, and the Northern Territory of Australia.

(A) Proposal by the Governor in Council to revoke the setting apart and declaration as State Forest under the *Forestry Act 1959-1987* of:—

(a) All that part of State Forest 268, parishes of Berwick, Blackfriars, St. Giles and Waterview, described as Area "A" as shown on plan FTY 1271 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area of about 6.9 hectares—and,

(b) All those parts of State Forest 571, parishes of Barrow and Nerang, described as Area "A" as shown on plan FTY 1510 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area of about 3.91 hectares—and,

(c) All those parts of State Forest 1376, parishes of Bunya and Samford, contained within Stations 1-2-3-8-6-4a and 2-13-6-3 on plans Sl.10387 and Sl.10962 respectively deposited in the Office of the Department of Geographic Information and containing an area totalling 1.9802 hectares—and,

(d) All those parts of State Forest 700, parishes of Curra and Gympie, described as Areas "A", "B" and "C" as shown on plan FTY 1491 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area totalling .6068 of a hectare—and,

(e) All that part of State Forest 861, parishes of Bankton, Kirrama and Meunga, contained within stations 5-8-7-6- on plan CWL 3529 deposited in the Office of the Department of Geographic Information and containing an area of .4165 of a hectare—and,

(f) All that part of State Forest 755, parishes of Bartle Frere, Dirran, Glady and Palmerston, described as Area "A" as shown on plan FTY 1499 prepared by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area of about 1.1 hectares—and,

(g) All that part of State Forest 960, parish of Young, described as lot 270 on plan MCH 5160 deposited in the Office of the Department of Geographic Information and containing an area of 12.77 hectares—and,

(h) All those parts of State Forest 83, parishes of Cherwondah and Conloi, described as Areas "A" and "B" as shown on plan FTY 1489 prepared

by the Department of Geographic Information and deposited in the Office of the Conservator of Forests and containing an area totalling 371.7 hectares.

(B) A brief explanation of the Proposals.

VISIT BY PUPILS AND STAFF FROM YORKE ISLAND SCHOOL

Mr SPEAKER: Honourable members, it is not normal for the Chamber to acknowledge the presence in the gallery of members of schools. However, before we proceed any further, I indicate that today this House is visited by pupils and staff from one of Queensland's more far-flung schools, on Yorke Island. I welcome the girls, boys and teachers from Yorke Island in the far north of Queensland.

Honourable members: Hear, hear!

MINISTERIAL STATEMENT

Memorandum of Understanding Between Department of Geographic Information and Bakosurtanal

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (2.41 p.m.), by leave: I inform the House that last night the Queensland Department of Geographic Information formalised a Memorandum of Understanding with a key Indonesian Government organisation, Bakosurtanal, which is the Indonesian national co-ordination agency for surveys and mapping. The official signing of the memorandum took place at the Sunmap centre at Woolloongabba. Signatories were Mr Kevin Davies, Queensland's Surveyor-General, and Professor Jacub Rais, Chairman of Bakosurtanal. The Indonesian Consul-General, Mr Basoeki Slamet, travelled from Sydney to be present at the function. Professor Rais is in Brisbane to speak at an international symposium on remote sensing organised by the Department of Geographic Information. Remote sensing is one of the areas of co-operation being discussed by the department and Bakosurtanal.

I believe that this is the first Memorandum of Understanding between a Queensland Government department and an overseas agency. Its purpose is to promote technical and scientific co-operation between the two organisations. Significant benefits are expected to flow to Queensland industry through the formalisation of this relationship. The private sector of Queensland's geographic information industry and the Australian Key Centre in Land Information Studies, based in Brisbane, will be fully involved in the program of co-operation. Queensland's geographic information industry is establishing good contacts in the south-east Asian region and this initiative will further consolidate our export efforts.

I seek leave to table a copy of the document for the information of honourable members.

Leave granted.

Whereupon the honourable member laid the document on the table.

MINISTERIAL STATEMENT

Excellency in Marketing Award, Alexandra Hills Senior College

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (2.43 p.m.), by leave: Last night the Alexandra Hills Senior College received a Bicentennial Award for Excellence in Marketing from the Australian Marketing Institute. The college, which is situated in the Redland Shire and within the electorates of my colleagues the Honourable Paul Clauson, member for Redlands, and Mr Eric Shaw, member for Manly, was established only last year.

I wish to congratulate the college and its staff on this distinction. In such a short period of time it has been able to market a new concept in education, a new curriculum

program for all post-compulsory students and a care/support program to assist students to make a successful transition from school to further studies and work. We hope that such endeavours, which link education, training and employment in an environment geared to support people to learn how to learn and to be independent, will encourage others to seek innovation and change in the provision of post-compulsory and vocational education.

My department is very proud of the Alexandra Hills Senior College, its director, Dr Warner, and all of its staff and support groups and congratulates them on increasing the awareness of people in Queensland of the opportunities available in post-compulsory education.

MINISTERIAL STATEMENT

Reported Case of AIDS at Brisbane Women's Prison

Hon. T. R. COOPER (Roma—Minister for Corrective Services and Administrative Services) (2.45 p.m.), by leave: I wish to advise members of the first case of AIDS reported among women in the Queensland corrective services system. The woman concerned is on remand on drug charges and, to her credit, was quick to advise prison authorities of her existing AIDS condition on entering the Brisbane Women's Prison. She underwent the mandatory AIDS test which is carried out among all prisoners and this confirmed her advice of the condition. It appears she probably contracted AIDS as a result of drug use and may well be one of the early indications of the second wave of AIDS cases anticipated by health authorities in this country.

The reason I make this announcement is twofold. Firstly, I wish to advise that both prisoners and prison staff alike at the women's prison have reacted to this young woman's plight with understanding and compassion. She is receiving attention from the Health Department's special team of AIDS counsellors and will be provided with any necessary medical advice and treatment for her condition. The second point I make is that, although male AIDS prisoners are housed in separate accommodation at Wacol B, this facility at Wacol is not designed for female AIDS patients. In fact, the woman concerned has been temporarily placed in the maximum-security section of the women's prison, after consultation involving herself, staff and other women prisoners, even though she is not a convicted person. I have instructed senior Prisons Department officials to quickly establish what other alternatives can be applied in this case.

The question of medical facilities for male and female AIDS patients—particularly where they involve long-term prisoners—is already under consideration and will form part of plans for new remand, hospital and other prison facilities. Treatment of AIDS patients is a fact of life that prisons, as well as the outside community, will have to deal with on an increasing scale in the foreseeable future. I will keep members advised on a regular basis of how we go about this process in the prisons system.

MOTOR VEHICLES INSURANCE ACT

Disallowance of Regulations; Withdrawal of Notice of Motion

Mr De LACY (Cairns) (2.47 p.m.): Owing to the tabling yesterday by the Minister for Finance of a revised schedule, I seek leave of the House to withdraw the notice of motion standing in my name relating to the Motor Vehicles Insurance Act.

Leave granted.

QUESTIONS UPON NOTICE

1. Movement into South-east Queensland Feedlots of Cattle from Tuberculosis-infected Areas

Mr BOOTH asked the Minister for Primary Industries—

"(1) Is he aware that cattle from tuberculosis-infected areas in far North Queensland are coming into feedlots in south-east Queensland?

(2) Is he aware that one of these feedlots situated at Deucher near Warwick has not been approved or registered by the relevant local authority in the area?

(3) Is he also aware that these cattle are in poor condition and badly stressed and numbers are dying on arrival at the feedlots?

(4) Have proper conditions been laid down for the disposal of these bodies?

(5) If these cattle are coming from the TB-infected areas to south-east Queensland, is this with the approval of his department?"

Mr HARPER: (1) Owners of properties in far-north Queensland under quarantine for tuberculosis are permitted to move their stock to approved feedlots in south-east Queensland. There are currently three feedlots in south-east Queensland approved to accept stock from TB quarantine herds. These are located at Allora, Beef City and Beaudesert.

(2) There is one feedlot in the Allora area approved to accept cattle from TB quarantine properties. This property is owned by M.T. and M.V. Day of 6 Turnbull Street, Toowoomba and was approved for disease control purposes on 11 April 1988 following inspection by my staff. I am not aware if the owner of this establishment obtained local authority approval before he commenced operations.

The "approval" given by my department relates only to security for disease control purposes and does not in any way minimise the obligation of the feedlot owner to obtain local authority approval. As intending feedlot owners are normally advised by my staff that they have a responsibility to comply with local authority by-laws before commencing operations, once operations commenced at Allora it was assumed that the owners had so complied. In any case the question is one for the local authority concerned.

(3) Most of the quarantine stock in approved feedlots in south-east Queensland originate from properties in north Queensland and have been destocked as part of the National Tuberculosis and Brucellosis Eradication Campaign to meet the target date for "pending free" status of 1 January 1990.

Properties in northern Queensland have not had a good wet season for the past two years, and feed conditions are deteriorating quickly at this time of the year. Consequently, the condition of stock is declining.

In the destocking of these properties, cattle are sent direct for slaughter, offered to feedlot operators or destroyed on the property.

I am anxious to minimise the number of stock destroyed on properties through being unsuitable for slaughter. Feedlotting offers a viable alternative to salvage many of these animals.

As these cattle are often in poor condition and are travelled long distances, deaths can be anticipated on arrival at the feedlot.

(4) It is my understanding that the Allora Shire Council by-laws specifically require that all dead animals be disposed of promptly on the site to the satisfaction of the health inspector for that authority. Again, this matter rests with the local authority. The dead animals pose no risk of spread of TB to stock in the surrounding areas.

(5) Cattle are permitted to move from the TB eradication area to south-east Queensland by my department only for the purpose of feedlotting at approved feedlots or slaughter at abattoirs.

Feedlotting is seen as an essential component for the disposal of cattle from TB quarantine properties, which allows producers and processors to maximise their returns from cattle which would otherwise be destroyed in the field, placing added financial burden on BTEC funds.

2. Fishing Licences for Torres Strait Islanders

Mr SCOTT asked the Minister for Primary Industries—

"(1) What is the State Government's plan in regard to the allocation of fishing licences for various fish products to people of Torres Strait Island extraction only?

(2) Which licences to take any of the several fish products of the area, viz., prawn, rock lobster, mackerel, etc., are to be available only to Torres Strait Island people when such licences are relinquished by the current licence holder?"

Mr HARPER: (1) Queensland fisheries legislation provides for the granting of community fishing licences or permits which enable commercial fishing operations to be undertaken by Torres Strait Islander community residents. Many communities, including three from Torres Strait, have taken advantage of this opportunity, whilst others are presently showing interest.

These arrangements are consistent with the principles contained in the Torres Strait Treaty for the advancement of Islanders and resulted from my personal discussions with the Islander communities. Under the circumstances, I might mention that many of those discussions have taken place on Yorke Island with the parents of the students who are visiting this Parliament today.

Since 1984, there has been a freeze on the issue of commercial fishing vessel licences in Queensland. New operators can gain entry only by displacing existing vessels. However, through the community fishing licences and permits, Islanders have the opportunity to diversify into commercial fisheries within the Torres Strait, under Queensland jurisdiction, without that restriction.

(2) Torres Strait fisheries are managed by a joint Commonwealth/Queensland body called the Protected Zone Joint Authority (of the Torres Strait), which is composed of the Federal Minister for Primary Industries and myself.

The honourable member is mistaken in presuming that licences are to be relinquished by existing holders in favour of island people at some future date. Following extensive consultation with Islander and commercial industry representatives, the joint authority has recently introduced a package of measures for management of the rock lobster, mackerel and pearl shell fisheries in the Torres Strait. These measures are extremely detailed and I will provide a copy to the honourable member separately.

The major fishery in which islanders have demonstrated a high level of involvement is for rock lobster, and the new management package for that fishery has been developed with the following principles in mind—

(a) orderly development of the fishery;

(b) encouragement and facilitation of participation by Australian traditional inhabitants, for whom future expansion of the fishery should be reserved;

(c) containment of the capacity of the existing commercially licensed fleet to eliminate entrepreneurial speculation and subsequent upgrading or replacement of commercially licensed dinghies by large boats; and

(d) minimal impact on existing operators.

These principles are given effect in details contained in strategies adopted not only for the rock lobster but also for the mackerel and pearl shell fisheries.

Negotiations are presently under way which will enable Islanders to enter the other major fishery in Torres Strait, the prawn fishery. Owing to the seasonality of that fishery and the greater capital outlays required, wider impacts are of necessity being addressed. However, such negotiations are occurring with similar extensive consultation and goodwill with Torres Strait Islanders, and will hopefully be finalised in the near future.

3. Tourist Development on Foreshores of Endeavour River

Mr SCOTT asked the Minister for Environment, Conservation and Tourism—

"(1) At what stage is the preparation of the design of a major tourist resort apparently planned for the foreshores of the Endeavour River in Cooktown, with which I understand his department is assisting?

(2) What is the estimated value of this tourist proposal?

(3) What consultation is to be carried out with the people of Cooktown to inform residents of the style and extent of the development and the effect this large proposal will have, not only on foreshore and mangrove areas, but also on the essentially unsophisticated nature of the town?

(4) When will the people of Cooktown be shown the design plans of the resort?

(5) What is the name of the design engineering company for the project and where is the company located?

(6) Is it considered that his department, or some other department, for example, Treasury, will be able to require the owners of the proposed tourist development to provide what is called "headwork" funding to assist with the construction of a new water supply for Cooktown?

(7) What sanctions is it considered that the Government can exercise to ensure that such a funding contribution is in fact made?

(8) If the design is being carried out in Hawaii, does he expect to talk to the members of the company involved during his coming visit to that Pacific tourist resort and will he keep in mind, while visiting Hawaii, that most of the people living in Cooktown do not want their pleasant town to become a mini-Hawaii?"

Mr MUNTZ: (1) I am advised by the Queensland Tourist and Travel Corporation that the Cooktown Tourism Planning Study being progressed by the corporation has passed through an initial draft stage and is now with relevant departments for comment and input in order that the final document meets the requirements of various areas of Government. It will then be put to Cabinet for consideration.

(2) The study is primarily a land-planning exercise for which no detailed architectural designs have yet been produced. Consequently, no estimate of development cost is available at this time.

(3) From the outset of the study, considerable consultation has been undertaken with the Cook Shire Council as elected representatives of the residents of Cooktown. The proposal has the in-principal support of the Cook Shire administration.

Mr Scott: What about the people?

Mr MUNTZ: The shire is representing the people.

(4) Agreement will need to be reached by the various parties to the current tourism planning study before work commences on the design of detailed plans for any resort component, but I should mention that design plans of this kind are beyond the scope of the current exercise.

(5) To date, consulting input for the tourism planning study has been undertaken by Helber Hastert and Kimura of Hawaii. This company is not a design engineering company but rather provides land-planning services around the Pacific basin for a wide range of resort developments.

(6) Assuming that the project were to proceed to the stage of negotiations with the private-sector joint-venture parties, conditions will be negotiated in the joint-venture agreement to cover an agreed contribution to headworks charges for water supply.

(7) As stated in (6), such funding contribution will be covered by conditions in any joint-venture agreement.

Mr Scott: What about your holiday?

Mr MUNTZ: (8) Contrary to newspaper reports, I am not visiting Hawaii during a short visit I will be making to the west coast of America in the near future.

Mr Milliner: Where are you going?

Mr MUNTZ: If the honourable member listens, he will hear; I said that I was going to the west coast of America.

Mr Milliner: On a holiday?

Mr MUNTZ: It is not a holiday at all. I point out to the honourable member that the American west coast is Australia's No. 1 trading partner in tourism. The Queensland Government has a responsibility to ensure that that continues.

Mr Milliner: I realise that, but you're still going for a holiday.

Mr MUNTZ: Leaving aside the comments of the member for Everton—I will bear in mind the comments of the member for Cook, as neither the QTTC nor I want to see a mini-Hawaii. A concept in keeping with Cooktown's unique history and attractions is the aim of the study.

4. Revolutionary Marine Propeller Invention

Mr SIMPSON asked the Minister for Industry, Small Business, Communications and Technology—

> "What support will the Queensland Government give to a Queensland inventor of a revolutionary marine propellor in order to ensure that this invention is given every chance by the Federal Defence Department of being tested for consideration in the ANZAC ship project, which involves the construction of twelve frigates in Australia, as I understand that some un-Australian people are pushing foreign suppliers in spite of a $30m saving with the Australia product, Australian jobs and the security of supply and maintenance during war?"

Mr BORBIDGE: All the normal assistance measures provided by the Department of Industry Development and its extension agencies are available to Queensland firms wishing to develop new products and to enter new markets. In particular, the department's recently created defence, procurement and offsets branch has been established to target Queensland companies for special help in entering defence markets.

This branch is well aware of the new marine propeller design to which the honourable member referred, and has actively supported the consideration of this product by both the consortia presently putting together their Australian industry involvement packages for the ANZAC ship project. Both consortia have received manufacturers' models of the propeller. However, as both the ships under consideration are of existing designs, the in-service performance of which has to be guaranteed, there would appear to be little scope for introducing a revolutionary new design of propeller in this project. Although the intended controllable-pitch propellers to be fitted to both frigate hulls are expected to be of proven overseas design, Commonwealth requirements for Australian industry participation will ensure an Australian content in excess of 70 per cent for the project.

My department has established channels of communications at all levels of defence procurement activities and would be prepared to assist in promoting the new propeller wherever appropriate.

5. Special Arrangements between Queensland Government, Cape York Space Agency Pty Ltd and Australian Spaceport Group

Sir WILLIAM KNOX asked the Premier and Treasurer and Minister for the Arts—

> "(1) Are there any special relationships or understandings existing between the Government of Queensland and (a) Cape York Space Agency Pty Ltd and (b) the Australian Space Port Group?

(2) If there are special arrangements, will he be prepared to table copies of those documents relating to any memorandum of understanding or contracts which the Queensland Government has with either or both of the above firms?"

Mr AHERN: (1 and 2) The relationship between the Queensland Government, the Australian Government, Cape York Space Agency Pty Ltd and the Australian Spaceport Group is reflected in the joint statement I made with Senator the Honourable John Button, Minister for Industry, Technology and Commerce, on 7 April 1988. I table herewith, for the information of honourable members, a copy of that statement, together with a copy of a further statement which I made on 17 June 1988.

Whereupon the honourable member laid the documents on the table.

6. Directors and Share-holders of Cape York Space Agency Pty Ltd and Australian Spaceport Group

Sir WILLIAM KNOX asked the Minister for Justice and Attorney-General—

"Who are the directors and principal shareholders and what is the share-holding of each director and shareholder of (a) Cape York Space Agency Pty Ltd and (b) the Australian Space Port Group?"

Mr CLAUSON: The companies register maintained by the Commissioner for Corporate Affairs presently reveals the following details—

Cape York Space Agency Pty Ltd

Directors

Aubrey Anthony Behn, 18 Hillhouse Street, Aspley, 4034

Joseph Grant Jagelman, 3 Cranbrook Road, Rose Bay, 2029

William A. Shirley, 36 Carmody Road, St Lucia, 4067

Robert Moyse Willcocks, 750 New South Head Road, Rose Bay, 2029

Share-holders

Name and Address	No. of Shares	Value of Shares $
Jeannie Mary Edmonds, 8 Bielby Road, Kenmore	1	1
John Cooper Edmonds, 1/54B Darling Point Road, Darling Point	1	1
Grafco Queensland Pty Ltd, 2nd Floor, 240 Margaret Street, Brisbane	29 970 2 000 209	5,994 (paid to 20 cents each) 2,000,029
Austware Pty Ltd, 277 Albert Street, Brisbane	29 970 1 500 029	5,994 (paid to 20 cents each) 1,500,029
Maunsell & Partners Pty Ltd, 39 Sherwood Road, Toowong	29 970 1 500 030	5,994 (paid to 20 cents each) 1,500,030
Aubrey Anthony Behn, 18 Hillhouse Street, Aspley	9 990 10	1,998 (paid to 20 cents each) 10

Australian Spaceport Group Pty Ltd

Directors

Peter James Kenny, 101 Alexander Road, Ascot, 4005

Michael Shane McNamara, 123 Eagle Street, Brisbane.

Name and Address	No. of Shares	Value of Shares $
James Kristen Peterson, 12 Castleton Street, Hamilton. (subscriber share-holder)	1	1
Peter James Kenny, 101 Alexander Road, Ascot. (subscriber share-holder)	1	1

It should be noted that the Commissioner for Corporate Affairs is only advised of transfers of shares when an annual return is received. As neither of the above companies is required to lodge an annual return at this time, the share-holders detailed above in the companies register may not be correct, especially when it is noted that in both companies, former directors are still reported as share-holders. The latest share-holders' information is available at the company's registered office.

7. TAFE Facilities in Charleville

Mr HOBBS asked the Minister for Employment, Training and Industrial Affairs—

"With reference to the joint Education and TAFE building and TAFE facilities to be built in Charleville—

When can it be expected that these buildings will commence and be completed?"

Mr LESTER: An administration building to provide for Education and TAFE staff is a Department of Education project in conjunction with the Department of Works. Details on this aspect of the project should be sought from the Honourable the Minister for Education, Youth and Sport.

Current planning is that the TAFE teaching facility will begin construction in December 1988, with completion in June 1989.

When completed, the TAFE facility will cater for courses in fitting and machining, welding, basic automotive and small engines, brick-laying, masonry and studio ceramics, carpentry and joinery, as well as a variety of personal enrichment courses.

8. Voting in Referendum to Alter Constitution; Role of Australian Electoral Commission

Mr HOBBS asked the Premier and Treasurer and Minister for the Arts—

"(1) Will he make representations to the Australian Electoral Commission in regard to anomalies in the recent referendum whereby citizens were refused the right to vote for various reasons, for example, travelling interstate, and people being struck from the electoral roll even though they have lived in the same town for many years and have voted many times before?

(2) Will an investigation be carried out into the supposedly independent role of the Australian Electoral Commission which in fact revised, proof-read, and authorised the printing of the YES/NO pamphlet which should have been presented in a balanced form, with perhaps negotiation with both parties in an endeavour to produce a balanced pamphlet?

(3) Will an investigation also be made into the decision of, and the acceptance by, the Electoral Commission of a recommendation to accept a tick and disallow a cross as a valid vote?"

Mr AHERN: (1) The honourable member's concern relates to cases in which voters have been removed from the Commonwealth electoral roll even though their residential status has not changed, and to a situation in which one voter, who was travelling interstate at the time, was denied an opportunity to vote.

It is most disturbing to learn that the Federal Government has allowed such a sorry state to arise, and it obviously reflects the poor maintenance of the Commonwealth electoral rolls and arrangements for voting, as well as an uncaring attitude to citizens of the State who are seeking to exercise their rights on voting-day.

If the honourable member is prepared to supply my office with the details of those anomalies, I assure him that I will arrange an examination of them and, if they prove to be correct, I will lodge serious complaints with the Australian Electoral Commission as soon as possible.

(2) The alleged bias of the "Yes-No" booklet caused great concern to the public and members of this Government. I would hope that the Federal Government urgently raises with the Australian Electoral Commission the circumstances surrounding the publication of this booklet in its objectionable form, and ensures that there will not be a recurrence.

(3) This matter also is of concern. Fortunately, the decisive outcome of the referendums negated any need for determination as to whether votes were valid or not. I would add that the Australian Electoral Commission's ruling that four crosses did not constitute a valid "No" vote added to the impression of bias against the "No" case.

9. Visit by Nuclear Warships

Ms WARNER asked the Premier and Treasurer and Minister for the Arts—

"With reference to the proposed visits of two nuclear warships, the USS New Jersey, a battleship carrying Tomahawk cruise missiles, and HMS Ark Royal, a British aircraft carrier carrying Harrier jets armed with nuclear depth-charges, on 14 and 21 September respectively—

(1) What guidelines are in place for the State Emergency Service in the event of an accident involving nuclear material?

(2) If there are no guidelines, what is the reason?"

Mr AHERN: (1 and 2) The USS New Jersey and the HMS Ark Royal are not nuclear-powered warships. Under State/Commonwealth agreements, the Commonwealth must notify States well in advance of the impending visit of a nuclear-powered warship.

There is a safety plan in existence for the visit of nuclear-powered warships to the port of Brisbane. The plan, which is an extension to the Brisbane city counter-disaster plan, has existed for a number of years and involves organisations within the State that have a counter-disaster role. The plan caters for arrangements to cope with a release of radioactivity in the unlikely event of either a nuclear reactor or a nuclear weapons accident on board a visiting vessel.

The people of Queensland may be assured that all necessary precautions are, and always will be, taken to ensure their safety during visits of any warships to our ports.

I would add that my Government is delighted that these naval vessels are coming to Brisbane, and I am sure the residents of this city will extend a great Queensland welcome to the visiting naval personnel.

10. A. J. Bush and Sons Pty Ltd, Meat-rendering Plant at Murarrie

Mr HENDERSON asked the Minister for Environment, Conservation and Tourism—

"What is the current position in relation to the A. J. Bush rendering plant and efforts to improve air quality in its immediate surrounds?"

Mr MUNTZ: Odours from A. J. Bush's factory at Murarrie have been a problem for some considerable time. As we know, the nub of the problem is the close proximity of residences to the plant. With the nature of the operations this means that, even with the best technology available, residual odours will still occur from time to time. In the absence of a buffer zone, these can have an adverse impact on nearby residents.

Three main sources of odorous emissions are—

(i) process gas effluents resulting from cooking and ancillary equipment;

(ii) fugitive odours generated within buildings resulting from the raw materials, products and some open equipment; and

(iii) odours generated from the water effluent plant.

Process or cooking odours are condensed and incinerated in the company's coal-fired boiler. In recent times significant improvements by way of new ducting, fans and modifications to the boiler have been undertaken.

To contain fugitive odours, substantial partitioning and repairs to the building roofs have been completed. Foul air from the various process buildings is drawn through ducting by fans to two scrubbers. The water effluent plant has also recently been enclosed by a building which is vented to the scrubbers.

The first scrubber installed by the company was constructed from fibre-reinforced plastic and suffered mechanical damage. It was replaced with a stainless-steel unit. Based on some preliminary assessment of its performance and advice from overseas, a second, larger scrubber was installed by the company, and both scrubbers are now in operation.

The method of treating building ventilation air to reduce odours is by ozone injection to the odorous gases in the ducts followed by scrubbing. Ozone is provided by an ozone generator.

Mr McLean: It smells worse than it has ever smelt.

Mr MUNTZ: Since the construction of the second scrubber, the ducting has been so designed that the load to the two scrubbers can be shared.

Mr McLean: If your officers did as they were told, it would be closed down.

Mr MUNTZ: I made a special visit to the factory last Monday.

Mr McLean: The smell is worse than it has ever been.

Mr SPEAKER: Order!

Mr MUNTZ: I was accompanied by senior officers of my department, and spoke at length with the manager, Mr Bryan Kassulke.

Mr McLean: When are you going to do something about it like the Premier promised?

Mr SPEAKER: Order! The member for Bulimba!

Mr McLean: Eighteen months ago he promised he would fix that problem.

Mr SPEAKER: Order! The member for Bulimba will cease his constant interjecting. It is difficult enough for me to hear the Minister without his interjecting.

Mr MUNTZ: I understand that the main problem at the moment is the extra load which has been put on the scrubbers——

Mr McLean: When are you going to do something about it?

Mr SPEAKER: Order! I warn the honourable member under Standing Order 123A.

Mr McLean: Ten thousand people are suffering. The Premier promised 18 months ago he would fix the problem, and it has not been fixed.

Mr SPEAKER: Order!

Mr McLean: And you are doing nothing about it whatsoever.

Mr SPEAKER: Order!

Mr McLean: Ten thousand people over there are suffering because you are telling lies.

Mr SPEAKER: Order! I name the member under Standing Order No. 123A.

Mr McLean interjected.

Mr SPEAKER: Order! I name the honourable member under Standing Order No. 123A, and ask him to leave the Chamber immediately.

Whereupon the honourable member for Bulimba withdrew from the Chamber.

Mr MUNTZ: I note that this is the first time that I have heard the member for Bulimba raise his voice or raise any objections in the interests of the people.

Mr SPEAKER: Order! The Minister will answer the question.

Mr MUNTZ: I understand that the main problem at the moment is the extra load which has been put on to the scrubbers from the water treatment plant buildings and the different composition of these gases from those treated previously. The company must enhance the performance of its scrubber systems, which will probably entail the use and evaluation of chemicals in its scrubbing liquors.

I have expressed to the company management my concerns about the sensitivity of the situation and the need to achieve and maintain satisfactory performance. I have also stressed the need for constant surveillance and for the adoption of a high level of maintenance.

I am satisfied that a good deal of time, effort and money has been spent in attempting to resolve what is, by virtue of extremely poor town-planning, a most difficult problem to resolve satisfactorily. I will pursue my area of responsibility with vigour in the interests of the residents in that area. There needs to be a settling-down period to ensure that the plant operates to its maximum efficiency.

11. Moreton Bay Plan

Mr HENDERSON asked the Minister for Environment, Conservation and Tourism—

"With reference to the recent leaked Moreton Bay plan—

(1) What degree of public input will be sought on this proposal?

(2) When will it be sought?

(3) How will it be sought?"

Mr MUNTZ: (1 to 3) A draft improvement plan for Moreton Bay was prepared for the Co-ordinator-General, Premier's Department, in March 1987 by the consultant firm of Cameron McNamara. During the preparation of the draft plan, the Government invited submissions on the management of the bay. Submissions were received from public groups and other bodies. All 63 were considered in the preparation of the plan.

The Government, through my Department of Environment, Conservation and Tourism, is to review this plan and other reports prepared on the bay, in full consultation with other agencies and users of the bay. I have invited all interested agencies and users to either update their original submissions and/or provide any further information they may desire to present.

Following completion of the review, I intend to present the plan to the Government, at which time consideration will be given to whether it should be released for public comment at that time prior to finalisation. It is my personal view that it should be released. Time is not a constraint. I will ensure full consultation and consideration to produce a plan that is in keeping with the wishes of the many people who are involved.

12. Livingstone Shire Council's Strategic Town Plan

Mr HINTON asked the Minister for Local Government and Racing—

"What is the progress of the Livingstone Shire Council strategic town plan?"

Mr RANDELL: I thank the honourable member for his question and commend him for the interest that he takes in his electorate. It is fortunate that the Livingstone Shire Council has such a hard-working member representing the area in this House.

The Livingstone Shire Council first decided to prepare a strategic plan for its area in July 1983. Since that time, dialogue has taken place between the council and my department on a number of matters related to the preparation by the council of a new town-planning scheme, which includes the proposed strategic plan.

In February 1988, officers of my department met with representatives of the council and the council's town-planning consultant. At that meeting advice was given that as council was now finally committed to the adoption of a strategic plan, the Department of Local Government would give priority to its introduction into the existing town-planning scheme for Livingstone Shire by way of an amendment to the scheme. The council was also advised that while the department's policy has been to require maps to contain up-to-date cadastral information, maps which are currently available would be accepted by the department for the strategic plan in this instance. Further discussions were held between officers of the Department of Local Government, council representatives and the council's town-planning consultant in April 1988, when much the same advice was given.

In July 1988, the Department of Local Government reiterated its advice to the council that the mapping required need only be updated, rather than being completely redrawn, and this advice was confirmed by letter to the council dated 16 August 1988.

As I have already indicated, when the complete documentation is received from the council, urgent action will be taken to process the matter. There is nothing now that the Department of Local Government can do until this documentation—which was first requested in February of this year—and further information relative to certain matters proposed to be contained in the strategic plan are received from council.

QUESTIONS WITHOUT NOTICE

Dismissal of Sir Terence Lewis

Mr GOSS: In directing a question to the Deputy Premier and Minister for Police, I refer to the Minister's letter to Sir Terence Lewis last week in which he called on Sir Terence Lewis to show cause——

Government members: Oh!

Mr SPEAKER: Order!

Mr GOSS: A bit touchy, are we?

Mr SPEAKER: Order!

Mr GOSS: I refer to the Minister's letter to Sir Terence Lewis last week in which he called on Sir Terence to show cause within seven days why he should not be dismissed. In the letter the Minister referred to evidence given at the Fitzgerald inquiry the previous day by Jack Herbert that Sir Terence "corruptly received from him certain moneys over a period of some time". The Minister went on to say—

> "In my opinion, this conduct of which he has given evidence constitutes lack of good behaviour on your part within the meaning of section 6 of the Police Act 1937-1987."

Can the Minister explain to the House the basis on which he can accept the evidence of Jack Herbert as proof conclusive enough of corruption to dismiss Sir Terence Lewis when—

(1) Herbert has not finished his evidence or been cross-examined by Lewis or his representative;

(2) Lewis is still to be recalled to the witness box to answer the allegations in the inquiry——

Mr Gunn interjected.

Mr GOSS: Mr Fitzgerald has said so.

(3) Commissioner Fitzgerald has not reported to the Government on such evidence?

Mr GUNN: The letter was drafted after legal advice and was duly handed to Sir Terence Lewis in the presence of his daughter. So far I have not received a response from the show-cause notice. When and if I receive that response, the Government will deal with the situation at that time, once again after legal advice.

Dismissal of Sir Terence Lewis

Mr GOSS: In directing a question to the Premier, I refer to his advice to this House yesterday regarding the Government's moves to dismiss Sir Terence Lewis as Police Commissioner, and I quote the Premier's words—

> "There are, however, two grounds at this stage of the evidence upon which the issue could be considered. The first is the direct evidence that was given by the witness Herbert, and the second, at this stage in the presentation of this general body of evidence, is the issue of maladministration. That is now a reasonable question to ask."

I ask the Premier: in view of the fact that the show-cause notice given to Sir Terence Lewis refers to the corrupt conduct of receiving moneys from Herbert and not the ground of maladministration of the police force, will the Government be giving Sir Terence Lewis a further show-cause notice specifying that he is required also to show cause on this second ground, and what period of time will he be given to show cause in respect of that second ground of maladministration?

Mr AHERN: The House dined all day on this subject yesterday. I thought that everyone had had enough. There are urgent issues which are of great interest to the people of this State. I do not have anything substantially more to add to the matters that I offered to the House yesterday during the Matters of Public Interest debate, question-time and the debate on the Public Officers' Superannuation Benefits Recovery Bill last night.

Mr Goss: You lied. Will you answer the question truthfully?

Mr AHERN: The Leader of the Opposition has interjected and said that I lied. I take personal exception to that and ask him to withdraw that remark.

Mr SPEAKER: Order! The Leader of the Opposition uttered those words, and I ask him to withdraw them.

Mr GOSS: Certainly. I thought he had no objection because he did not object yesterday.

Mr SPEAKER: Order!

Mr GOSS: I withdraw it.

Mr AHERN: If I had heard it yesterday I would have taken exception, because I have not lied.

Mr Goss: Are you going to give him a second show-cause letter?

Mr AHERN: The honourable member is totally preoccupied with this issue. I remind him today, as I did yesterday, that he is not Commissioner Fitzgerald; he is the Leader of the Opposition in the Parliament of this State.

Mr Austin: For the time being.

Mr AHERN: Yes, for the time being, as the Minister for Finance has said.

A show-cause notice has been issued and an interval of seven days has been given for a response. When the response is received, the Cabinet will consider the matter further.

Public Officers' Superannuation Benefits Recovery Bill

Mr FITZGERALD: I ask the Minister for Finance and Minister Assisting the Premier and Treasurer: is he aware of the front-page story in today's *Courier-Mail* that claims that workers sacked for alleged incompetence could lose their superannuation as a result of the Public Officers' Superannuation Benefits Recovery Bill? Is there any truth to that claim?

Mr AUSTIN: When I rose this morning at about 5.30 and read my *Courier-Mail*, I was somewhat shocked at the headlines. Because that is said to be a reputable newspaper, more than being shocked, I was very disappointed that it would run the headline: "Dismissed employees risk 'super' loss: Burns". The article reads—

> "Workers sacked for alleged incompetence could lose their superannuation under a new Queensland law, the State Opposition said last night.
>
> The Opposition Deputy Leader, Mr Burns, said legislation passed in State Parliament last night to deny superannuation benefits to public servants, judges, police or politicians convicted of corruption was flawed."

To begin with, I am not sure what that means. By the way, I should say that the Deputy Leader of the Opposition did not speak in the debate last night. What he is suggesting is that the legislation with which the House dealt actually takes superannuation off people. What rot! There is nothing at all in that legislation that will take superannuation off people who are justly entitled to it. If the legislation was read and interpreted correctly by the honourable Deputy Leader of the Opposition—I am not sure whether or not he read it—he would know——

Mr Innes: You are not accurate.

Mr AUSTIN: From the interjection from the honourable member for Sherwood, it is quite obvious that he did not understand the legislation, either. I have a transcript of a news broadcast from 4BC this morning that shows that the member for Sherwood is totally inept in his interpretation of the legislation.

What the Leader of the Liberal Party and the Deputy Leader of the Opposition have tried to do is to scare people in the community into believing that the Government will take their superannuation off them. For the benefit of all those honourable members who did not understand last night's legislation, I state quite clearly that its intent is that if a public officer who is not of retiring age is dismissed, he is not entitled to superannuation; he has never been entitled to superannuation. Under all superannuation legislation, there is a qualifying period that has to be fulfilled before people are entitled to the benefits.

Where is the credibility of that front-page story that people will have their superannuation taken off them? It is utter nonsense. There was provision in the Bill for superannuation to be held in escrow. In other words, it can go into a trust account. I do not see that as the Government taking superannuation off someone. Does the honourable member suggest that that is taking it off them?

Mr Innes: In a trust account controlled by you.

Mr AUSTIN: In a trust account controlled by the Public Trustee. Last night the honourable Leader of the Liberal Party did not have enough common sense to ask in the debate who would control the trust. If he had thought to ask that question, he would have been given the answer.

What I am saying is that there is no intention to take superannuation away from people. After any superannuation benefits have been placed in escrow, they can be touched only by order of a judge of the Supreme Court, not by me, by the Government or by anyone else.

Mr Innes: Section 35. You are wrong.

Mr AUSTIN: The honourable Leader of the Liberal Party seeks to mislead the people of this State, which is exactly what the Deputy Leader of the Opposition did. It makes one think that they may have had their heads together in coming to their interpretation of this legislation because, surprisingly, they have both come to the same conclusion, and that conclusion is wrong.

Being a reasonable man, I expect that, seeing that it is dead wrong, tomorrow the *Courier-Mail* will publish a story in an equally prominent position setting out the facts in relation to the matter. However, that might be wishful thinking; it will probably end up on page 36 next to the comics.

Health-funding

Mr FITZGERALD: I ask the Minister for Health: in the light of the Federal Government's continued discrimination against Queensland in the allocation of health-funding, would she clarify the position on health expenditure in Queensland compared with other Australian States?

Mrs HARVEY: I thank the honourable member for his question, which stems no doubt from his very real concern at the lack of health funds that have been made available to service the health needs of vast areas of this State. A deliberate campaign has been mounted by Labor-backed organisations to try to place blame on the State Government for problems in health-funding. In fact, the blame quite obviously rests at the feet of the Federal Labor Government.

Mr DAVIS: I rise to a point of order.

Mr SPEAKER: Order! Under which Standing Order does the honourable member raise a point of order?

Mr DAVIS: I am going to move that the Minister table the notes from which she is reading.

Mr SPEAKER: Order! The Minister?

Mrs HARVEY: As the honourable member should notice, I have nothing in my hand, or, unlike the Federal Labor Government, anything up my sleeve.

Mr Comben: You got $500m extra from the Federal Government.

Mrs HARVEY: The honourable member often interjects on these health issues. No doubt he leads the campaign that is being mounted to try to deflect attention away from the Federal Government.

Mr Comben interjected.

Mr SPEAKER: Order! The member for Windsor!

Mrs HARVEY: Let me point out to this House that the Federal Labor Government is very quick to take the tax dollar—the Medicare dollar—of the average Queenslander.

Mr Comben interjected.

Mr SPEAKER: Order! The member for Windsor!

Mr Comben: I can't help it if she provokes me.

Mrs HARVEY: Queenlanders pay the same Medicare levy as that paid by the people in the other States of Australia.

Mr Comben interjected.

Mr SPEAKER: Order! I warn the honourable member for Windsor under Standing Order 123A.

Mrs HARVEY: Yet the other States receive 50 per cent of the levy from the Federal Government while Queensland receives only 20 per cent. Of course, the Opposition spokesman would not understand that.

I refer to statements in the press that Queensland spends less money on its health services than the other States. Of course it does. How do Opposition members think we have survived in the last five years when the Federal Government has ripped Queensland off to the tune of $1,222m? It is only because Queensland runs an efficient and an effective health service. Queensland does not waste moneys in its hospitals. The stage has never been reached at which Queensland could not pay the butcher's bill for its hospitals. Because it manages its money well, it has not reached that stage. Yet the other States receive far more than Queensland does.

I reiterate that the other States receive 50 per cent of the levy from the Federal Government, while Queensland receives only 20 per cent. I do not know how the Opposition spokesman can account for those figures. Yet the State Government must pick up the rest of the tab for Queensland's health services. Furthermore, Queensland is the only State in Australia that runs a free public hospital system. How does the Opposition spokesman account for that?

I point out to the members of the Opposition that as long as this State is running the health system——

Mr Comben: You are reading; you can't read it.

Mrs HARVEY: For the information of the members opposite, I am citing statistics that come directly from the Commonwealth Government.

Mr SPEAKER: Order! The time allowed for questions has concluded.

Mr DAVIS: I asked the Minister earlier to table the document. She told the House that she did not have the document.

Mrs HARVEY: I will happily table the statistics.

Mr SPEAKER: Order! The time allowed for questions has concluded.

At 3.30 p.m.,

In accordance with the Sessional Order, the House proceeded with the debate on the Address in Reply.

ADDRESS IN REPLY

Seventh Allotted Day

Debate resumed from 6 September (see p. 565).

Mr SPEAKER: Order! I call the member for South Coast.

Government members: Hear, hear!

Mr SPEAKER: Order! Before the member commences her speech, I would remind honourable members that this is the member's first speech in this Parliament. I would be grateful if honourable members would accord to her the courtesy of the Parliament.

Mrs GAMIN (South Coast) (3.30 p.m.): It is with a deep sense of honour, humility and pride that I rise to make my maiden speech in this House. In doing so, I express my loyalty and allegiance to Her Majesty the Queen and to her representative in the State of Queensland, His Excellency the Governor.

I further acknowledge your position in this Chamber, Mr Speaker, and I confirm my readiness to abide by your rulings and to conform to the traditions of Parliament in the State of Queensland. These sentiments are expressed not only on my behalf but also on behalf of the constituents of the electorate of South Coast.

I am aware of the awesome responsibility that I have undertaken to represent all the people of South Coast. I welcome the challenge to carry out that representation with determination and with great care for the needs and aspirations of my constituents.

As the most recent member of this Parliament—it is less than a week since the swearing-in ceremony—I am also very much aware that, in comparison with many longer-serving members, I have a great deal to learn. I look forward to these lessons, although I do not expect that they will all be easy. I have already learned many lessons in the past few weeks.

I very much doubt that any other member has come into this Chamber after such a difficult campaign, carried out in such adverse circumstances. Yet, thanks to the assistance of very many people, we have overcome these difficulties. Through you, Mr Speaker, I must express my sincere appreciation to all those whose great efforts helped me to achieve this goal.

I extend my thanks most particularly to the Premier, whose strong commitment, unflagging effort and personal friendship and enthusiasm made the task very much easier; to all Cabinet Ministers, who were untiring in their assistance; to all my parliamentary colleagues on the Government benches, who were so unstinting in giving of their time and effort; and to the many hundreds of volunteers who worked so hard during the by-election campaign in order to retain the seat of South Coast for the Government of this State.

Throughout the by-election campaign, the recurring theme was that of service—the service given to the seat of South Coast by the previous member and by the Government of this State. I pay tribute to that service—the service that will continue to be provided by the Government to the seat of South Coast and the service that I, as member, pledge to give to the South Coast in the future, and by that I mean hard work, dedicated effort, caring, honest and responsible representation.

As a result of that commitment to service, benefits will flow not only to the seat of South Coast but also to the whole Gold Coast area and, indeed, to the whole State in the fields of tourism, education, small business, consumer affairs, transport, industry and health facilities.

More police are already being provided, and a new 24-hour police station will service the Burleigh, Miami and Robina districts. More Neighbourhood Watch schemes will be introduced. A drug squad will be located on the Gold Coast. In addition, Project Pay Packet is a $34m commitment to youth employment that will have far-reaching benefits for our young people.

On a population basis, South Coast is very much an urban electorate, covering a wide cross-section of occupations and income levels and encompassing all age groups. It is a very family oriented electorate. On the eastern or Gold Coast side we have always prided ourselves that we provide beach holidays for family people. We are not part of the glitter strip.

South Coast also includes the magnificent Burleigh Headland, which runs down to the sea, the national park and the Tallebudgera greenspace network, and the great

attractions of those wonderful national parks in the hinterland. Environmental issues are being very well handled in the electorate of South Coast. Although most of the population of the seat of South Coast is engaged in a variety of urban pursuits, there are also rural-oriented occupations and a flourishing dairy industry.

The electorate of South Coast is one of the fastest-growing districts in south-east Queensland. The Albert Shire, which comprises two-thirds of the electorate, has the highest level of home construction in this State. In the suburb of Robina alone, 120 new homes are being completed each month. It is estimated that, by 1995, 25 000 people will be living in Robina alone. Other suburbs are also spreading rapidly.

In passing, I take this opportunity of saying that I am totally opposed to the ridiculous suggestion that I heard yesterday that the Albert Shire and Gold Coast City Councils should amalgamate to form a regional conglomerate. What an unwieldy, unworkable mess that would make! I deplore the reference that was made to "rotten boroughs" and to the statement that the present boundaries are scandalous and pander to the egos of local potentates. That is an insult to both the authorities and to the many worthy people who run them.

I do not agree that the greater Brisbane area and the Brisbane City Council are examples for other areas to emulate. Many people would like to see the Brisbane City Council broken up into smaller entities.

To return to my own area—both the Gold Coast City Council and the Albert Shire are large, well-organised and efficient. The residents of both areas are also totally opposed to any amalgamation. All the local parliamentary members—that is the six-pack—are united in their opposition to this proposal.

One of the reasons we all voted "No" to the referendum question on the local government issue was to prevent the Federal Government from amalgamating shires and forming regional structures. There is no reason why the State Government should do anything of that sort, either. If that stupid proposal comes forward again with any seriousness, I will fight it tooth and nail. In the meantime, I strongly support both local authorities in my electorate and I will assist them in every way to retain their separate characteristics.

To return to my prepared speech—both local authorities, that is, the Albert Shire and the Gold Coast City Council, together with the State Government, are well aware of the enormous growth potential and the vital necessity of keeping pace with the provision of services to those expanding communities in our area—that is, in the way of roads, schools, health facilities and all the ancillary services aligned with rapid growth.

The completion of Bond University in 1989 will also add to the growth potential of the electorate and give to Queensland the further bonus of education, industry and high-technology advantages. So I welcome the recent announcement of the Minister for Transport that the Beenleigh-Gold Coast rail link will be completed in 1995. That will facilitate transport into the region and help alleviate congestion on Queensland's highways.

The Minister for Main Roads has also brought forward many improvements to our road systems, particularly to the Pacific Highway. The Mudgeeraba interchange was completed under the previous Minister. The new Minister recently opened Worongary interchange. This has made an enormous difference to a very dangerous intersection. Other fly-overs have been started, and I am particularly pleased to see work commenced on the fly-over at the very difficult intersection of Bridgeman Drive and Reedy Creek Road with the Pacific Highway.

The eagerly awaited extension of Bermuda Street is now under way, through Robina and into Burleigh Waters—this is progressing to target; to Bond University by opening date early next year; to Christine Avenue and Reedy Creek Road by Christmas 1989, and then to connect up with the Pacific Highway at West Burleigh. This will make an enormous difference to residents of Mermaid Waters and Miami in getting through-traffic out of residential streets.

The most rapidly growing industry, the industry without which the Gold Coast would wither and die, is the tourist industry. The tourist and hospitality industry provides benefits throughout the whole Gold Coast area. As a Government, it is our duty to provide whatever assistance we can to that industry. In doing so, we are supporting small business in all its many facets.

Small business is flourishing on the Gold Coast. As I was part of the small-business scene for many years, I am pleased that the Government is giving greatly increased attention to this vital growth and employment area. The establishment of a Small Business Development Corporation office on the Gold Coast will be of tremendous assistance to many aspects of small business. Over almost 25 years I have seen small business come and go on the Gold Coast. Now, at last, we are about to see facilities made available to prospective small-business operators that will help them not only to get started but also to keep going and survive, and by doing so that will help our whole employment structure; and that is what this Government is all about—providing opportunities for individuals to work for themselves and providing the opportunity for the employment of others, particularly our young people.

It is all happening on the Gold Coast, and South Coast is an integral part of the whole Gold Coast area—our future, our potential—and is tied in with the enormously exciting future of the Gold Coast. I am proud to be able to represent a very important section of this area's development.

South Coast, and indeed the whole of Queensland, has a great future which is being shaped by National Party initiatives and policies, many of which the Premier and Treasurer will outline in his first Budget. By our basic philosophy as a party—as a Government—we believe in the basic right of an individual to work, to strive, to better himself and to achieve a higher standard of living for the families of today and tomorrow. Those ingredients are not present in the platform of the ALP socialists. I will do all in my power in this place to ensure that the principles and policies of private enterprise remain in the foundation of Queensland's progress.

My husband Paul and I came to the Gold Coast in 1964. We cashed in all our assets, put together everything we had and ventured into the unknown. We saw the potential of the Gold Coast and started a business, which we owned and operated successfully for more than 21 years. We have been part of the growth and part of the scene. We have learned the difference between working for someone else and working for ourselves. We did it well. Although it was hard work, it was tremendously rewarding.

Looking back over those growth years on the Gold Coast—there were very few people who came through them with a higher reputation for fair dealing, honesty and integrity, unscathed by those traumas that beset so many small businesses.

We could not have achieved what we did without a Government in this State that facilitated private enterprise, a Government that dedicated itself to the betterment of all, and a Government that interfered in the least possible way in the lives of the general community.

We need to take those standards further. It is not just a matter of what we want from Government in South Coast; it is what we all want right throughout this State of Queensland. If we do not continue to fight for certain standards of behaviour, we are all lost. As a Government—as leaders for our community—we will fight for standards and we will make sure that we win. We are not going to legalise prostitution or homosexuality. We will crack down on corruption.

The people of South Coast are as horrified as any others in this State at the evidence that has so far been produced at the Fitzgerald inquiry. We are totally behind the Ahern administration in its resolve to fully implement whatever recommendations are made by Commissioner Fitzgerald as a result of that inquiry.

We will not abandon the family in our society. We will make every effort within our power to care for the frail, the sick and the elderly and those members of our community who, through no fault of their own, are unable to take care of themselves.

We will contiunue to provide educational and employment advantages for our young people. We will hold fast to our belief in God, to our loyalty to the monarchy and to our belief in the freedom of the individual to chart whatever course he chooses in life.

As I conclude this speech, I return to the debt of gratitude that I bear to those members of Parliament who gave such assistance in achieving success in the by-election. I should like to thank all members on both sides of the House who have extended to me the courtesies of welcome to what is, after all, a very new way of life. Words cannot express the huge debt of gratitude that I owe to all of those members of my campaign committee and others who worked so untiringly to bring the by-election campaign to fruition. None of that would have been possible without the devoted support of my family—my husband, my children, my parents and all members of my family.

It was with great pride that I welcomed several of my family members to the swearing-in ceremony last week. I am delighted to see other family members and friends in the gallery today. I have a feeling of sadness that my mother is not with us, too. If in my future parliamentary or representational career I evince any particular characteristics of forthrightness, honesty, caring and helping ordinary people in their day-to-day concerns, those characteristics come to me from my mother, her training and her upbringing. She has been dead now for more that 20 years; but basic standards do not change and ordinary, decent behaviour does not change. And so, between my mother and my father, who is very much alive and greatly loved and respected wherever he goes, I have some terrific standards to live up to.

I am fortunate in having a close-knit and loving family. We share our love among us. We sustain each other in difficult times and we try to live our lives by the simple rules of honesty, straight dealing, integrity and concern for others.

Mr Deputy Speaker, before you and this House I make this pledge to the people of South Coast: I will represent all the people of my electorate with deep sincerity; I will give them every possible assistance in my power; and I will take my place as a proud and responsible member of the Government team in this Parliament.

Government members: Hear, hear!

Mr WHITE (Redcliffe) (3.46 p.m.): Firstly, I congratulate the member for South Coast on her maiden speech. I congratulate her on winning the seat. Naturally, we in the Liberal Party would have liked a different result; but that is democracy. It is also very nice to have another lady in the House. We wish her well. No doubt at the next State election there will be a vigorous campaign for South Coast. Nevertheless, we wish Mrs Gamin well. No doubt Mr Veivers will give us a hand along the way—or should I say Mr Gately?

Secondly, I take this opportunity to confirm my loyalty and that of my constituents to the monarchy and to Her Majesty's representative here in Queensland, Sir Walter Campbell. He is certainly a most popular figure throughout the State. In recent times the people of my electorate have had the pleasure of his attendance to open the Redcliffe show on one occasion and also to open the Queensland Bush Children's fete. I thank him for that.

This afternoon I want to raise a serious matter. Matters of this nature have been raised in this House previously. I refer to the activities of a company called Samsonvale Investment Pty Ltd which, like many builders and major contractors over the years, has diddled subcontractors out of their just and due payments. I refer particularly in this case to two of my constituents, Ray and Diane Buckland, who have lost something like $19,300.

I guess that the nicest thing that could be said about that company and its principal, Mr David Rawlings, is that it is very much a charlatan-type activity—something that has been going on in this State for a very long time. I can well remember the first time that the Kratzmanns went broke. As we all know, I do not think anybody went bust more beautifully than the Kratzmanns did. It is almost vulgar to go through that part

of St. Lucia where they live and to see the grandiose property that they live in. At the same time, over the years they have sent many small people to the wall.

In the case of Samsonvale Investment Pty Ltd, something like 9 or 10 companies have been caught up with it. They are typical subcontractors such as electricians, plumbers and cabinet-makers. This matter was initially brought to my attention by Mr and Mrs Buckland. As I said, they are typical of many people who are caught in these sorts of situations. As I also said, this is not the first time that this sort of thing has been brought to the attention of this House. Something has to be done about it. Could I suggest that the sort of program that exists in the United States of America be implemented here? That program provides that, when payments are made to the builder or the major contractor, corresponding or proportionate payments are made to the subcontractors at the same time. Because of the adoption of this practice in the United States, prices for homes and buildings have fallen quite substantially. Subcontractors do not have to allow for bad debts.

I wish to make brief suggestions that the Government may wish to duly consider, since they arose from a recent public meeting. A number of motions were passed that could lead to the resolution of those problems in a constructive way. The first and foremost suggestion is that the Government establish a system of direct payments to subcontractors for all Government building projects as a matter of policy and ongoing practice. That practice would have the great benefit of improving the cash flow of many small businesses. Secondly, the State Government should establish, through the Builders Registration Board, a trust or indemnity fidelity fund financed by mandatory subscriptions paid by each building licence-holder, to be available to bona fide creditors of builders or building companies that go into liquidation. Thirdly, the State Government should immediately make available the necessary funding and manpower to the Corporate Affairs Commissioner's Office in order that more detailed investigations into building companies' liquidations can be carried out. In other words, the State Government should give more teeth to the Corporate Affairs Commissioner's Office. Fourthly, the State Government should establish guide-lines for scrutinising closely individuals who seek to be directors of companies in the construction industry.

It seems to me that Mr David Rawlings has reneged on his commitments in one company but is going strong in another company that trades under a similar name. Samsonvale Properties Pty Limited still operates, despite the fact that previous obligations have not been cleared either by that company or by the directors.

The fifth suggestion is that, when progressive payments are made to the major contractor or the builder, proportionate payments should be made to subcontractors. In the simple case of the building of a home in which progress payments are made by the owners, proportionate payments should be made to the individual contractors instead of the owners making one payment to the major contractor or builder.

I hope that the Government will give those matters serious consideration. The type of thing I have described has been going on for some time. Many people in the small-business community are being hurt continually. I would prevail upon the relevant Ministers to take on the board in a constructive manner the suggestions I have made.

I wish to elaborate on a topic that is very dear to my heart and to the hearts of my constituents. I refer to the Moreton Bay area and also to Moreton Island. Last night, I referred briefly to those matters in the Adjournment debate. This afternoon, in answer to a question from the honourable member for Mount Gravatt, Mr Henderson, I was pleased to hear the Minister indicate his personal view that, when he puts the Cameron McNamara report together, he will endeavour to have it released publicly.

Although that is all very well, the point I wish to make very strongly is that the whole question of consultation ought to be considered. The Minister ought to talk seriously with the various component bodies—responsible organisations in the Moreton Bay regions—such as the Moreton Bay Boat Club, which is one of the major clubs of the area; the Moreton Island Protection Committee; the State Council of Recreational

Fishermen; and the Queensland Commercial Fishermen's Organisation. My understanding is that, although the QCFO has held some discussions about these matters, the difficulty is that so many varying reports have been produced.

Without going into the matter elaborately, I remind the House that firstly there was the Cook inquiry, then the Heath report, the Cameron McNamara study, a transportation study, a proposal for a Moreton Island marine park, a higgledy-piggledy idea of a plan for Moreton Island and the constructive suggestions which have been put forward by the Lord Mayor of Brisbane, Alderman Sallyanne Atkinson. Whenever the Lord Mayor makes a statement, the Government reacts in a typical knee-jerk manner and begins to play politics. The Brisbane City Council has offered the State Government $50,000 to do a first-class job on the development of a proper environmental management plan for Moreton Island. The Lord Mayor has also put forward some very helpful suggestions about what should be done in Moreton Bay.

I might add that the Brisbane City Council has no wish to play a dominant role. It feels, as the major local authority in the area, that it has the responsibility to make suggestions to the Government. The obvious thing for the Government to do is to pull these reports together and consult the Brisbane City Council and other local authorities, such as that in my own electorate of Redcliffe. Other local authorities that have a significant interest in this matter are Redlands, the Gold Coast, Caboolture, Pine Rivers and even Landsborough.

Local authorities play an extremely important role, particularly in regard to foreshore developments. There has been an escalation in the development of canal estates. There is a very fine one at Redcliffe, the Newport Waterways project, which is going extremely well, and there is a proposal by Ariadne to develop the Pine Waters canal estate.

Mr Davis: Do you support that? I would like to know where you stand.

Mr WHITE: I would make the point to the honourable member for Brisbane Central that one has to be very careful in areas such as that because it is a significant fish habitat. If the honourable member for Brisbane Central had read the newspapers, he would have noted the comments that I have made about this development over the years.

Mr Davis: I don't get the *Redcliffe Herald.*

Mr WHITE: Last week in both the *Courier-Mail* and the *Daily Sun* I made the point once again that there has to be a balance between environmental considerations, such as fish habitats, and proper and responsible development. Those matters can be resolved in those areas.

Mr Davis: How can they be resolved by putting dirty great canals in the area?

Mr WHITE: It is obvious that the honourable member for Brisbane Central, like many of his colleagues in the Labor Party, is against any form of development. They just want to put the kibosh on everything. I am simply making the point that, if the environmental considerations can be satisfied, that development is worthy of consideration. I know that it will be carefully considered by the Brisbane City Council.

There is a need to pull together. People such as recreational and commerical fishermen are gravely concerned. They have been getting the wrong end of the stick for a long time because over the years closures have been forced upon them. The last major closures in Moreton Bay occurred in 1981, and recently the Government unilaterally enforced further closures, although I understand that those closures are temporary. However, the fishing industry provides significant employment and its special needs and aspirations should be rightfully and carefully considered by any Government.

There is a need for the Queensland Commercial Fishermen's Organisation to consult more, because it appears that there is a break-down in communication between the grassroot members in my electorate and in the Bribie Island area, which is represented in this House by the honourable member for Glass House. I would hope that those lines

of communication will be assisted with the change of personnel coming from the Redcliffe area.

There is also the need for research. Much to everybody's surprise, the recently released results of research on the sand-crab population in Moreton Bay show that there is no danger to the sand-crab population. That is rather heartening, but we need to know more about it. Recently I was interested to read about the activities of the zoology department of the University of Queensland, which is researching certain fish species in Moreton Bay that are believed to be an important part of the marine food web. The researchers believe that a shortage of the cardinal fish, leather jacket, pony fish and trumpeter perch, which are the prey of the larger, popular, eating fish such as flathead and tailor, could affect commercial and amateur fishing in the bay. We ought to know more about it. Studies have shown that the small fish that cannot be consumed by humans are in plentiful supply. I simply make the point that we need to know more about it and the Government should be supporting more research in the bay so that sensible decisions can be made.

I take this opportunity to commend the clubs and organisations on the Redcliffe Peninsula such as the Moreton Bay Boat Club, the Humpybong Yacht Club, the divers club and all the rest that do a first-class job. Bodies such as those should be consulted and local authorities should be given the opportunity to play a significant role not only in terms of an input to the Government but also in terms of an ongoing advisory role. I am pleased to see that the Minister for Finance is in the House. He has always been a strong advocate of looking after the bay and Moreton Island, so I trust he is listening carefully to my remarks.

In fairness to the Government, I should say that there have been significant changes on Moreton Island, with a gradual introduction of national parks. Many of us who in the early days fought to do something about Moreton Island take a great deal of pleasure in seeing that these things are gradually coming to fruition.

While I am speaking to the Minister for Finance, I remind him of his retrospective stamp duty rip-off. The Minister may be able to correct me if I am wrong, but as I understand it the Commissioner of Stamp Duties is applying retrospective rulings with effect from 26 April. Many of us on the conservative side of politics have always held a deep abhorrence for retrospective legislation. In my view, it is reprehensible and simply another tax-gathering exercise. Many businesses will now have to pay 4.4 times the amount of stamp duty that they used to pay. I refer to insurance cover for professional indemnity. In many cases, such as in lease conditions of shopping centres, that sort of insurance is obligatory. Retailers, small-business people, professionals such as doctors, lawyers and dentists, and others will now have to pay something like $3,500 instead of $264. I can see that the Minister is shaking his head.

Mr Austin: It depends whose figures you are using. One of the guys who sent out information to all back-benchers of Parliament had the decimal point in the wrong place in his calculations.

Mr WHITE: I hope the Minister is right. That is not the view of the Insurance Council of Australia.

Mr Austin: It is 7c in $100 on the sum insured. So if you had $3m worth of personal indemnity insurance, that is $700 per $1m, which is $2,100 on $3m. The figures that you have got have been done by a person who used 7 per cent instead of 7c in $100.

Mr WHITE: Let me accept that he is wrong and the Minister is right.

Mr Austin: I am right.

Mr WHITE: Okay, I accept that. On a $5m professional indemnity policy, would it be the best part of $1,000?

Mr Austin: It is $700.

Mr WHITE: Is it $700 on $3m?

Mr Austin: It is $700 per $1m.

Mr WHITE: It is still an awful lot of money. If one takes the figure that the Minister has just quoted and examines the corresponding figures in the other States, one will discover that the figures are: New South Wales, $153; Victoria, $123; South Australia, $142; Tasmania, $135; ACT, $114; Northern Territory, $1.52; and Western Australia, $91.34. I still say that it is a rip-off. The Minister will go down in history not only as the first Minister for Finance in this State but also as the greatest tax-gatherer this State has ever seen. Nowhere is that more clear than in the area of stamp duty. Stamp duty revenue is way ahead of budget.

Mr Austin interjected.

Mr WHITE: Yes, but the Minister cannot convince me that it is not a rip-off. He cannot convince me that it will not be one of the most significant areas of revenue for the Government. It will directly affect small-business and professional people, many of whom are struggling at the moment to make ends meet.

I would have thought, because of his background, that the Minister would be looking at ways and means to give small business a better deal. However, in fairness, I will reserve my judgment until the Budget is brought down.

I am sorry that the member for Aspley is not in the House at the moment. I must take her up on this arrant nonsense in her allegation about the Brisbane City Council in respect of a decision on the construction of a shopping centre at Brackenridge—her allegation that it is a secretive, collusive conspiracy. The Brisbane City Council has approved a new shopping centre for Bald Hills. From reading the reports in today's paper, I understand that it will be an exciting shopping centre.

I remind the House that Mrs Nelson was the person who most vigorously opposed the hypermarket at Aspley. The Minister and members of the House will remember that very well. Yet that has become a very successful operation. A number of major small businesses are trading there. I might add that my business is not. I am sorry to relate that, but that is a fact of life. At the same time the member for Aspley also said that there would be doom and despair and that all the small traders in the Aspley shopping centre along Gympie Road would go broke. However, today they are all thriving. If there was ever an example of a major regional-type centre linking and integrating with an existing centre, that is an excellent example.

At that time, I, like the then Minister for Local Government, Mr Hinze, endeavoured to convince Mrs Nelson that the most desirable thing that could happen in that shopping centre was the integration of the new development with the existing strip shopping centre. That has been achieved and it is very successful.

The member for Aspley—I am sorry that she is not in the House—was quite wrong. She has a great capacity to be an instant expert on all sorts of things. She knows nothing and, from time to time, has made an idiot of herself with her inane remarks about business. I hope that she has received the message. If she has not received the message from us, she will receive it from the business people in her own electorate who are most upset about the derogatory comments, particularly in respect of a significant business—the hypermarket—and all those traders in the area who are successfully operating their businesses and employing many people.

Some honourable members may recall that some time ago in this Chamber I voiced my concerned about the so-called church organisation known as the Worldwide Church of God. I want to inform honourable members that the views that I expressed that night, which have been somewhat similarly expressed by Mr David Jull, have been reaffirmed by 102 people who have contacted me personally to support the allegations that I made quite some time ago about that organisation.

The organisation is a rip-off, but, more important, it seems to be intent on breaking up families rather than keeping families together. The public ought to know more about it. Its members are a mob of charlatans. The organisation was started off in the United States back in the 1930s by a huckster who had failed in the advertising game, and so it went on over the years.

The organisation publishes a magazine known as *Plain Truth.* A lot of unsuspecting people pick up that magazine at newsagents and airports and read it. Many gullible people get involved in the organisation, and next thing they find elders of the church visiting their household and inflicting their views on one of the married partners, especially if that particular partner refuses to go to that church. As I said, in many cases that organisation has brought about the separation of husband and wife and, more tragically, of children and their parents.

The claim concerning the financial contributions to that organisation has again been corroborated by people who have contacted me from all over Australia, particularly when I revealed the activities of this organisation some time ago on *Good Morning Australia.* It is a matter of concern. I hope that honourable members view it in a bipartisan way.

Thankfully, the section of the referendum dealing with religious freedom was defeated. I believe that was probably the most dangerous proposition put forward by the Federal Government. Undoubtedly, it would have led ultimately to the institutionalisation of a lot of so-called religions.

Mr Austin: Mr Davis voted "No" to the last question.

Mr WHITE: Knowing the member for Brisbane Central as I do, and knowing his personal commitment to private education and his views about religion and so forth, I would be very surprised if he did not vote "No" to it.

I have raised this matter again to inform honourable members of the support that I have received for the views that I expressed at that time. I have received widespread support. I hope that if the other honourable members are approached by their constituents, they will give them good advice and tell them that they ought to keep away from that organisation.

Mr PALASZCZUK (Archerfield) (4.13 p.m.): I rise to bring to the attention of the Parliament my feelings on the current immigration debate. I have a very large percentage of ethnic groups in my electorate; therefore, it is incumbent upon me to comment on the immigration debate.

All honourable members would be aware that Archerfield is an electorate of very diverse skills, occupations, population and also ethnicity. I will give honourable members a few figures in regard to the Asian migration scene. Eastern Asian migrants in my electorate number 100, or 1.3 per cent; south-east Asian, 1 377, or 17.7 per cent; southern Asian, 108, or 1.4 per cent; western Asian or Middle East, 53, or 0.7 per cent. Those figures have been taken from the 1986 census. That means that at that time about 22 per cent of the persons in my electorate were Asian migrants. I would suggest that now it would be about 28 per cent and growing. I remind all honourable members that, for the purposes of the Australian Bureau of Statistics, Asia spreads from Greece and Cyprus all the way to Japan and that it is people from all the countries in between who are feeling the brunt of the current immigration debate.

Numerous Vietnamese constituents have approached me and asked, "Why are we being singled out? Why are Mr Howard and Mr Sinclair attacking us? All we ever want to do is live in peace and be good Australians." I can sympathise with the Vietnamese people because I can remember that my parents and I were some of the boat people of 1949, who, together with 598 new settlers, arrived on the ship Amarapoora to begin a new life after leaving the chaos and uncertainty that plagued eastern Europe after the war.

Mr Milliner: How old were you then?

Mr PALASZCZUK: I was two years old.

In the early fifties I can remember the label of "wog" and "dago" being levelled at my parents, my brothers, myself and friends who came out from eastern Europe. However, that was short-lived, because it was only a phenomenon of the early fifties—that is, until I entered Parliament. That is when I felt the full brunt of certain members opposite in their approach to my name. I will not name the two members, but I point out that their names are embedded in the back of my mind. I mention that matter to every ethnic group that I visit and the people are appalled.

Mr Davis: Who were they?

Mr PALASZCZUK: I cannot tell the honourable member on the record.

Today, we have a new wave of boat people who began to arrive in Australia in 1975. They, too, felt the chaos and uncertainty of a war-ravaged land. Like the boat people of 1949, the boat people of 1975 follow the same path of settlement in areas in my electorate. They arrived at the migrant hostel at Wacol. As they became a bit more familiar with the area, they left and settled in close proximity to the hostel. They settled in areas such as Darra, Oxley, Wacol, Inala and Durack.

As a teacher in the Inala area in the seventies, I can claim credit for teaching some of the first Vietnamese children who arrived in Australia. Many of them have now gone into the ranks of the professions. Some are engineers, some are doctors, some are chemists and some are teachers. Others have gone to work in the trades and businesses. They are all contributing to a better Australia. Statistics show that Asian migrants are the keenest to adopt their new country and become Australian citizens.

A total of 80 per cent of Asian migrants are Australian citizens. Bearing that in mind, I want to know why the current immigration debate is raging and why every State leader other than Mike Ahern has spoken out against Mr Howard and Mr Sinclair. I shall quote a few of the other leaders in Australia. Nick Greiner, the Liberal Premier of New South Wales, is reported in the *Sydney Morning Herald* on 29 August 1988 as having said—

> "The only useful discussion should revolve around the implementation of multiculturalism and how to make it work better."

John Olsen, the South Australian Liberal Opposition Leader, is reported in the *Sunday Mail* on 28 August 1988 as having said—

> "It is my view that Mr Howard's policy is widely perceived to be racist and I do no support it."

They are two leaders in Australia who deplore the policy of Mr Howard, Mr Sinclair and Mr Stone.

Why has the Liberal member for Sherwood—the Leader of the Liberal Party in Queensland—not spoken out on this issue? I suggest that if John Howard's policy was in place, the present Leader of the Liberal Party would not have satisfied the points criteria necessary to gain entry into this country.

The answer lies wholly and solely in the fact that the Nationals are the driving force behind the Federal coalition's immigration policy. By their comments on immigration, John Stone and Ian Sinclair are setting the Opposition agenda. The Liberal Party cannot form a Government federally without the National Party. Therefore, the National Party will also veto Mr Howard's poor attempts at an immigration policy. It does not matter what the Liberals want; in that coalition they are irrelevant.

As far as Queensland is concerned, the Premier has shown himself to be weak and indecisive by not standing up for the many cultures in Queensland against his bully-boy mates in Canberra. Mr Muntz has tried to ingratiate himself with the Vietnamese who have been loyal followers of the National Party. On the other hand, the Liberal Party

Lord Mayor of Brisbane has tried to ingratitate herself with the Vietnamese who have been loyal followers of the Liberal Party.

I say to every single Vietnamese or other Asian in Queensland: "If you are card-holding carriers of the National Party or the Liberal Party, tear up your party tickets in disgust and rethink your political philosophies."

Mr Davis: I will say the same thing to my people over there at West End.

Mr PALASZCZUK: I thank the honourable member for that interjection.

I call on the Premier and the Leader of the Liberal Party to repudiate their Federal party-leaders. We all know that the Leader of the Federal Opposition is chasing votes. He has abandoned his party's philosophies and traditions.

Let me look at Mr Howard's record on immigration. In the House of Representatives on 23 August 1984 John Howard said—

> "It is very important that we try to have a bipartisan approach.
>
> . . . past Coalition government policies were built upon a non-discriminatory approach to immigration and a level of intake and a pace of change . . . I expressly rejected the proposition that the Liberal Party should take a stand against Asian immigration.
>
> I supported the policies of the former Coalition Government which were humanitarian and liberal in the true sense of the word.
>
> We were prepared to take, with the Labor Party's generous support, people from war-torn parts of South East Asia. We were prepared to persuade people around Australia to accept that policy."

Let me have a look at the John Howard of 1988. On the ABC radio program *PM* of 1 August 1988, in relation to the rate of Asian immigration, Mr Howard said—

> ". . . I wouldn't like to see it greater . . . I do believe that in the eyes of some in the community, it's too great, it would be in our immediate term interest and supportive of social cohesion if it were slowed down a little, so that the capacity of the community to absorb was greater."

I ask: is that not an indictment of the Leader of the Liberal Party federally? Let me have a look at the results of his one-Australia policy. Here are the results: in Adelaide a man had the tyres of his car slashed and his garage burnt down as a reprisal for a letter that was published in the Adelaide *Advertiser* condemning the so-called one-Australia policy of the Leader of the Opposition. A prominent and respected journalist, Max Walsh, had his home and his wife's car attacked by a racist group known as National Action which, with aerosol cans of paint, drew obscenities and left their signature, namely, the swastika.

A Federal member of Parliament, the honourable member for Hindmarsh, had a brick put through his window on the basis of his support for a non-discriminatory policy. He has been informed that the next time it will be a bomb.

To top it all off, the Reverend Dorothy McMahon of Pitt Street Uniting Church, by virtue of her commitment to an Australian society that will not harbour racial intolerance, found that buckets of faeces, vomit and rotting material were spread all over her front verandah and stuffed in her letter-box. Her church was raided and swastikas were placed in various parts of it.

The Liberal policy stands condemned. Mr Howard stands condemned. Mr Sinclair stands condemned. Mr Stone stands condemned. The Premier of Queensland stands condemned for not putting forward his point of view. The Leader of the Liberal Party also stands condemned for not doing so.

I now turn to a matter that is very dear to my heart and the heart of the shadow Primary Industries spokesman: the dairy industry. I am a member of the Australian Labor Party Primary Industries committee. I am also proud to say that I am the secretary

of that committee. I inform the House that last week I was in Warwick, and while there, with the committee, I attended a meeting of between 300 and 400 irate dairy-farmers whose representatives have also been to see the Premier. The Warwick Dairy Co-operative is one of the most efficient and effectively run organisations in Queensland. Its cheeses have won numerous prizes in various shows throughout Queensland. Moreover, its directors have shown a willingness to take on export markets and develop trade dollars to help ease our current account deficit. A decision by this State Government will ensure that that plant's viability is lost.

It should be said that the rorted electoral boundaries of the Minister for Welfare Housing take in part of the city of Warwick, yet he was nowhere to be seen when that meeting was held. He left my good friend and colleague the member for Warwick to face the Warwick producers on his own.

Mr Casey: Didn't they give him heaps!

Mr PALASZCZUK: And didn't they give him heaps! That is right.

The Warwick co-operative employs 52 people. If those jobs are lost, Warwick's population could decline by about 1 000 people. When the number of people employed in ancillary industries is considered, that figure could be very conservative. This National Party Government has never had any real love for the city of Warwick. It has preferred to see the city of Toowoomba prosper at Warwick's expense. Whereas Toowoomba has expanded rapidly since the 1960s, Warwick was given the kiss of death when the Government closed down the railway workshops.

My Federal colleague the member for Rankin had to fight tooth and nail to get the National Party to keep Warwick on the funding priority list for the establishment of a TAFE college.

Mr Austin: That's rubbish.

Mr PALASZCZUK: It is not rubbish; it is true.

In addition, millions of dollars of Federal funding have been poured into the area to upgrade the roads that the jokers on the National Party side have failed to maintain.

Because of the outrageously rorted boundaries, the National Party has been able to treat the people of Warwick like mushrooms—kept in the dark.

Mr Austin: What about your Federal colleagues? Mr Beddall has grossly rorted boundaries. His electorate goes from Warwick to Inala. If that is not a rort, I don't know what is.

Mr PALASZCZUK: If the Minister considers that to be a rort, he had better talk to the electoral commissioners before he starts going on about that. Of course, he should realise that there is an affinity between Archerfield and Warwick—a great affinity!

Mr Casey: It would be better if Warwick was looked after by somebody like you.

Mr PALASZCZUK: Yes, that is right—anybody from the Labor Party. Mr Beddall is doing an excellent job looking after the electorate of Rankin.

Mr R. J. Gibbs: You are the favourite son of the farming community of Richlands.

Mr PALASZCZUK: I always have been. I thank the honourable member for his interjection. I appreciate it very much.

The latest casualty in the National Party's cavalcade of contempt is the dairy co-operative at Warwick. My colleagues the member for Cairns and the member for Mackay have already outlined in this House how the Queensland Premier turned a blind eye to the rorting in the dairy industry when he was the Minister for Primary Industries.

Mr Austin: He denied that in this Parliament.

Mr PALASZCZUK: It is true. It is little wonder that the Warwick producers went empty handed. The Premier has always sided with the rorters and crooks in the dairy industry. They are the main beneficiaries.

Mr Davis: Do you think that the Warwick co-operative will go the same way as the Beaudesert co-operative?

Mr PALASZCZUK: I exposed that matter to the House two years ago.

Mr Davis: What did Mr Lingard do about that?

Mr SPEAKER: Order! The honourable member for Archerfield is making a speech, not the member for Brisbane Central.

Mr PALASZCZUK: Thank you, Mr Speaker. As I was saying before I was provoked, the main beneficiary is the South Coast Dairy. Let the Premier deny in this House that he has been compromised by Charlie Holm, the Hollindales and Hinze when it comes to the dairy industry.

Allow me to quote a dairy-farmer who was interviewed on the *Nationwide* program on 3 May 1983. He stated—

> "Mike Ahern has not been of any help at all. In fact he's backed the other side to put it mildly, we've been to see Mike on not less than three or four occasions and if I can say one good thing about Ahern, it is that he makes himself very available, but after he has made himself available he does nothing for you."

That is the Queensland Premier's record when it comes to standing up to the law-breakers in the Queensland dairy industry.

Mr R. J. Gibbs: It is no wonder that Mr Hinze does not share Sunday swims with him any more.

Mr PALASZCZUK: I thank the honourable member for his interjection.

Queenslanders should not be surprised that the Premier is weak and indecisive. When it comes to standing up for a bit of decency, he has always been weak. Despite all that the Premier has not done for the Warwick dairy-farmers, they have hung in there.

Mr Austin interjected.

Mr PALASZCZUK: Every time the Minister opens his mouth, he commits Russian pipette.

Mr Casey: Russian roulette?

Mr PALASZCZUK: Just think about it. Every time he draws a breath, he commits Russian pipette.

A former National Party member in Warwick, Mr Bill Lester, tore up his National Party ticket two or three weeks ago because of what has happened and had the following to say about the dairy industry—

> "Unless you can get somewhere around 47, 48, 50% into the market then you're running at a loss situation and in Warwick we're pegging about 40% and a lot of our farmers especially our smaller chaps are struggling."

This is the way the system works. Twelve dairy-farmer organisations in south-east Queensland produce milk for human consumption. They all supply milk to the rich coastal market. Through a complex system of franchises and regulations, three major coastal associations—Suncoast, Metropolitan Brisbane and South Coast, in association with the milk-processor, Queensland United Foods—control almost one-third of the milk market. To put it another way, 14 per cent of the 2 000 dairy-farmers in south-east Queensland control a massive 30 per cent of the market. The remaining 86 per

cent of farmers share the rest of the market. Needless to say, Warwick producers are in the latter category. That sorry situation came about because Holm and Hinze, with the Premier's blessing, broke the law.

Mr Stephan interjected.

Mr PALASZCZUK: The honourable member is insignificant. He should just keep quiet for a moment. In an interview on the 0/10 network with Paul Bongiorno, the manager of the dairy co-operative, Bill Hoiberg, had the following to say—

> "I think the only way it will ever be straightened out is to have a Royal Commission into the whole thing and to clean up all these accusations that are being made and if anybody has got anything to hide well it should be brought into the open as far as we are concerned. Our nose is clean in Warwick and we've kept it that way and we like to see everybody else with their hands on top of the table."

Mr Stephan: Will you take an interjection?

Mr PALASZCZUK: I will in a moment.

In line with the allegations that were made about police corruption, no inquiry will be held until it is too late.

Mr Stephan: How much quota would you take off some of those producers on the south coast?

Mr PALASZCZUK: It would be done by rationalisation.

The Minister for Primary Industries will not call for an inquiry. As the Minister for Justice, he was faced with evidence on in-line machines, and he did nothing. When Sturgess presented him with evidence on corrupt police, he did nothing. As an administrative incompetent, he will continue to do nothing.

In the few minutes left to me I wish to refer to local government. The members of the Labor Party support local government. As a matter of fact, it was a Labor Government which set up the great city of Brisbane. In 1927 a royal commission recommended the expansion of a number of Queensland's provincial cities. Today, after 31 years of National Party rule, the boundaries of Queensland's provincial cities are once again in a mess. The honourable member for Merthyr, Mr Don Lane, and the honourable member for Springwood alluded to the same matter yesterday. Other members of the Government have also alluded to that issue. Because of population growth, numerous cities and towns in Queensland are administered by separate councils.

Mr Stephan: How many local authorities would you combine?

Mr PALASZCZUK: For the benefit of the honourable member for Gympie, I will cite a couple of examples: Ipswich City Council and Moreton Shire Council; Gold Coast City Council and Albert Shire Council. Warwick is home to three councils, Warwick City Council, Rosenthal Shire Council and Glengallan Shire Council. The electorate of the honourable member for Mackay is serviced by the Mackay City Council and the Pioneer Shire Council; Townsville is administered by the Townsville City Council and Thuringowa City Council; and Bundaberg is administered by the Bundaberg City Council and Woongarra Shire Council. This leads to a position where residents on the outer fringes of a city do not receive the same services and benefits as their neighbours across the street. This is very evident when the shire council is controlled by National Party supporters. Members opposite do not like to be reminded of this. The city end of a shire is neglected in favour of the country section. A classic examaple was the inclusion of two suburbs of Logan City—Kingston and Woodridge—in the Beaudesert Shire. They received the proverbial rough end of the pineapple. The Grants Commission should be giving shire councils a gentle nudge to stop this state of affairs.

Mr R. J. Gibbs: Would you just go over that pineapple description again?

Mr PALASZCZUK: The proverbial rough end of the pineapple.

Whilst mentioning local government affairs, it is also timely to mention the Brisbane City Council in relation to a couple of matters affecting my electorate. The first is the perennial problem of lack of Brisbane City Council funding for my electorate. An example is the problem that I raised in this House last week concerning the Inala swimming-pool. This problem still exists and the Inala swimming-pool is doomed to become a white elephant. The reason for this is that the Brisbane City Council and the Lord Mayor, through their miserly treatment of the people of Inala, will not renew the lease on the swimming-pool. Consequently a whole generation of schoolchildren will be denied the basic right of being taught to swim. I have in my possession a petition containing over 2 000 signatures collected in a matter of two hours last Saturday morning. I can assure all honourable members that the residents of Inala are not at all pleased with the treatment being meted out to them by the Lord Mayor.

Mr Beanland: Did you have a fast pen?

Mr PALASZCZUK: I will read the petition to the honourable member for Toowong if he wants to hear it. It states—

> "We, the undersigned petition you and the Brisbane City Council seeking a reversal of the decision not to re-lease the Inala Swimming Pool.
>
> We do so for the following reasons:
>
> (1) There is no other pool that is available to our school children for Learn to Swim classes. Schools in suburbs such as Corinda and Acacia Ridge have their pools fully booked.
>
> (2) Even if schools in these suburbs made time available to Schools from Inala the children would not be able to go as there is no City Council Bus Service into or out of Inala.
>
> For the Brisbane City Council to deprive the residents of Inala of a basic community facility such as a swimming pool, is a denial of natural justice and a denigration of an area already disadvantaged by decisions of the Council.
>
> All that we ask, is for our children to have the same opportunities as those in other areas of Brisbane."

When the people of Inala signed this petition they said to me that the wording was not strong enough. Tomorrow this fistful of signatures will be taken by the local alderman with a deputation to the city council to see the Lord Mayor.

Mr Hamill: Is that the same Liberal council that spent the money for the Olympics?

Mr PALASZCZUK: That is exactly right. Why cannot the council channel some of the money that is to be spent on Brisbane's application to hold the Olympic Games towards my electorate?

Mr Casey: The Lord Mayor would prefer to see the kids of Inala drown in the waterholes.

Mr PALASZCZUK: That is about what will happen.

The lease on the Inala swimming-pool is only $26,000 per year, yet the Lord Mayor took a salary increase of $52,000 per year—the equivalent of two years' lease on the Inala pool. What a disgrace! I ask all honourable members: is that the right thing for the Lord Mayor to do?

Opposition members: No!

Mr PALASZCZUK: No, it is not. It is shameful.

The other outstanding local government problem in Brisbane is the redevelopment of the Expo site. It should be returned to the citzens of Brisbane. The Clem Jones Park

is too valuable an asset to be turned over to developers. The Lord Mayor, whose name keeps cropping up, should take a stand—or is she in actual fact in the clutches of the developers? All honourable members will recall the outrageous suggestion that the historic buildings on the Expo site—Collins Place, the gas company building and the Plough Inn—should be pulled down and erected elsewhere. If it was not so tragic, it would be laughable. Thank goodness the citizens of Brisbane rose as one and convinced this Government and the Lord Mayor to change their minds.

With the Expo redevelopment, once again we see this Government's vision splendid, or should I say, vision of excellence. Where were the voices of the National Party when this was going on? Where were the National Party back-benchers?

Mr Casey: Looking for their free passes to Expo.

Mr PALASZCZUK: Yes, that is right.

In conclusion I call upon the Premier and the Leader of the Liberal Party to show us where they stand on the immigration debate and I call upon the Lord Mayor to mete out fair treatment to the people of Inala in relation to the swimming-pool.

Mr LINGARD (Fassifern) (4.44 p.m.): It is my pleasure to take part in this debate on the motion moved for the adoption of the Address in Reply. Initially I wish to express the allegiance of both my electorate and myself to the Crown. The electorate of Fassifern is an extensive one, extending from Cunningham's Gap in the west, to the New South Wales border, to the mountains behind Coolangatta—Beechmont and Mount Tamborine—to Browns Plains and to Goodna. It is an extensive electorate of common interests. It is certainly not like the Federal electorate of Rankin which, as the member for Archerfield mentioned, extends from Clifton and Warwick and takes in four little hooks, one to Goodna, one to Inala, one to Marsden and another one that includes Mable Park and the old Kingston areas. In other words, it has just enough little fingertips to make sure that is has just enough numbers to make it a Labor seat. If ever there was a typical example of one vote, one value, it is the seat of Rankin. It goes from the Pacific Highway right across to Clifton; it is a typical gerrymander, a gerrymander which was organised by Labor, and therefore won by Labor with those four little tentacles that stretch out into Labor areas.

The feature of the seat of Fassifern is its massive growth as the population moves south from Brisbane towards Browns Plains and Park Ridge. So, since 1983, when the electorate of Fassifern included Woodridge, Kingston and Marsden, I have seen that massive growth. I have seen the construction of the Logan Motorway, and the extension of the South East Freeway, the Mount Lindesay Highway and the Cunningham Highway. I have seen the resumption of all the land that was necessary for those developments, just as I have seen the massive development of schools and shopping centres such as those at Logan Village, Jimboomba and Park Ridge.

Obvious changes have occurred in the areas of Beaudesert and Boonah as the 5-acre and 10-acre developments have moved south. However, at present the most significant public interest in the electorate of Fassifern is in the two dams: the Teviot dam to the south of Boonah and the Wolffdene dam to the east of Beaudesert. I would like to address my comments to those two projects.

Already the Fassifern electorate is well served by the two dams of Maroon and Moogerah, as well as by the rivers of Albert and Logan. The most important matter in the area of Fassifern is the storage of water that will be necessary in the future. There is no doubt that in south-east Queensland there will be a massive need for storage water. When honourable members consider the Teviot dam, they will discover that the reason for the Teviot dam was that in the early 1970s we saw the flooding of Boonah and the irrigation areas along Teviot Creek. At that time the people called for an investigation to be made into the feasibility of a dam to the south of Boonah. The first site that was looked at was the site which is referred to as the 83-kilometre site along Teviot Creek—83 kilometres from the junction with the Logan River. Because a dirt and rock wall approximately 700 metres long would have to be built at that site, I have never supported

it. It was never a feasible site. It was also quite obvious that there would not be much flood mitigation if that site was selected.

The most urgent need for a dam on Teviot Creek arises from the need for irrigation from the head of Teviot Creek down to Coulson, and the use of the alluvial flats in that area.

However, there was another site, a site which is referred to as the 88-kilometre site—88 kilometres from the junction with the Logan River—an area which is bounded by both Carneys Creek and Teviot Creek. I believe that is a very feasible site. It is a site at which, for a cost of $12m, a dam of 19 400 megalitres could be built. Very little resumption would be involved. It would be approximately 210 hectares encompassing seven very large properties. I have spoken personally to all of the owners of those seven properties, and most of them are very philosophical about the project. If a dam is to be built—firstly, for irrigation and, secondly, for possible flood mitigation—they are quite prepared to accept it, as long as decent recompense is made.

All I can do is request that the Government conduct its surveys through the Queensland Water Resources Commission and make its presentation to Cabinet—a presentation which I hope will go to the public of Boonah. I hope that a quick decision can be made, as I believe a decision has been made on the Wolffdene dam, so that the people whose land will be resumed can say, "Well, I have to accept this. This is what I will do with my future life."

The cost of the dam at the 88-kilometre site will be $12m. The greatest difficulty is that approximately $60,000 per year will have to be paid by the farmers for the water that they use for irrigation and also ground water.

The benefit from the dam will be that in the future it will provide 100 per cent irrigation. At present, the area is served only one year in every three. It has a low catchment area and the creek is not running all the time. If such a dam is built, there will be 100 per cent irrigation and there will be a 100 per cent guarantee of all ground water around Boonah. There is 1 930 hectares of riparian land around Coulson. The great benefit will result from the head of the creek to Coulson.

Surveys conducted so far show that the benefit/cost ratio is 1.91 to 1, which, in the terms that are used, is very high. A possibility exists that that benefit/cost ratio might rise to 2.45 to 1.

The irrigation from the dam would not extend to the hillsides around the alluvial valley. That would not be desirable, because there is a fair degree of salination around Boonah. Certainly the alluvial plains can take the irrigation that will be provided.

As people will realise, there is a tourism potential in the area. Accommodation at the Maroon Dam, which is used by the Education Department, is completely booked out. The areas of Maroon and Moogerah are used by many private schools and church groups for recreational purposes. There is an unbelievable tourism potential in that area. Children can be brought to enjoy the benefits of the area and still be close to Brisbane. It is possible to reach both of those dams within 55 or 60 minutes of leaving Brisbane. I believe that another dam in the area, such as a dam on the Teviot, would once again extend the tourism potential of the region.

Mr Palaszczuk: The Switzerland of Australia.

Mr LINGARD: It is a beautiful area.

Anyone who drives into Boonah and looks towards the scenic rim can be nothing but impressed. People who visit the area are always impressed, particularly by the scenic rim, with Cunningham's Gap in the background. The lake, the rural area and the mountains are very scenic.

There will be some flood mitigation but not as much flood mitigation as was thought possible in the 1970s when the floods originally occurred. It is only natural that a dam

at the head of the Teviot would mean that at times water could be controlled. However, flood mitigation is certainly not a big factor in the construction of a dam on the Teviot.

Another important matter is that the ground water of the whole area will be guaranteed 100 per cent. There is no difficulty with historical sites. No Aboriginal relics have been found in the area.

A degree of salination has been occurring with the ground water in that area. There is no doubt in my mind that, in view of the amount of small crops in the area, some sort of ground-water supplement will be necessary. Another great benefit of a dam would be to provide that supplement.

However, there are difficulties. A cost of approximately $60,000 per year must be met by the farmers. Therefore, the cost of water would possibly be more than $25 per megalitre. That is very costly for those who are dependent on irrigation. The cost of water for those people who depend on the Maroon Dam and the Moogerah Dam is possibly $7 or $8 per megalitre.

The Teviot dam will be controlled by the Water Resources Commission; so the Government will have to say to the farmers, "You can see that it is worth while. If the Government builds it in the future at a cost of $12m and if you have to pay costs of $60,000, are you prepared to pay $25 to $26 per megalitre?"

The region would have to be declared a complete subartesian area, with the result that those people who are currently getting ground water and water from bores would in the future have to pay for their water. That would be extremely controversial. Another aspect is that, from the dam, it may be possible to expand the use of irrigation from Coulson down to Jimboomba.

It is hoped that a survey which is being carried out by the Water Resources Commission can be presented to the Cabinet and that Cabinet will agree that the report should be made available for discussion amongst members of the public. Groups such as the Teviot Brook Water Commission Board could consider the matter and decide whether they believe it is feasible and whether they are agreeable to such a project.

In a survey of 78 owners that was carried out previously, only three disagreed with the project. However, those people were not told that the cost might by $25 to $26 per megalitre. That is very significant. The Boonah Shire Council certainly agrees and is certainly behind the project.

The second project which affects the Fassifern electorate is the Wolffdene dam. Yesterday in this Chamber the member for Bulimba raised certain matters. I do not want to have a political argument with him. However, at this stage I do not believe that the argument that the member for Bulimba put forward yesterday is the most significant one.

Since I became the member for Fassifern in 1983, the most significant discussion has been about whether storage water is necessary in south-east Queensland at this stage. When one considers the three topics of population, agriculture and industry, one finds that there is undoubtedly a need for further storage water in south-east Queensland in the future. Anyone who examines the population growth south of Brisbane will realise that. Since 1983 there has been a population increase in my own electorate of Fassifern of 32 000 people as Marsden, Park Ridge and Greenbank extend south.

Mr Veivers: Whatever has been on the coast in the last 30 years will be seen again in the next five years.

Mr LINGARD: The member for Southport refers to growth. It is obvious that as that growth comes towards Beaudesert, it will come towards Mount Tamborine, Canungra and Mount Tamborine village. One can see the growth moving towards that area. Everyone would have to agree that population growth will occur south of Brisbane and north of the Gold Coast and that in the future—in 2010—those people will need water.

As to agriculture—many honourable members can remember that 12 or 15 years ago Sunnybank was regarded as the salad bowl of Brisbane. We saw it and travelled through it. It was always regarded as the salad bowl of Brisbane, but now it is completely urban development. There is only one area towards which the salad bowl will go, and that is towards Beaudesert and Boonah.

Mr FitzGerald: A bit my way.

Mr LINGARD: From Parliament House I can travel to Beaudesert in 42 minutes; I can travel to Boonah in 55 minutes. As the member for Lockyer explains, there is obviously his area as well. I would have to say that I believe that, compared with what will happen in the future between Beaudesert and Boonah, his area is fairly well developed. There are quite extensive areas of agricultural land and some large rivers, such as the Logan River and the Albert River. However, they do not provide a great deal of irrigation water. Quite obviously, in the future there will be a need for storage water for irrigation for what I believe will become the salad bowl not only for Brisbane but also for the Gold Coast and Albert areas.

The third reason for an increase in storage water is industry. Everyone has to accept that new power stations will be required. Whether they are located at Millmerran or at any other place, it is quite obvious that in south-east Queensland water will be needed for power stations that will be built in that area and for the obvious industry that will continue to grow in that area.

At present, south-east Queensland uses 300 000 megalitres of water a year. The prospect is that in 2010 water consumption will be twice that quantity. Nearly 600 000 megalitres of water will be needed for storage water. The only water supplies available at present are the Wivenhoe Dam and the Somerset Dam. It is thought that water can be taken from Moreton Island and Stradbroke Island and from the Hinze Dam. The first aspect that I studied as a member of Parliament in 1983 was whether more storage water would be necessary after 2010. When I look at all of those facts, I have no doubt that more storage water will be needed and that certainly the Wivenhoe Dam and the Somerset Dam cannot continue to provide the amount of water required.

Logan City, which was formerly in my electorate, was always complaining that it did not have enough water. At present, Logan City's water comes from the Wivenhoe Dam. The Millmerran area and the Toowoomba area will have no significant water-storage areas in the future. Water from the Wivenhoe Dam and the Somerset Dam will be needed to go west as well as to serve Brisbane. There is no doubt in my mind that there is a significant amount of water on Stradbroke Island and on Moreton Island. A test has not been made on what will happen if that water is taken from there. Undoubtedly, Redland Shire will need water from those islands. But we cannot depend on that water; neither do I promote the thought of taking water from those islands. The Hinze Dam can be expanded, but water from that dam can only be committed water for the Gold Coast areas possibly until 2007.

Having established that water is necessary, let us look at the future possible sites for a dam in the south-east corner of Queensland. I have already explained that the Hinze Dam can be expanded into second and third stages but only to cover the Gold Coast areas. I shall refer to the Wolffdene dam. Cedar Grove is an area that is located behind Jimboomba. It is a massive area. However, if a dam was built at Cedar Grove it would completely flood Beaudesert and a whole agricultural area to the north of Beaudesert. I certainly do not believe that the Cedar Grove area is a feasible location.

The upper Logan certainly has water available, but it has only small catchment areas, and certainly nothing in comparison with what the Wolffdene dam might be.

If completed, the Coomera River dam would completely flood Canungra. There is no doubt in my mind that that is not feasible. Once again, that dam has nowhere near the potential capacity of the Wolffdene dam.

Christmas Creek and the areas around the Lamington Plateau are small-dam areas that might supplement the underground water supply but are certainly not significant in terms of storage water in the future.

I have already explained that the Teviot is more an irrigation dam. Having established that more storage water is necessary in south-east Queensland, there is no doubt in my mind that the only suitable area is the Wolffdene dam region.

What about other areas in south-east Queensland? There is no significant dam site in the Balonne/Condamine area. The only dam sites in that complete river system would be small dams that would only supplement underground water supplies. There are certainly no storage areas.

The Burnett River has no great potential. The Maroochy River is already committed. The Mary River has potential. However, in the future, any water from the Mary River would have to be pumped to the Somerset Dam before continuing its journey. The Mary River water system will be needed to supply water to the northern areas of the Sunshine Coast.

The Tweed River has potential. Another potential is desalination; but no-one would agree that that is a viable alternative at present. There is no doubt that in the future, desalination will occur, but at present it is not a reasonable alternative.

The latest population figures that have been released for my electorate are inconclusive. However, there is no doubt in my mind that for the people living along the Albert River, the No. 1 priority is water and the only alternative is the Wolffdene dam which is to be built there.

Discussions on the Wolffdene dam commenced in the 1960s. I have reports of public meetings that were held on Mount Tamborine in 1961 and 1962. Certainly people who have owned land in the district for a long period have always recognised the potential of the Wolffdene dam. When people borrowed money from the banks they agreed that they would not build capital improvements on land in the region of the proposed Wolffdene dam. People who bought land 10 and 11 years ago were required to sign forms to the effect that they were aware that the Wolffdene dam was going to be constructed.

In 1969 in this House, the former Premier mentioned the Wolffdene dam. Certainly in 1971 Cabinet made a decision to commit itself to the Wolffdene dam. The water board has always said that the Wolffdene dam is the only alternative. Therefore, I was disappointed when, in 1983, no official decision was made that there would be no more improvements on land in the region of the dam.

There have always been people with genuine hardships living in the region of the Wolffdene dam. Young couples who owned properties and who were transferred elsewhere could not sell their homes and land at other than ridiculously cheap prices. Some other human and personal elements are possibly not realised until issues such as this are brought out into the open.

Three cemeteries are situated in the area surrounding the proposed Wolffdene dam. Those cemeteries—one which is fairly significant and two which are very small family cemeteries—will have to be removed. Older ladies have come to me and said, "Okay. We accept that something has to happen. But my husband was buried 10 years ago; I will pass away very soon, and I would like to be buried next to my husband. What are you going to do with that cemetery? Where is it going to go?" In all fairness to those people with those sorts of personal problems, this Government has done the right thing. Cabinet has done the right thing by saying, "We are agreeable that we can start resumptions on the Wolffdene dam." They are not acquisitions; they are resumptions. People do not have to sell their land for another 20 years. At that time, if those people have not sold their land and the floodwaters have started, the trauma will begin. However, those people have 20 years during which they can ask for a resumption of their land.

Many developments will occur. I believe that the Beaudesert Shire Council has been 100 per cent behind the proposal of the Wolffdene dam. I felt very sorry for that

council when it was criticised because it had allowed subdivisions to occur in the area. In the last four or five years people have applied to subdivide and have built homes. The Beaudesert Shire Council's attitude to that was that although it had previously decided to stop subdivisions, that decision was taken to court and the developer won. Since then the council has not been able to say that people cannot build in the Wolffdene dam area.

I believe that even now, with 20 years to go before the dam is built, some people will say that because they are on a family property they want to take a section of that land and build a home on it and live there for 20 years. I have no doubt that they would build a house on stilts that can be removed easily, and on which they will carry out only very small capital improvements. But they will still do it. I honestly do not feel that that can be stopped. However, I do feel less guilty if they know that the Wolffdene dam is going to be built; they know resumptions are commencing; they know the Government has said it and that the water board has backed up that decision.

Massive road developments will occur in the area. People who now travel from Brisbane to Canungra travel from Brisbane to Beaudesert and cut across to Canungra, but in the future the route will be Brisbane to Jimboomba and then from Jimboomba past the Mundoolun church across the hills to Canungra. That will be quite an extensive roadworks undertaking. A traveller from Beaudesert to Beenleigh now goes across the Wolffdene dam area. In the future he will have to travel from Beaudesert to Jimboomba to Logan village and then cut across to Beenleigh. Once again, massive roadworks will be needed. Those people who travel from Beenleigh to Mount Tamborine at present travel form Beenleigh to Tamborine Village and then up the side of Mount Tamborine. In the future those people will travel across the wall of the Wolffdene dam, join the Oxenford connection and come into Mount Tamborine a different way. In that area three big roadworks systems will be necessary.

The area will also see massive developments such as the installation of power lines in the area by the QEC. I certainly believe that as the people of Esk shire benefited from the Wivenhoe Dam, so the Beaudesert Shire Council and the people of Beaudesert will certainly benefit from the Wolffdene dam. I hope that we in Beaudesert can say the same as was said by the people in Esk. If the Government makes sure that all of the Wolffdene dam construction projects are given to people from Beaudesert and the south side of Brisbane then the people in those areas will certainly benefit and the whole area will expand very rapidly.

I therefore support the recommendations of the Cabinet. Like everyone else, I hope that in the near future a more efficient method of desalination is found. I hope that maybe in 10 years, even after some resumptions have occurred, we can turn around and say that a new method of desalination has been found and this project does not need to be undertaken. However, in my own heart I have no doubt that construction of the Wolffdene dam will begin in the year 2005 or 2010. Although I will possibly lose many votes by saying that, I believe that I will certainly gain the support of many people because at last a definite decision has been made by the Government. Therefore, many people who are hurting very badly and who have to sell their homes can now say to the water board, "Will you please resume my land?"

At the beginning of my speech I spoke about the fact that within my electorate are the South East Freeway, the Logan Motorway and the Mount Lindesay Highway. I have never yet seen anyone hurt by resumptions. It is always the case, especially with Main Roads resumptions, that if people disagree with the market value that has been placed on their property, all they have to do is nominate two valuers, who everyone agrees are reputable, and if they say that the valuation is higher than that which has been offered, the Main Roads Department never turns it down. I know of many people who came from the Wivenhoe Dam area to the Boonah area. They had benefited greatly from the sale of their properties when the Wivenhoe Dam was built.

I know that while a lot of emotional trauma will occur with the building of the Wolffdene dam, it will not be the same trauma as that which occurs when an expressway

or an airport is built. In the future the people in that area will have a magnificent lake system. Some people there are obviously smiling because in the future they will have magnificent homes in the mountain areas overlooking the Wolffdene dam. It will have a huge tourist and social potential and, as I said before, very importantly it will be another water storage for south-east Queensland, which I believe is necessary.

Mr HAYWARD (Caboolture) (5.10 p.m.): In my contribution to the Address in Reply debate, I want to focus on this statement in the Governor's Opening Speech—

> "Queensland began this financial year with its key economic indicators giving cause for satisfaction."

In support of the statement made by the Governor, the Minister for Industry and Small Business made a ministerial statement to the Parliament on 25 August, in which he said that more than 56 companies have "set up or announced their intention to do so."

Mr Austin: What about the statement you made about superannuation?

Mr HAYWARD: I will see what happens with superannuation.

Yesterday, the member for Southport, Mr Veivers, said that it was 60 companies. By the time he had ended his speech, it was 69 companies that intended to set up in Queensland. The figure grew because of an interjection made by the Minister. Firstly, in his ministerial statement, the Minister said that these projects were not phantom projects. He challenged the Opposition to check the facts that he presented. I tried to check the facts but found that there was no information available. I was told by an officer of the Minister's department that to give out that information would be to reveal a commercial confidence.

Mr Sherrin: Of course it would be.

Mr HAYWARD: I thank the honourable member for Mansfield for his comment.

Upon further questioning, my inquiries revealed that these "firms" were merely applications for a block of land on a Crown industrial estate that had been approved by the Department of Industry Development. In other words, they were simply applications for a block of land and had nothing to do with new firms moving to Queensland; yet that is the information that was provided by the Minister's department.

Secondly, in his ministerial statement, the Minister for Industry focused on Australian Bureau of Statistics figures related to private new expenditure. I wish to cite statements made by the Minister in a press release on 10 August in support of his ministerial statement. The Minister said as follows—

> "Private new capital expenditure increase of 33% compared with a national increase of over 10 per cent and increases of only 1% in NSW and 3% in Victoria."

Mr Veivers interjected.

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber.

Mr Casey: I think the member for Southport missed the tackle count.

Mr HAYWARD: It certainly was not his tackle count.

Mr SPEAKER: Order! The member for Mackay! The member for Caboolture will continue his speech.

Mr HAYWARD: A number of issues are raised by the Minister's statement and deserve much closer examination. What I want to look at this afternoon is the selective use of statistics that are probably better described as "good news" statistics that this Government keeps churning out, without examining the issues behind those statistics.

The other issue I want to examine is the branch office mentality that grips the National Party members and the Premier. The point I make has been emphasised because it will appear in *Hansard* for ever. Mr Borbidge referred to the 56 companies

although I think I can fairly call them 56 alleged companies—or was it 60, or was it 69 that were supposed to be set up in Queensland? I ask honourable members to bear in mind that that has not happened. However, the Minister said that, in some cases, the companies involved had decided to relocate their entire operations to Queensland. By that statement, the Minister acknowledged that he is absolutely overcome by this branch office mentality.

The 1983 National Party policy statement contains the following policy objectives: to continue moves to provide the right climate and incentives for business and industry to establish and expand in Queensland, creating new jobs; to make Queensland the money capital of Australia; to initiate legislation and develop the money market. Members of the National Party said that they would set the climate for Queensland to become the centre of business financial transactions.

Mr FitzGerald: What is the Hayward plan?

Mr HAYWARD: I will look into that and examine exactly what has happened since the National Party's policy statement was made.

Mr Austin interjected.

Mr HAYWARD: What must be understood by the Minister for Finance is that a financial centre exists only if it is the location of public company head offices. It would be obvious to any member of this Parliament that head offices of companies are the main sources of business transactions. They are the places in which transactions take place and in which decisions about lending are made, and in which occur all the other types of activities that go on in companies. It all happens at the head offices.

Mr Veivers: You will have to tell that to the people down Creek Street.

Mr HAYWARD: It is important for Mr Veivers to recognise the circular nature of a financial centre; to recognise that it results from an amalgam of positive corporate decisions rather than from any single issue.

Let me consider the results of the National Party's efforts to make Queensland that financial centre. In 1983, just prior to the State election, 54 public industrial companies, comprising 7.5 per cent of nationally listed public companies, had their head offices located in Queensland. In Australia at that time there were 724 publicly listed industrial companies. By 1987, 68 public industrial companies, comprising 7.2 per cent of nationally listed public industrial companies, had their head offices located in Queensland. The rate of expansion in Australia had been such that there were then 924 public industrial companies. Therefore, at a time when this Government had announced that it would make Queensland the money capital and financial centre of Australia, it suffered a decline in the number of public industrial companies. What is worse, 13 industrial companies transferred their head offices out of Queensland during that time.

Mr Gately: What incentive did the New South Wales and Federal Governments give them to get out?

Mr HAYWARD: I am not aware of exactly what you are talking about.

Mr SPEAKER: Order! The honourable member for Caboolture will direct his remarks through the Chair.

Mr HAYWARD: It gets worse. In 1983, 22 public mining companies, comprising 6.6 per cent of nationally listed mining companies, had their head offices located in Queensland. That is important, because, when one talks about Queensland, one refers to it as a mining State. Mining makes up an immense percentage of the total export income in Queensland. In 1983 there were 332 public mining companies in Australia, 6.6 per cent of the head offices of which were located in this State. By 1987, under National Party policy 27 public mining companies had their head offices located in Queensland. At that time Australia had 425 public mining companies, so those in

Queensland comprised 6.4 per cent of nationally listed mining companies. Therefore, in the space of four years, the percentage of public mining companies in Queensland had gone backwards. The significant failure of this National Party Government was the non-existence——

Mr Gately: Mr Hayward——

Mr HAYWARD: I will answer the honourable member for Currumbin in a moment.

The effect of a non-existent National Party policy was shown in the mining sector. Although five companies had transferred to Queensland in that time—and I acknowledge that fact—nine companies moved their head offices out of Queensland. There was a net loss of four head offices in that period of time. The impact of this failure can best be understood—and honourable members must put the matter into context—when it is realised that the total value of mineral production in Queensland in 1986-1987 was in excess of $4 billion. That is a lot of money. What concerns me, and what should concern all other honourable members, is that few of the companies that generate the wealth of this State have their head offices in Queensland.

Mr Austin: What nonsense!

Mr HAYWARD: It is not nonsense.

I wish to compare this contraction of head office activity in Queensland with what has happened in Western Australia. In 1986-1987 that State had a mineral production of $5 billion, which was approximately 25 per cent greater than Queensland's. Western Australia is the same sort of State; the same frontier type of mentality, attitude to work and involvement.

Mr Casey: Haven't they got a Labor Government over there?

Mr HAYWARD: Yes, they have.

The important point about what has happened in Western Australia is that, although its mineral production was $5 billion, approximately 25 per cent greater than Queensland—178 public mining company head offices are based in Western Australia.

Mr Austin: Probably 150 of those were registered in the one solicitor's office.

Mr HAYWARD: That is not the point, Mr Austin.

Mr FitzGerald: $2 companies.

Mr HAYWARD: As a Parliament, honourable members should be serious about this matter. There is something wrong when companies are leaving.

Mr Gately: Can we get serious about it?

Mr SPEAKER: Order! The honourable member for Currumbin will have the opportunity at a later time to make a contribution to the debate. The honourable member for Caboolture will direct his remarks through the Chair.

Mr HAYWARD: I think that in his own mind the Minister for Finance, Mr Austin, understands very clearly the importance of what I am saying. Mining company head office activity in Western Australia has increased from 31.6 per cent of the national total to 41.9 per cent in 1987, an increase of more than 10 per cent. The simplest way I can put it is that, in a net sense, Queensland has lost four head offices of mining companies since the National Party policy was introduced. Queensland's share of mining company head office activity has declined.

What Government members have to understand about the importance of head office activity is that the decisions about the business are made at head office. Until the head offices are set up here, the decision will not be made here. Government members can kid themselves all they like, but that is what happens. From those head offices the decisions to which Mr Austin alluded before—I will not allude to them—about lending

activities, legal advice, computer advice and accountancy and auditing occur around that financial centre. The Government has to understand that it has to get head offices located here.

The wealth produced from mining in Western Australia amounts to $5 billion. Queensland produces $4 billion, so it is roughly comparable. However, Western Australia gets all that head office activity. It gets the wealth, but Queensland does not.

Mr Casey: That is also where their tax returns are lodged, which is important in the returns that are received from the Commonwealth.

Mr HAYWARD: Certainly their tax returns would be lodged where the head office is.

There is further evidence to support the contention that the Queensland Government has failed to attract the head offices of public companies to this State. What is important is that the head offices of public companies must be encouraged to move here. Recently released figures show that, to June 1988, public mining company head office activity in Queensland has continued to stagnate. I had expected that somebody in the Chamber would have claimed that I am talking about pre-history—pre-Ahern—and that everything has changed under the vision of excellence. Nothing has changed. *Jobson's Year Book* shows that only 6.5 per cent of publicly listed mining companies have their head offices located in Queensland. That is a disgrace. That is only 36 companies out of 552. I admit that some of them are only small companies, but they are publicly listed mining companies, which means they have satisfied certain requirements to be listed on the stock exchanges of Australia. I am not talking about private $2 companies. I am making the clear distinction.

What concerns me is that, since 1987, Queensland has gained only six out of the 129 new mining companies floated in Australia. Nobody in this place can be happy about that. Queensland is really missing out on this activity.

Mr FitzGerald: It is an abuse of statistics to support an argument, if ever I heard one.

Mr HAYWARD: It is not an abuse of statistics. Of the 129 mining companies floated in Australia, only six have their head offices in Queensland.

Mr Austin: That doesn't mean anything. What is the significance of that?

Mr HAYWARD: For the second time I will try to explain to the Minister that, if the head office is not located in the State where the wealth is produced, the State misses out on a considerable amount of the wealth generated.

The Minister for Industry, Mr Borbidge, said that 56 new companies had come to Queensland, but his department disagrees with that figure.

Mr Veivers: They are all waiting down there. They can't get enough land.

Mr HAYWARD: The point is that they are not new companies. That is how the facts are distorted. The Premier spoke about 54 companies.

Mr Stephan: Do you understand what you are saying?

Mr HAYWARD: I say to the honourable member that I am concerned that the Minister continues to say that these companies are coming here, when clearly the evidence from the department and research from *Jobson's Year Book* show that they are not. Honourable members either believe that or they do not. As soon as people accept that and start doing something about it, Queensland has a chance of getting and retaining that wealth.

Mr De Lacy: We are getting the $2 companies; they are taking over the industrial estates.

Mr HAYWARD: Exactly. That is probably what is happening in the industrial estates. As I said previously, what Mr Veivers is talking about is applications for land in industrial estates. He is not talking about companies actually moving onto those industrial estates.

Mr Veivers: I am talking about private companies where the people who own them are going to work them. They are not $2 companies.

Mr HAYWARD: Mr Veivers, I have just spent——

Mr SPEAKER: Order! The honourable member for Caboolture!

Mr HAYWARD: Through you, Mr Speaker, I was attempting to explain to the member for Southport that I am talking about public company head office activity. That point does not seem to be registering with him.

Mr Veivers: I take that point; but he is not taking my point, either.

Mr SPEAKER: Order! The honourable member for Southport!

Mr HAYWARD: When are the Government, its Ministers and a number of back-benchers going to cure themselves of that branch office mentality. They proudly talk about those branch offices being established when they should be looking seriously at getting the head offices to relocate to Queensland. Nobody in this Parliament can be happy that three public mining companies whose head offices were located in Queensland in 1987 have now relocated elsewhere.

Mr Austin: Which ones are they?

Mr HAYWARD: I could name them to the Minister. I certainly will later. Not surprisingly, one of them has gone to Perth.

Mr Austin: Name them.

Mr HAYWARD: I will name them to the Minister afterwards. It is no problem.

Mr Austin: I would like to see the extent of their operations.

Mr HAYWARD: Sure.

How does the Minister explain to the Parliament that companies with a considerable amount of activity in this State such as Kidston Gold and Giant Resources have their head offices anywhere but in Queensland? Surely the Minister is not proud of that. Surely that is a worry to him. It must be.

Mr Austin: We don't blackmail companies.

Mr HAYWARD: No-one is suggesting blackmail.

Mr Austin: We don't do what the Federal Government does and blackmail the companies.

Mr HAYWARD: I refer to the 1983 policy statement.

Mr Henderson: How do you stop them?

Mr HAYWARD: That is what we are looking at. I am talking about the continual misuse of statistics by the Government.

Mr Veivers: How do you stop them?

Mr HAYWARD: I will come to that. By June 1988—this is important—Western Australia had 240 public mining company head offices located there. It has had a continual increase in public mining companies locating there. Western Australia now has 43 per cent of Australia's publicly listed mining companies. As I said before, there

is not much difference between what happens in a mining operation in Western Australia and what happens in Queensland.

Mr FitzGerald: Coal-mining is done by bigger companies than gold-mining; surely you admit that?

Mr HAYWARD: Did the honourable member say "gold" or "coal"?

Mr FitzGerald: Coal-mining is a bigger operation.

Mr HAYWARD: A number of gold mines have been established in Queensland as well. Kidston and Giant Resources are here.

All members can imagine the wealth that is staying in Western Australia because all the business activity is being conducted there—I think they can imagine it, anyway. A number of Ministers have made statements about how it is all happening in Queensland. They continue to quote various statistics in the Parliament, but they have not examined what is really happening.

In a ministerial statement, Mr Borbidge, referring to the Opening Speech by the Governor, spoke about the use of economic statistics. He said that an analysis of private new capital expenditure showed that Queensland had the highest percentage increase of all States compared with the increase in the corresponding period in 1987. That should reveal to all honourable members a startling situation about the lack of development and the consequent sectoral nature of the Queensland economy.

The increase in private new capital expenditure was emphasised in a ministerial press release on 10 August and again in a ministerial statement on 28 August. What the statements do not focus on and what needs to be highlighted in this Chamber—and this should be of concern to every member of this Parliament—is the low base of private new capital expenditure in the Queensland economy compared with other States of Australia. In other words, one can talk about the percentage increase, but in real terms it gets back to what exactly is the base.

Mr Gately: Are you trying to get more employment in this State? Is that what you are saying?

Mr HAYWARD: Exactly. That is fundamentally and finally what it is all about.

I am talking about the wealth of this State staying in this State. A good example is the firm for which Mr Beard used to work, Mount Isa Mines. That company has kept its head office in Queensland. Millions and millions of dollars are generated in the city of Brisbane through the activities of its head office. That is what it is about. That is what the Government should be trying to do.

The comments made by the Minister in his press release were emphasised by Mr Veivers yesterday. The Minister stated as follows—

> "According to the Bureau of Statistics, Private New Capital Expenditure in Queensland rose by 33 percent (to $2.533 billion), compared with a National increase of only 10 percent. The largest States of New South Wales and Victoria recorded increases of only 1 percent and 3 percent respectively."

The Bureau of Statistics figures reveal the private new capital expenditure by the States for the nine months to March 1988. These are the real numbers that I am talking about. As I said, those figures reveal that private new capital expenditure in Queensland was $2.533 billion. The figure for Victoria was $4.471 billion. That is an increase in real dollar terms of almost $2 billion more than Queensland. I know that I have harped on about Western Australia as an example, but the private new capital expenditure in that State in the nine months to March 1988 was almost $3 billion. It was over $300m more than Queensland. One can talk about the percentage increases, but one has to consider the real numbers——

Mr Austin: You were talking about percentages before, not real numbers.

Mr HAYWARD: I talked about real numbers. I said that Queensland gained only six of the 129 new mining companies floated in Australia. I do not know how many times I have got to say it.

A dissection of private new capital expenditure activity in Queensland reveals a serious decline in the mining sector. It is important that that is understood. The mining sector in Queensland shows a decrease in the 12 months of $136m. This is the mining sector that this State depends on——

Mr Veivers: The State depends on tourism, too. What are you talking about?

Mr HAYWARD: I am talking about the export activity of this State.

What concerns me about this Government is the way it selectively uses figures and believes them without even thinking about it, because this is a very serious matter. The selective use by the Minister of these private new capital investment statistics highlights the paucity of this Government's credibility on these issues.

In another press release Mr Borbidge concentrates on the manufacturing sector. He talks about a massive increase in the manufacturing sector.

Mr Austin interjected.

Mr HAYWARD: Mr Austin keeps referring to superannuation and the unfunded liabilities of the Queensland superannuation scheme. There is no doubt that in the course of time it will show itself to be a problem for this State.

Mr Austin interjected.

Mr HAYWARD: I am running out of time. I want to continue with these figures.

The Minister also stated in his press release—

> "Queensland's growing manufacturing industry looks set to become one of the strongest and most stable in Australia."

Where does the Minister get these figures from? He talks about a 147 per cent increase. From where does he obtain his figures?

In the nine months to March 1988, private new capital expenditure in the manufacturing sector in Queensland was $571m. That is excellent. That was half a billion dollars. As I said, it was certainly an increase; there is no doubt about that.

Mr Veivers interjected.

Mr HAYWARD: I will deal with the honourable member's interjection at another time. Let me get these "good news" statistics sorted out first. In the nine months to March 1988, private new capital expenditure in Victoria in the manufacturing section was $1.8 billion.

The Minister for Industry, Small Business, Communications and Technology, Mr Borbidge, said—

> "Policies of low taxation and little Government interference have obviously paid off."

Where is the evidence of that? It is certainly not in the figures provided by the Minister; that is certainly obvious to the House. Manufacturing private capital expenditure in Victoria was more than three times the level of expenditure in Queensland. In fact, Victorian expenditure for the last nine months, which I said earlier was $1.8 billion, exceeds by more than $300m Queensland's expenditure for the past three years of $1.5 billion. How can the Minister say that Queensland's manufacturing industry is the strongest and most stable in Australia?

The Minister concluded his statement—

> "... key economic objective of the Government was to move resources into the traded goods area, where the faster growth in world trade was occurring."

However, Queensland has a shrinking base in mining private capital expenditure.

In a ministerial statement on 25 August 1988, the Minister said—

> "These figures demonstrate the confidence that the private sector has in the Ahern Government's economic strategy for Queensland."

I did not think that the Ahern Government had an economic strategy yet, because it had not been fixed up by the Stanford University or whoever is looking after it.

Let us examine seriously the Minister's statement from the point of view of export income to Queensland. The "good news" statistics continue. In the *Courier-Mail*, under the headline "Queensland. The success story that made EXPO possible", reference is made to Queensland being Australia's fastest-growing economy. In 1985-86, Queensland was the export leader of Australia—this is important—with $7.6 billion. In the 10 months to April 1988, Queensland has declined to third position behind New South Wales, with exports of $8.7 billion, and Victoria, with exports of $7.6 billion. Worse still, Queensland's total export dollars shrank to $6.6 billion. It is obvious to everyone that the problem with the Queensland economy is its complete lack of diversity. Queensland lacks a manufacturing base and it also has a dependence on a particular section of the mining industry.

Coal makes up 40 per cent of total Queensland exports. In the 10 months to April 1988, the value of coal exports fell by 7.6 per cent. Although world prices for commodities had arisen, the sectoral nature of Queensland's economy with its concentration on coal has meant a relative decline for Queensland exports in the national context. Coal prices have fallen, so that in the 10 months to April 1988 the growth rate of 4.2 per cent in this State's exports was the lowest of any State.

More "good news" statistics are supplied by the Department of Industry Development. In a recent publication reference is made to "committed projects". One committed project is the Cairncross marine complex. No-one could seriously believe that that is a committed project. In the publication I found another committed project that is called the Gordonstone coal deposit. Honourable members will get a laugh out of this. It is a committed project, and the developer is Denham Coal Associates. That company had a little laugh about this because it said that markets had not yet been secured or established. As far as the company is concerned, it is not a coal mine, because that company told members of the miners' union, "You can't become members of the miners' union, because we haven't got a coal mine yet." However, it is listed as a committed project in the Department of Industry Development's publication.

Queensland is losing millions of dollars annually and thousands of job opportunities while the National Party lacks the vision to rid itself of the branch-office mentality. Economic debate is stifled in Queensland—there was an example of it this afternoon—because discussion is always overpowered by the "good news" statistics supplied by the Government. These "good news" statistics smother frank discussion about the Queensland economy.

Questions are never answered about the lack of diversity of Queensland's economy, the narrow base of Queensland's exports and its dependency on coal, the declining export income since 1985-86 or the decline in private new capital expenditure in our traditional export areas such as mining. Statements are made continually about companies coming to Queensland, whereas non-Government records show a decline in the number of head offices in Queensland.

Time expired.

Mr GATELY (Currumbin) (5.40 p.m.): On several occasions the honourable member for Caboolture asked: what is the solution? After that effort, I think the solution would be a few beers in the bar. Quite frankly, he spent the whole 30 minutes of his speech telling us absolutely nothing.

I wish to raise an issue about which I asked the honourable member, "Are you talking about jobs?" His answer was, "Yes." Perhaps during a future debate the honourable

member might like to tell us how Queensland has failed to attract jobs. He might like to mention the roles that Senator John Button and the Prime Minister, Bob Hawke, played in the closure of the Acacia Ridge General Motors Holden Automotive Ltd plant, which resulted in the direct loss of 600 jobs and, with a multiplier effect, something like 2 400 jobs. I wonder whether the honourable member for Caboolture would like to debate that issue, together with the ramifications for and denigration of those people who were displaced. Would he like to talk to us about that?

The honourable member spoke about the shameful attack on the lack of exports in this State and stated that our export income amounts to only $6.6m. In real net terms, the export income of this State has been sadly depleted by the attacks that have been made on our export dollars by the union movement and its furphy jobs over on the wharves. I wonder whether the honourable member would like to talk about that issue.

Having said that, I wish to express my personal loyalty and that of the electors of Currumbin to the Crown in the person of Her Majesty the Queen, Queen Elizabeth II, and Her Majesty's representative the Honourable Sir Walter Campbell, Governor of Queensland, who is so ably supported by Lady Campbell. I am enthusiastically devoted to our sovereign, Her Majesty the Queen. In April of this year, I was humbled when given the opportunity of meeting the Queen, Prince Philip and Prince Edward at an Expo reception.

I place on record my strong and unbending belief in the Constitution of Australia, which is part of the heritage that our forefathers left to protect us as a people and as a nation, operating under the Westminster system of government.

Last Saturday, the overwhelming rejection by the Australian electors of the four referendum questions that were posed by the Federal Labor Government showed clearly that Australians will no longer tolerate the corrupt, sleight-of-hand tricks that are being proposed by Bob Hawke and his feeble, deceitful, untrustworthy, nation-wrecking Fabians. The voters very clearly understood that the aim of the first proposed change to the Constitution was the desecration of the Senate. The rest of the proposals were little more than expendable decoys that were sugar-coated in a typical socialist, illusory ploy of distributing supposed new rights and freedoms in return for their hoped prize of reducing the value of the protective powers and authority of the Senate. Whitlam's and Hawke's vendettas against the checks and balances imposed by the Senate under the guidance of our true——

Mr PREST: Mr Deputy Speaker, I rise to a point of order. I draw your attention to the state of the House.

Quorum formed.

Mr GATELY: What a dishonourable and despicable attack by the member for Port Curtis, who cannot stand to be beaten! He called for a quorum. It was a weak-kneed proposal.

I will now deal with the vendetta by Mr Whitlam and Mr Hawke against the checks and balances imposed by the Senate, under the guidance of our tried, true and trusted Constitution. The referendum on the Constitution was dealt with in an appropriate manner by being soundly defeated at the ballot-box last Saturday. That is what the honourable member cannot stand.

I believe it is important at this stage of my contribution to this debate to again place on record Bob Hawke's agenda for socialising Australia. When he was president of the ACTU he gave an interview which was recorded in the *Australian Financial Review* of Thursday, 25 March 1971. He said—

> "I have never made any secret of the fact, in fact I have asserted it proudly, that I am a socialist.
>
> I believe that ultimately the welfare of the people of Australia is best going to be served when the means of production, distribution and exchange are removed from private ownership and are owned by the people.

Because I believe there is an incompatibility ultimately between the pursuit of a private profit motive and the pursuit of the public good.

That is my belief but I am also a democrat and I understand that at this stage, the Australian people have not been prepared to democratically make the decision to have a socialist society. Now I accept that fact and as far as I have an educative role or time for it, I will try and change it."

A further indictment of Prime Minister Bob Hawke's insane attempts to bring about his agenda for the Fabian aim to create a democratic socialistic Australian society is clearly evidenced in a speech he made on 18 May 1984 at the Fabian Society centenary dinner in Melbourne, when he said—

"We all have to face the fact that if our Government is to make really great and worthwhile reforms—reforms that will endure, reforms that will permanently change this nation—then it is not enough simply to obtain a temporary majority at an election, or even successive elections.

For our reforms to endure, the whole mood and mind and attitudes of the nation must be permanently changed."

I ask the question: can't he stand to be beaten? The answer is clearly, "No." This is no doubt why Bob Hawke has appointed Bill Hayden as Governor-General designate: so he can do Bob Hawke's bidding for him.

The member for Cook, Bob Scott, MLA, clearly laid bare the intention of the Labor Party in his speech in this debate on Thursday, 25 August 1988, when he said—

" . . . I believe that we will look at a presidential style. It suits me, as someone who believes that Australia will eventually become a republic, that we will have the opportunity to look at a performance and will be able to assess which way we want to go when we become a republic. Bill Hayden will offer sterling service in that regard."

I say to Queenslanders and to Australians: don't ever again trust Hawke and Keating or their socialist cronies. If ever we have seen cronyism, what better example of it can one wish to see than Hawke appointing Hayden, a republican, as Governor-General designate?

Even traditional evergreen Labor supporters deserted the sinking ship last Saturday; they just would not support the Hawke Labor Government's grab for more power to Canberra. Even Labor members of this House—not that there are very many of them here, of course—would have to agree that when he appeared on the *Sunday* program on Channel 9, the featherless Hawke resembled something which could best be described as a voteless vulture.

I would have thought that after such a resounding defeat of the question of fair elections and others on Saturday, members of this Parliament, including the most simple-minded Liberal and Labor members, would have been able to understand what the Australian voters were saying to them. But, no, that was not to be the case. What do we see? What we see is a new-style coalition between Labor's gaggling Goss and the out-of-step, two-time, lily-livered Liberal loser, Angus Innes, who are going to unite to remove what they call a gerrymander.

The public of Australia all agreed last week that there is no such thing as a gerrymander. What golliwogs Goss and Innes are saying is, "We do not accept the umpire's decision." In reality what they want to do is disadvantage the rural producers in the far-flung country areas of this State—the very people who help to produce the wealth for and fill the bellies of this nation. I say to the electors of country Queensland, "Rise up against the Labor and Liberal Parties of this State and voice your strongest displeasure with their attitude."

An amount of over $40m was wasted by the Federal Government on the referendum. It could have been put to better use. For example, four airports could have been equipped

with new air traffic control towers and primary and secondary radar. More tertiary places could have been made available for the youth of Australia, or the money could have been used to duplicate part of the Pacific Highway from Tugun to Nerang. It is a stretch of roadway that is sadly overtaxed with traffic and quickly building up a reputation for fatalities—four in recent months. It is not good enough. Why? It was because the Federal Government ripped Queenslanders off for over 40 per cent of tax funds that should have been provided for road-funding. It stands condemned! The money could have been used to provide extra police in the area. The constant gaggle from Mr Gygar indicates that that is one of the things he wants. What did the Federal Government do? It wasted $40m. Queenslanders could have had another couple of high schools, but no; Hawke just wastes the money provided by tax-payers.

I wish to devote some time in this speech speaking about the positive aspects of the electorate of Currumbin. Since my maiden speech I have continued to pursue the matter of subsidence of homes in the Palm Beach area. Although the matter is moving slowly, I am happy to report that writs have been issued in a number of cases. I look forward to the day when this matter can be resolved to the advantage of the owners of those damaged homes. I say again that those homes are their castles. Those people deserve the support of this Government and of the justice system to have the matter resolved urgently.

For a number of years there has been a debate conducted on the Gold Coast regarding land disposal of sewage effluent. Numerous studies have been undertaken by the Gold Coast City Council at considerable cost to rate-payers because of the demands made by Don MacSween of the Group Against Sewerage Pollution and Mr Joe Luchetti, vice-president of GASP, and a member of the Gold Coast Protection League.

Although I accept that both these men and the groups they represent are genuine in their attempts to have changes made to the method of sewage disposal, I am also nevertheless dismayed and annoyed at their attempts to smear me personally because I have dared to differ with them over a poll that the Gold Coast City Council conducted by using $60,000 of rate-payers' money to buy itself some votes. It was done in conjunction with the local government election conducted on 19 March 1988 and resulted in 60 per cent support by Gold Coast City Council rate-payers for land disposal of sewage effluent in the Albert Shire Council's area. Their vitriolic attacks suggest that I am taking no notice of the results of a democratic vote and that I will not allow the wishes of the people to be carried out. Those attacks are without foundation and deserve the utmost contempt.

They refuse to allow the residents of the Albert Shire Council area to have the democratic right to have a vote on the same issue. The truth of the matter is that I have always stated clearly that the land in the Bonogin Creek area nominated by GASP as suitable for land disposal has been declared by the Camp, Scott, Furphy report as not suitable for such a purpose.

On 12 August 1988, the Gold Coast City Council vindicated the stance that I have adopted in this matter by voting to continue with ocean disposal of sewage effluent. This follows the findings of a further study commissioned by the Gold Coast City Council and carried out by Acil on physical, economic and environmental grounds. I am firmly of the view that Government authorities should in the future aim for tertiary treatment of sewage effluent, but it must be borne in mind that there will be additional costs to rate-payers. I would invite Mr MacSween and Mr Luchetti to consult with me about this aspect of sewage treatment, if they are game.

For some considerable time I have been calling for beach replenishment of sand to the southern end of the Gold Coast, and in particular Kirra Beach. There have been a number of discussions with the Honourable Don Beck, MLA, member for Murwillumbah of the New South Wales Government. There has also been a deputation attended by the Premier, Mike Ahern, the honourable Don Neal, the Minister for Harbours and Marine, and members of his department, together with Mr Don Beck, MLA, member

for Murwillumbah, and also the Mayor of Gold Coast City Council, Alderman Lex Bell, and the city engineer.

Further studies are being conducted so as to arrive at an acceptable solution to this problem. I believe it should be stated that Alderman Trevor Coomber, the Gold Coast City Council's water, beach and foreshores committee chairman, continually states that the reason for the lack of sand on Kirra and other southern Gold Coast beaches is the construction of the Tweed River breakwater rock wall. He demands that the Queensland Government take legal action against the New South Wales Government for recovery of costs. What Alderman Coomber fails to tell the public is that the Gold Coast City Council commissioned D. N. Foster to prepare technical report No. 84/12 dated October 1984. Item No. 1 of this report clearly defines that—

"Since the construction of the Tweed River breakwaters and"—

this is the point I wish to emphasise—

"the Kirra Point Groyne. . ."

Alderman Coomber has never had the guts to tell the public that that is included in a report. He keeps cracking back at the Tweed River bar. He is not fair dinkum, because it is included in this document. The report continues—

". . . Kirra beach has suffered continuous and long term erosion as a result of the reduced sand supply. At the request of the Gold Coast City Council, the Water Research Laboratory has examined possible measures to be taken to mitigate the problem."

I table a copy of this report.

Whereupon the honourable member laid the document on the table.

Mr GATELY: At the present time, the electorate of Currumbin is undergoing a development explosion. I wish to place on record my strongest possible support for development because it is from development that jobs for construction workers are created, with a multiplier effect on council employees because of additional work. In addition, building suppliers increase output, the real estate industry prospers, new business opportunities are brought on stream and new job opportunities are created.

At the present time, in Coolangatta Mr Zarro is constructing a project worth $100m, and recently he has concluded arrangements to purchase the balance of land between Dutton Street and his present development. Suncorp owns a major section of Coolangatta between Warner and McDonald Streets and its properties run from Griffith Street through to Marine Parade. I mention these developments because there is another matter that I will raise shortly that is of great concern to me. There are a number of other major proposals throughout the length of the electorate of Currumbin from Tallebudgera Creek to the border with New South Wales.

I wish also to refer to the proposed massive development at Kirra which is currently before the council. I wish to clear up any confusion as to my attitude towards this development. I have always said and believed that it is a magnificent development. It deserves the approval and support of the public, provided—and I emphasise this—that it is developed within the confines of the land owned by the developer. I have stated this on the radio and on a TV0 program when interviewed by Pam Tamblyn.

Mr Prest: I think you are in trouble.

Mr GATELY: I am not in any trouble. If anyone is in trouble it is a gaggly bloke such as the honourable member for Port Curtis.

Mr Prest: I think you are worried about the people in your electorate.

Mr GATELY: I will give the honourable member for Port Curtis an answer to his gaggling in a minute.

I have equally stated that I am totally opposed to the closure and/or taking of the Gold Coast Highway including Marine Parade and Musgrave Street, the taking of part

of Miles Street and the alienation of Percy Pearce Memorial Park, Musgrave Park and Tom Mustchen Park in order to give developers uninterrupted access to Kirra Beach, thus creating a most dangerous precedent.

Sitting suspended from 6 to 7.30 p.m.

Mr GATELY: Before the dinner recess, I was speaking of the proposed Kirra redevelopment. I have been requested by the residents of the area to table a copy of a petition signed by 4 486 people which was presented to the Gold Coast City Council. It shows clearly that the public in Kirra do not accept this proposal in its current format. They specifically demand that there be no road closures or the redirection of any roads. They further demand that the existing public land and open space comprising the Percy Pearce Memorial Park, Musgrave Park, Tom Mustchen Park and the old railway cutting be left intact. The other matter that they address is that any rezoning for the Kirra redevelopment be as a result of an agreement between affected residents, the Gold Coast City Council and the developers, otherwise the existing town plan and zoning should be adhered to.

This is a development of massive size. It will have far-reaching effects on the amenity of the area. Quite frankly, my main concern is the manner in which it creates a precedent that will have far-reaching effects along the eastern seaboard from Point Danger to the tip of Cape York Peninsula. I am concerned when residents in an area point out clearly that they are not prepared to accept such a move. At all stages the Government should maintain the freedom of movement for people within this State and, indeed, within Australia. People should have the freedom to walk onto a beach and use that beach with freedom as and when they see fit. There is no way that we should accept what occurs in overseas countries where people have to pay to use beaches.

The developers can market and package this in whatever way they wish, but the truth and reality was brought home to me in my office this week when I was questioning certain people about the development. They clearly indicated that a condition of purchase by them was the requirement of direct access to the beach.

Another aspect of the development is that, after objections had been raised, somebody suddenly proposed a tunnel. I sound a note of warning to everyone in the House. In the past that area has been subjected to cyclones.

Mr PREST: Mr Speaker, I draw your attention to the state of the House.

Quorum formed.

Mr GATELY: I have seen some despicable acts in my time. The issue does not even affect the honourable member for Port Curtis. But I will not miss him.

In the past, cyclones have occurred in the area where that development is proposed. Now, some smart clown decides to have a tunnel constructed. What will happen when the next cyclone hits and massive volumes of water are flowing across the road in a manner similar to what occurred in 1974 when water was lapping up to the Kirra Beach Hotel steps? What will those who advocate the tunnel do then? Their answer was, "We will pump it out." My question then was, "What—before or after you drown them?"

The Government has to protect people against unscrupulous planning that is not in the best interests of the public. Certainly, I want to protect the people. If the member for Port Curtis does not think about the beaches and the foreshores in his own electorate, I will help to protect them. All he is good for is calling for quorums when all his Labor friends are busy hiding around the corner and failing to be in this Chamber.

Other excellent developments are taking place in the electorate of Currumbin, such as the Moran Hospital of Excellence and an associated residential complex of over 1 000 units, together with an international hotel. The amount of housing development that is taking place in the electorate shows clearly that Queensland is forging ahead in a healthy way under the Premier, Mike Ahern. People are coming to live and work in Queensland

because they know the State to be one of strength and one with a positive approach to the future.

I was appalled at the dishonourable manner in which members of the Liberal Party verbally attacked polling-booth workers on 20 August in the South Coast by-election. I have never been subjected to a more despicable or dishonourable campaign in my 30 years of being involved in politics. I would expect members of the Liberal Party to show some decency to the people who come to the polls and not insult them by calling people like me and others dishonest and disreputable. I have nothing to be ashamed of. However, when members of the Liberal Party start delaying people in getting into polling-booths and using the most despicable methods possible, it is an absolute shame. None of the Liberal Party members are game to be in the Chamber tonight.

Mr Beard: I am here.

Mr GATELY: I am not talking about the honourable member for Mount Isa; I am talking about his mates who were involved. I merely wanted to make sure that none of those who were responsible for running the campaign were here. As I said earlier, the lily-livered loser, Mr Innes, is not even game to be in the Chamber to listen to what is being said. However, he primed people to go down to South Coast. He even had the audacity to have aldermen from Brisbane City Council, who are paid to look after the affairs of the Brisbane City Council, go down there. They were not in Brisbane doing their job. They were being led by none other than Denver Beanland, the member for Toowong. And where do honourable members think he was campaigning? He did not even know the boundaries. He was attempting to send off a man who had just overcome an illness, my colleague and friend Mr Tom Hynd, the member for Nerang. I might mention that he is looking very well indeed. The Liberals were attempting to knock off his seat. They did not know who they were after. They were 5 kilometres north of where they should have been.

Mr Innes said that he was eyeing off the seat of Currumbin. I invite him to come down there. In 1986 the Liberal Party recorded the worst vote in Currumbin that it has ever recorded. It obtained only 13.9 per cent of the vote. Yet the Liberals are going to come down there and take the seat off me? I welcome the challenge. Send them down. I will tell them where to go. The public of Currumbin has not heard one word about the Kirra development from the Liberals; yet the Liberals are supposed to be protecting the State of Queensland.

Mr Prest interjected.

Mr GATELY: We have not heard much from Mr Prest's mob, either. They came down and were going to do something about the Gold Coast beaches. What have they done? Absolutely nothing! Nothing was heard from the Opposition when I asked questions about that matter in this Chamber. Then the Opposition jumped on the bandwagon. The Labor Party in New South Wales would not live up to its responsibilities. We called on Unsworth to come up and fix it it up, but he would not give back our sand.

Motion—That the Address in Reply be adopted—agreed to.

SUPPLY

Constitution of Committee

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (7.40 p.m.): I move—

> "That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider the Supply to be granted to Her Majesty."

Motion agreed to.

WAYS AND MEANS

Constitution of Committee

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (7.40 p.m.): I move—

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of Ways and Means for raising the Supply to be granted to Her Majesty."

Motion agreed to.

ADDRESS IN REPLY

Presentation

Mr SPEAKER: I have to inform the House that I propose to present to His Excellency the Governor, at Government House, at 3.45 p.m. on Thursday, 8 September—that is, tomorrow—the Address in Reply to His Excellency's Opening Speech agreed to today, and I shall be glad to be accompanied by the mover and the seconder and such other honourable members as care to be present.

MINING TITLES FREEHOLDING ACT AMENDMENT BILL

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (7.41 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Mining Titles Freeholding Act 1980-1986 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 Land Management) (7.42 p.m.): I move—

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

There are two main thrusts to this Bill. First, it allows the Valuer-General to issue certificates as to the effective valuations of tenures referred to in the Act. This is to cover instances where the subject land has been included with other lands in one valuation by the Valuer-General.

Second, it provides a minimum purchase price for freehold of a miner's homestead perpetual lease, business area or residence area.

The Valuation of Land Act presently allows the Valuer-General to issue one valuation for the total area of land held in the same ownership in the same locality. Such a valuation may include lands of different tenures and different sizes.

The Mining Titles Freeholding Act provides that except for land used for primary production, the purchase price of freehold of a miner's homestead perpetual lease, business area or residence area is the Valuer-General's valuation effective as at 31 December 1980.

The Act further provides that if there was no valuation effective at that date, the purchase price shall be the first valuation which takes or took effect after 31 December 1980.

If the land is used for primary production, the Act provides for the Valuer-General to issue a new certificate as to what would have been the valuation if the concession for primary production had not been applicable.

However, when the subject land is included with other land in one valuation, the Act does not provide for the Valuer-General to issue a certificate as to what would have been the effective valuation if the land had been valued separately. The amendment corrects this anomaly.

When the Valuer-General issues a certificate as to what would have been the effective valuation of the land used for primary production, the land-holder may contest the valuation by appeal to the Land Court.

The amendment allows for a similar right of appeal when the Valuer-General issues a certificate as to effective valuation when the subject land has been included with other lands in the one valuation. Also upon an appeal to the Land Court, the valuation shall be determined by that court, as if it were the Valuer-General.

The Act provides for a flat fee for purchase of the freehold of land in a miner's homestead lease. Lessees of miners' homestead leases have paid the capital value of the land as at the date of application for the lease, by an annual rental payment over 30 years. Annual rents on all miners' homestead leases are now 10c per year, if demanded.

Annual rent on a miner's homestead perpetual lease is either 1½ or 3 per cent of the capital value of the land. The capital value and rent are subject to redetermination by the warden every 10 years. The annual rent is payable for as long as the lease remains in existence.

The holders of business areas and residence areas do not pay annual rent. They are required to hold current miners' rights at all times.

Sometimes the purchase price of a miner's homestead perpetual lease, business area or residence area is less than the standard cost of freehold of a miner's homestead lease. There appears to be an anomaly in these instances because the lessees have, in fact, over a period of 30 years paid the capital value of the land in their leases. The holders of the other tenures have only paid a nominal annual amount for the right to occupation and use of the lands in their tenures. The amendment corrects this anomaly by ensuring that all persons wishing to obtain freehold will pay a set minimum purchasing price.

I consider this a good Bill containing desirable and necessary amendments. The amendments will still allow lessees and holders of the various tenures to freehold their lands at a fair and reasonable cost.

I commend the Bill to the House.

Debate, on motion of Mr Prest, adjourned.

SCARTWATER STATION TRUST EXTENSION ACT AMENDMENT BILL (No. 2)

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (7.47 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Scartwater Station Trust Extension Act Amendment Act 1960-1988 in a certain particular."

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 Land Management) (7.48 p.m.): I move—

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

Members will recall that earlier in the year they dealt with a Bill to amend the Act and that speakers from both sides of the House were very appreciative of the work done by the Scartwater Trust, and in particular of the work of Mr Cunningham.

The Bill I now present to the House has been drafted at the request of the managing trustees of the Scartwater Trust and provides for the further extension of the criteria for eligibility of servicemen and women to the A.H.W. Cunningham Memorial Home.

In addition to the present criteria for admission, all members of the defence forces on retirement age, that is, men 65 years of age and women 60 years of age, will be eligible for admission to the home, subject to the present criteria that they have resided for a period of three years in Queensland. This extension covers those defence force personnel who have not served overseas.

The Bill also provides that the trustees may vary the period needed for residence in Queensland and that the spouses of servicemen or servicewomen are eligible for admission to the home if they meet the entrance criteria.

I commend the Bill to the House.

Debate, on motion of Mr Prest, adjourned.

PARLIAMENTARY SERVICE BILL

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (7.50 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to establish a Parliamentary Service and a Parliamentary Service Commission and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (7.51 p.m.): I move—

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

In May 1985, the Government announced its intention to prepare legislation to enhance the role of Parliament and provide greater recognition of its independence from the executive arm of government. This Parliamentary Service Bill, together with legislation to establish a public accounts committee, which will be introduced later in this session, will effectively achieve these objectives.

This Bill provides for Parliament to determine its own budget and manage its own affairs through a seven-member Parliamentary Service Commission. Ministers, except for the Minister who is also the Leader of the House, are specifically excluded from membership of the commission. The executive arm of government will have no control over the commission. The all-party commission will be chaired by the Speaker and will act, in effect, as a board of directors for the management of the services provided to members and to this House.

The commission will determine the services to be provided and will be responsible for—

- determining policy to guide the delivery of those services;
- preparing operating budgets;
- determining the number and organisation of necessary staff; and
- determining the terms and conditions of employment of those staff, including salaries.

The present Legislative Assembly committees established under Standing Orders will be discontinued. The commission may, however, appoint whatever committees it wishes to assist it in undertaking its functions. That will be a matter for the commission to determine. The services to the Parliament and to members will be provided mainly by a parliamentary service, which is created by the Bill. Members of the parliamentary

service will be completely separate from the public service and from Government control. They will all be employed by the new commission. Provision is made in the Bill, however, for present members of the public service to elect to be transferred and remain in the public service if they so wish.

The Clerk of the Parliament will be the chief executive of the parliamentary service and will be responsible to the commission for the day-to-day operation of that service. To preserve the independence of the Clerk of the Parliament, he will continue to be appointed by the Governor. The commission will have the power to introduce by-laws to effectively control the behaviour and conduct of persons within the parliamentary precinct. The Speaker's traditional control of the Chamber or of the galleries while the House is in session are, of course, not affected. Members, in the exercise of their parliamentary business, are also excepted from the control of the commission.

In the future, the Leader of the House, on behalf of the commission, will lay before the House the Estimates for the expenditures of the Legislative Assembly, the commission and the parliamentary service. These Estimates will be debated and appropriations will be made by the Parliament. This process will greatly reduce the financial control of the executive Government over Parliament, which has been one of the legacies of history.

These reforms will make Parliament more independent, stronger and better prepared to support all parliamentarians in undertaking their parliamentary duties. They are similar to recent reforms in the House of Commons and in other progressive countries under the Westminster system of government. They have, however, been tailored to suit Queensland's situation and needs. They will place the Queensland Parliament in the forefront of Australian Parliaments in terms of its independence and the true spirit of the Westminster system.

Under Standing Order 241(c), I table detailed explanatory notes and ask that these be incorporated in *Hansard.*

Leave granted.

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

PARLIAMENTARY SERVICE BILL

PART I—PRELIMINARY

Clause 1—Short title

- Parliamentary Service Act 1988

Clause 2—Commencement

- The Bill provides for the substance of the Act to commence on a date appointed by Proclamation. The passing of the legislation will therefore not be delayed pending the finalisation of all necessary administative machinery to give it effect.

Clause 3—Arrangement

- Specifies an Act in six Parts and 56 Sections.

Clause 4—Interpretation

- Covers definition of terms used throughout the Act.

PART II—PARLIAMENTARY SERVICE COMMISSION

This Part of the Act establishes the Parliamentary Service Commission, defines its membership, outlines its responsibilities and provides it with a number of operational guidelines.

Clause 5—Parliamentary Service Commission

- Establishes the Parliamentary Service Commission as a body corporate.

Clause 6—Membership of the Parliamentary Service Commission

- Defines the membership of the Commission (7 members).
- Appoints the Speaker as Chairman of the Commission and the Chairman of Committees as the Deputy Chairman of the Commission.
- Allows for nominees to be appointed by the Leader of the House and the Leader of the Opposition in their stead.

- Provides minimum guarantees of representation on the Commission for the Opposition.
- Disqualifies Ministers, other than the Leader of the House, from membership of the Commission.

Clause 7—Functions of the Parliamentary Service Commission

- Defines the powers and responsibilities of the Commission.
- These are to be generally policy orientated or supervisory, with executive responsibility vested in The Clerk (Refer Part IV of the Bill).
- In determining conditions of employment (including remuneration) the Commission must not depart significantly from the conditions applicable to similar Crown employees.
- To enhance his independence, the appointment of The Clerk, and his tenure, are treated as special cases. These aspects are covered separately in Clause 18 and Clause 21.

Clause 8—Vacation of Office by Member

- Specifies the conditions under which the various members or nominee members of the Commission cease to be members.
- Nominees of the Leader of the House and the Leader of the Opposition may not remain members of the Commission after dissolution of the Legislative Assembly or after expiration of its term.
- After dissolution or on the expiration of the term of the Legislative Assembly, members of the Commission (not nominees) hold that office until the day before the general election.

Clause 9—The Clerk of the Parliament to constitute Parliamentary Service Commission in interim

- Provides for The Clerk of the Parliament to assume the powers and duties of the Commission on an interim basis during the period from the day before the general election (when all parliamentary members of the Commission must vacate office) to the date when the parliamentary membership of the Commission is finalised by resolution of the Legislative Assembly.
- During this period, it is intended that the Clerk act in a "caretaker" capacity only. Provision is therefore made that all policy determined by the previous Commission must be observed by The Clerk during this period.

Clause 10—Meetings

- Provides, in particular, that

  —any three members, as well as the Chairman, may call a meeting of the Commission;

  —the Chairman of the meeting may exercise a casting vote.

Clause 11—Quorum

- When The Clerk does not alone constitute the Commission, a quorum is a majority of members.

Clause 12—Committees

- Provides for the appointment of Committees to assist the Commission.
- Each such Committee must have a member of the Commission as a member.

Clause 13—Assignment of Powers

- Allows the Commission to assign its powers but only to persons when The Clerk has authorised to hold those powers. This provision is aimed at retaining accountability of The Clerk as chief executive of the Parliamentary Service. This provision does not, of course, in any way affect the Commission in the exercise of its powers itself.
- In the interests of accountability, assignment must also be to an identifiable individual.

Clause 14—Procedure of Parliamentary Service Commission

- Permits Commission to operate as it deems fit, within the constraints, of course, specifically imposed by this Act.

Clause 15—Power of Government Departments and Government Agencies to provide services or supplies for Parliamentary Service Commission and Members of the Legislative Assembly

- Specific provision is made for the Commission to utilise the agencies and departments of Government to provide services or supplies.

- This will permit continuity of many present arrangements despite the establishment of the Commission as a Body Corporate, separate from the Executive Government of the State.
- Any such arrangements must, however, be specifically negotiated by the Commission and appropriate charges must be met by the Commission.
- The Commission may, of course, seek any services and supplies from sources outside the Executive Government departments or agencies, if it thinks fit.

Clause 16—Employment of Experts

- Provides for the Commission to engage assistance of a consultancy nature.

Clause 17—Annual Report

- The Commission is a Statutory Body for the purposes of the Financial Administration and Audit Act 1977-1988 and is therefore subject to all the relevant provisions of that Act.
- Section 46J of that Act—"Annual Report"—is, however, made inapplicable for the Commission since it specifies inappropriate Executive Government involvement.
- An annual reporting requirement more suitable to the Commission is provided.
- The annual report is presented to Parliament by the Leader of the House.

PART III—THE CLERK OF THE PARLIAMENT

This Part of the Bill outlines the mode of appointment, the tenure of office and the role and responsibilities of The Clerk of the Parliament.

Clause 18—The Clerk of the Parliament

- The appointment of The Clerk is specified to be by the Governor by Commission.
- The appointment on this basis, together with the tenure provisions of Clause 21, are intended to enhance the independence of the Clerk. It is the only appointment on this basis in the Parliamentary Service.
- Provision is made for the Premier (the Minister recommending the appointment to the Governor) to consult with the Commission before making such a recommendation.
- In practice, it is envisaged that the normal selection processes would be undertaken by the Commission and advice would be provided to the Premier on a suitable appointee.
- Normal retirement provisions apply for The Clerk (i.e. 65 years).

Clause 19—Functions of The Clerk of the Parliament other than as Chief Executive of the Parliamentary Service.

- Outlines The Clerk's functions at the Table of the House.
- These functions are different from, but additional to, his responsibilities as Chief Executive of the Parliamentary Service.

Clause 20—Functions of The Clerk of Parliament as Chief Executive of Parliamentary Service

- Outlines the chief executive role of The Clerk and its relationship with the Commission in that role.

Clause 21—Tenure of office of The Clerk of the Parliament

- Specifies that The Clerk may only be removed or suspended from office by the Governor. If Parliament is in session, an address from the Legislative Assembly to the Governor is required.
- These provisions are intended to enhance the independence of The Clerk.

Clause 22—Performance of functions of The Clerk of the Parliament in this absence.

- Provides that a person undertaking the duties of The Clerk assumes the powers of The Clerk in his absence.
- Distinction is made between the role of The Clerk at the Table of the Legislative Assembly and his role as Chief Executive of the Parliamentary Service.
- In the former case, the role is to be filled by the next most senior of the officers required to sit at the Table of the Legislative Assembly.
- In the latter case, The Clerk may delegate his powers, or in the absence of such a delegation the Parliamentary Service Commission may appoint an officer to undertake the role.

- In practice, it is expected that the *same* person would generally fulfil both roles.

PART IV—PARLIAMENTARY SERVICE

This Part of the Act establishes the Parliamentary Service and defines the membership of the Service.

- Establishes the independence of the Service from the Executive Government.

Clause 24—Functions of Parliamentary Service

- Outlines some of the services which may be provided to the Legislative Assembly and to members and committees of the Legislative Assembly by the Parliamentary Service.
- These services, and others, may be provided by personnel from within the Parliamentary Service, as provided in this Clause, *or* the Commission may elect to have the necessary services provided by others. The services, and how they are to be provided, are determined by the *Commission* (Clause 7 (1) (c)).
- Services such as maintenance of the Parliamentary buidlings might, for example, be undertaken on a contract basis rather than by employees of the Parliamentary Service, if the *Commission* so decides.

PART V—MANAGEMENT OF THE PARLIAMENTARY SERVICE

Clause 25—Delegation by the Clerk of the Parliament as Chief Executive of Parliamentary Service

- Permits the Clerk to delegate his powers and functions.
- Delegation must be to an identifiable *individual* to ensure accountability.
- The Clerk may also exercise any delegation power or function, notwithstanding that the power or function has been delegated.

Clause 26—Appointment of officers and employees in the Parliamentary Service

- All *officers* of the Parliamentary Service are appointed by the Commission.
- Persons who are not officers (e.g. temporary or wages employees) may be appointed by The Clerk (See also Clause 34).

Clause 27—Basis of employment of officers in Parliamentary Service

- Permits full or part-time employment of officers.
- Allows for appointment on a contract basis to any position specified by the Commission (except that of The Clerk).

Clause 28—Conditions of employment on contract

- Conditions of employment on a contract are determined by the Commission.
- Industrial awards, agreements or determinations do not apply.
- Persons appointed on a contact basis to certain offices which may be prescribed by the Commission may elect to revert to employment in the Parliamentary Service on a non-contract basis if their contracts are terminated for other than disciplinary reasons. This provision only applies, however, if the person was previously employed in the Parliamentary Service on a non-contract basis. If an office to which a person has been appointed on a contract basis is not so prescribed, or if the person was not previously a non-contract employee of the Parliamentary Service, that person whose contract is terminated has all connection with the Parliamentary Service severed.

Clause 29—Salaries and conditions of employment

- The commission determines remuneration, allowances and terms and conditions of employment of all staff of the Parliamentary Service, including those of The Clerk.
- Provision is made for the remuneration, conditions of employment, etc. existing at present to continue after commencement of the Parliamentary Service until they are otherwise amended by the Commission.

Clause 30—Superannuation

- Provides for continuity of superannuation benefits and continuing membership of the Public Service or State Service Superannuation Fund.
- Allows persons who are incorporated in the Parliamentary Service to elect to join the Fund within six (6) months after creation of the Parliamentary Service.

Clause 31—Contributions by Commission

- Specifies that the Commission, as employer, shall contribute to each superannuation fund those contributions which would otherwise have been payable by the Crown.

Clause 32—Vacancies to be advertised

- Unless an office in the Parliamentary Service is temporary or has been specifically exempted by the Commission, it must be advertised.

Clause 33—Publication of appointments

- Specifies notification in the Gazette of appointment to any office in the Parliamentary Service.

Clause 34—Engagement of staff other than officers

- Provides for The Clerk to employ wages staff and make temporary appointments to offices in the Parliamentary Service.
- Conditions of employment, tenure, etc. are determined by The Clerk, subject to any applicable industrial award or agreement and, of course, subject to any determinations which may have been made by the Commission under Clause 29 (1).

Clause 35—Appointment on probation

- Probation provisions do not apply to The Clerk or to contract appointments.
- The provisions are identical to those which apply in the Queensland Public Service except that the power of termination of employment is not assigned to the Chief Executive (The Clerk) in this case. That power is retained by the Commission.

Clause 36—Resignation from Parliamentary Service

- Specifies differing entitlements to resignation between persons appointed on contract and others.

Clause 37—Retirement from Parliamentary Service

- Permits voluntary retirement after age 55, specifies compulsory retirement after age 65.
- Provides powers to The Clerk, as Chief Executive of the Parliamentary Service to compel a medical examination. The power to direct an employee to retire on medical grounds when it is reasonably believed that the employee is unfit to remain in the Service is, however, retained by the Commission.
- If the employee does not so retire, he may be dismissed by the Commission.

Clause 38—Mode of resignation or retirement

- Specifies the process for resignation or retirement.

Clause 39—Retrenchment

- Provision is made for the Commission to determine whether a position or positions in the Parliamentary Service are redundant.
- The Commission then may decide whether it is practicable to retrain or redeploy persons affected by that determination and must ensure that redundancy arrangements approved by the Commission have been followed.
- Such redundancy arrangements must be comparable with those approved by the Crown for its employees of a similar class.
- The Commission may then terminate an employee's services by retrenchment if thought necessary.

Clause 40—Discipline

- Grounds are specified upon which The Clerk may institute disciplinary procedures against any person in the Parliamentary Service.
- Power is provided to The Clerk to direct a medical examination in the case of unauthorised or unreasonable absence from duty.
- Examples of penalties which The Clerk may impose for a breach of discipline are illustrated and are given the effect of law.

Clause 41—Suspension

- Provides for suspension of an officer from employment by the Commission where that officer is considered to be liable to disciplinary action.
- Similar powers are provided to The Clerk in respect of employees other than officers.
- Unless the Commission determines otherwise, a person is not to be paid during the period of suspension.

- If the person is reinstated, however, he may be compensated for loss of income during his suspension, unless the Commission determines otherwise.

Clause 42—Mode of dismissal or suspension

- Specifies guidelines for the dismissal or suspension process.

Clause 43—Appeals against promotional appointments and disciplinary action

- Provides that appeals may be made to the Commission against disciplinary action and appointments made to certain offices of the Parliamentary Service.
- All employees (i.e. officers and others) have a right of appeal against disciplinary action.
- Only officers (not wages or temporary employees) have rights of appeal against appointments.

  No right of appeal, however, exists against appointment to positions determined by the Commission to be non-appealable or to positions to be filled by contract appointment.
- Provision is made for the Commission to make rules in respect of appeals. These must be published in the Government Gazette.
- Principles to guide the conduct of appeals are provided—legal representation is prohibited and proceedings are to be informal and simple.

Clause 44—Reinstatement following dismissal

- Provides that a person reinstated to a position on appeal to the Commission against dismissal may not lose salary, wages and other benefits and entitlements which would have accrued had he not been dismissed.

PART VI—MISCELLANEOUS

This Part contains the remaining provisions considered necessary to provide the framework for the establishment and operation of the Parliamentary Service Commission and the Parliamentary Service.

Clause 45—Termination of certain legislative Assembly Committees

- Certain existing committees established under Standing Rules and Orders of the Legislative Assembly are abolished.
- Clause 12 of this Bill—Committees—provides guidelines for the establishment of any committees which the Commission considers necessary to assist it in undertaking its responsibilities.

Clause 46—Rights of officers previously employed in the Public Service

- transition provisions are included to cover the period after the establishment of the Parliamentary Service.
- A transition period of six (6) months is provided for persons currently in the Public Service to decide whether they wish to remain in the Public Service or become permanent members of the Parliamentary Service.
- Provision is made for portability of all accrued benefits from the Public Service to the Parliamentary Service and for continuation of conditions of employment until varied by the Commission.
- If persons elect to remain in the Public Service, they are to be redeployed to the Public Service without loss of classification. In the meantime they continue to serve in the Parliamentary Service as if on secondment.
- If no election is made to remain in the Public Service, persons unertaking duties to be performed by the Parliamentary Service automatically become members of that Service six (6) months after Proclamation of the Act.
- Any person whose employment is terminated during the transition period of six (6) months automatically reverts to the Public Service. This provision effectively provides the Commission with scope to vet the present staff and staffing numbers. If such termination was for disciplinary reasons, the person is to be dealt with under Clause 47.

Clause 47—Discipline of officers re-admitted to Public Service

- Specifies that the disciplining provisions of the Public Service Management and Employment Act 1988 will apply to the person's period of employment with the Parliamentary Service during the transitional period.
- Any transgression against discipline which led to the termination of employment of the person with the Parliamentary Service may be dealt with under this provision.

Clause 48—Service with Parliamentary Service and Public Service

- Provides for portability of rights and benefits in transferring between Parliamentary Service and Public Service and vice versa.

Clause 49—Officers and/or employees in Parliamentary Service are employees in industrial law

- Provides that the members of the Parliamentary Service (as employees) and the Parliamentary Service Commission (as employer) are covered by the provisions of the Industrial Conciliation and Arbitration Act 1961-1987.

Clause 50—Behaviour in Parliamentary precinct at discretion of the Parliamentary Service Commission

- Provides the power for the Commission to give directions and make by-laws with respect to the conduct, within the Parliamentary precinct, of all persons (except Members of the Legislative Assembly in the conduct of their Parliamentary business).
- By-laws must be tabled in the Legislative Assembly.
- Power is given to The Clerk, or his agents, to evict persons not complying with the by-laws, using reasonable force if necessary.
- Failure to comply with directions is an offence subject to penalties prescribed by the Commission, but not exceeding 10 penalty units.

Clause 51—Proceeding for offence against Section 50

- Specifies summary proceedings on the complaint of the Clerk.

Clause 52—Protection from Liability

- Provides legal protection for persons acting to enforce directions by authorised persons or to enforce by-laws of the Commission in accordance with Clause 50.

Clause 53—Mode of Service

- Specifies normal provisions for serving of notices on persons.

Clause 54—Estimates

- Provides for the Parliamentary Service Commission to develop its own budget, free of control of the executive government, for presentation to and appropriation by the Legislative Assembly.

Clause 55—Rules

- Specifies the power of the Commission to make rules, not inconsistent with the Act, on any matter thought fit.
- Penalties not exceeding 10 penalty units may be applied for failure to comply with the rules.
- Rules must be tabled in the Legislative Assembly.
- Pending the adoption by the Commission of rules relating to officers and employees of the Commission, the Public Service Management and Employment Regulations 1988 shall apply in so far as they may be applicable.

Clause 56—Amendment of Acts

- The Financial Administration and Audit Act 1977-1988 and the Public Service Management and Employment Act 1988 are amended to accord with this Act.
- The amendments to the other Acts correct minor drafting errors in the Public Service Management and Employment Act which have nothing to do with the provisions of this Bill.

  They are included in this Bill for convenience.

Mr AUSTIN: I commend the Bill to the House.

Debate, on motion of Mr De Lacy, adjourned.

SURROGATE PARENTHOOD BILL

Second Reading

Debate resumed from 23 March (see p. 5546, vol. 308).

Ms WARNER (South Brisbane) (7.55 p.m.): The debate on this Bill is really an extension of the debate that occurred last week on the Status of Children Act Amendment Bill. In fact, the two pieces of legislation are linked and aligned.

Whilst we in the Opposition support this Bill in principle and support the sentiments that are enshrined in it, we certainly are very well aware of the dangers that exist within our society at the moment in respect of the practice of surrogacy for profit. Whilst we also supported the Bill that was before the House last week, one aspect that is exceedingly disappointing is that the Government did not go further with this legislation and actually cover the question that was the subject of the Demack report, that is: what does society do with the new reproductive technologies? That is really the matter that this Bill and the earlier Bill address, albeit in a truncated form.

The problem that I foresee is that this legislation is minimal legislation. It indicates, I suppose, a direction in which the Government is going, but it does not actually address many of the ethical, scientific and social problems that now face us as a result of emergent new reproductive technology.

What I wish to do is compare the existing Queensland legislation and its effects with the legislation that exists in other States. Last week, in the debate on the earlier Bill, the member for Murrumba pointed out quite rightly that the matter in respect of which the Queensland legislation is deficient—and I hope this will be rectified by the Minister who introduced this Bill or perhaps the Health Minister in the not-too-distant future—is the matter of setting up a bioethics committee. It is essential that within society there is a body of informed people who look at the procedures and developments that are occurring in the field of in vitro fertilisation and evaluate them in terms of what is socially acceptable and what is ethically desirable in that technology. At the moment, in Queensland such a structure does not exist.

I want to highlight some of the dangers that will be faced in the near future by not having that structure in place. People are probably very well aware of the massive publicity that in vitro fertilisation and the whole aspect of new reproductive technology have received over the last few years and, indeed, of the quite awesome changes and developments in the techniques that are being used.

One of the things that the press has in some way been guilty of is actually beating up the stories as they occur. Nevertheless, people are aware, not just from press reports but also from some fairly learned journals, of the possible new developments in reproductive technology. Those developments include genetic engineering, sperm banks, test-tube fertilisation, sex selection, surrogate motherhood, increased technological intervention in the whole process of conception, pregnancy and childbirth. They are issues which have been in the headlines for a number of years.

It is interesting that, in this legislation, the only part of the problem that the Queensland Government has addressed relates to very legalistic aspects. It has not come to grips with the social implications of the new technologies before us. All it has looked at is who owns the gametes. It has been decided that the donor no longer owns the gametes; once they are given, they are no longer the responsibility of the donor.

This legislation simply says by fiat that nobody is allowed to be a surrogate mother and the whole question of in vitro fertilisation——

Mr DEPUTY SPEAKER (Mr Row): Order! There is too much audible conversation, especially on my right. Although it might be a sign of virility, it is inappropriate in this Chamber.

Ms WARNER: I do not know what it is a sign of, but I do know that it is quite rude. If National Party members listen, they might learn something. I notice that the member for Callide is straining to hear what I am saying. She is obviously interested.

What I was saying is that the only aspects of the whole subject that have been picked up by this legislation are the legalistic ones. The whole question of how new reproductive technology is incorporated into society without causing major social dislocations, major social problems and ethical dilemmas has not been addressed. If one referred to the Demack report, one would see that it would be fairly easy to respond to the problem that I have outlined and set up a bioethics committee comprised of a

number of interested people. Previously the member for Murrumba suggested the types of people who should be on the committee. I wish to inform the House of the functions that such a committee should undertake, if the Government decided to establish one. Hopefully, Queensland will have a committee of that nature soon.

The functions should be: to formulate, and keep under review, a code of ethical practice to govern the use of artificial fertilisation procedures and research involving experimentation by the use of human reproductive material; to advise on the conditions to be included in licensing or authorising artificial fertilisation procedures; to formulate appropriate conditions for licensing; to carry out research into the social consequences of reproductive technology; to promote research into the causes of human infertility and, in doing so, to attempt to ensure that adequate attention is given to research into the causes of both female and male infertility; to advise the Minister on any questions arising out of or in relation to reproductive technology; and to promote informed public debate on the ethical and social issues that arise from reproductive technology.

An independent body of skilled and interested people is needed to be able to monitor what is going on in the reproductive technology field. As far as I can make out, what is happening in this field is quite mind-boggling and quite frightening. I would like to feel secure in the knowledge that people who are able to regulate and monitor developments are looking into the innovations and changes.

Queensland is a regulation-free State as regards ethical considerations. In Queensland, no regulations govern the practices that are allowable and the practices that are not allowable. Although I am aware that technology in this field in Queensland is in its embryonic stage—pardon the pun—I nevertheless believe that this State should learn from the experience of other States. A bioethics committee has been set up in Victoria and it is examining very closely the developments in this field. In Queensland, a vacuum is being created into which some fairly unpleasant developments may emerge, simply because parliamentarians are not paying attention to what is happening.

The other point I want to emphasise is that as members of society and as responsible members of Parliament, caution should be exercised in connection with the so-called benefits of this brave new world of reproductive technology that purports to offer a solution to the problem of infertility. I point out that it introduces a myriad of ethical, moral and social dilemmas.

I do not share the view that the goal of reproductive technology is solely the treatment of infertility. Perhaps that may be so in a broader context, which is what it is being used for at the individual's level, but in a broad societal context, it can also be used as an entirely new way of producing the next generation. The Government is not merely looking at the problem of infertility. The proponents of IVF and the doctors involved have promoted the technology on the basis that it cures infertility; yet so many other aspects of the matter have not been taken up by them.

I wish to mention some of the reservations raised by Dr Robyn Rowland during the public debate on in vitro fertilisation.

Mr DEPUTY SPEAKER: Order! I would remind the honourable member for South Brisbane that the Bill deals with the formality of surrogacy and not so much with the technology of in vitro fertilisation. I think that matter was covered during the debate on the Status of Children Bill. Would the honourable member ensure that her comments are more relevant to the Bill?

Mr Comben: It is the kernel of the Bill.

Mr DEPUTY SPEAKER: Order! The honourable member for Windsor! I am in the chair and I have a right to insist on there being some relevance in the debate. If the honourable member insists on arguing with the Chair, I will put him out of the Chamber.

Ms WARNER: I am sorry, but I believe that the Bill's intent is to look at the question of surrogacy. The whole issue of surrogacy is part of the development of new

reproductive technology and this Bill is an attempt to bring about some societal control into this area. Therefore, I wish to debate those areas into which societal control has not been introduced by this Parliament. I suggest that a fairly minor part of the new reproductive technology is dealt with in this Bill and I wish to use this occasion to inform the Parliament about the kinds of dilemmas that Queensland faces.

Dr Robyn Rowland initiated the debate in Australia. She was involved in research into the social and psychological effects of the artificial insemination program at the Queen Victoria Medical Centre. She was later appointed to a committee which was set up to discuss counselling for patients involved in an IVF program. She resigned from the committee because attempts were made to muzzle her research. She was informed that her work would be vetted by the doctors in charge. She reported that members of the IVF team showed little or no consideration for the psychological health and welfare of their patients or that of future children. At the time that debate on ethical consideration in Victoria was suppressed. At the time the clinic to which she was attached was thinking of using a controversial new technique called flushing, where fertilised ovum are flushed from a woman's body and implanted into someone else. The problem with that is that some other woman's womb is being used as a baby factory at a very early stage of the baby's development. Flushing has actually been outlawed by the Reproductive Technology Act in South Australia because of the huge number of ethical problems involved with it.

The problem with IVF technology is that new ideas and innovations are developed and tried out before anyone knows about them and before anyone has had a chance to determine whether or not this is an ethical direction in which to go. That is a problem faced in Queensland today, because there is no avenue for debate. Unless the media can be persuaded that this is a really sensational issue, there is nowhere that these matters can be aired.

Dr Rowland's criticism went further and was directed not only at the present technologies but also at the probable future development. She points out that existing technologies were the result of uncontrolled individual experiments which were then presented as a fait accompli and justified as a solution to infertility. The birth of the first baby developed from a frozen embryo is an example and the flushing technique could well be another. Those advances took place before any public debate regarding their desirability could take place.

In Queensland the IVF procedure is carried out in only a few centres and, as far as I know, there is little in the way of new research. On the other hand, how would I know? I do not believe that anyone—except those people who are working within those research units—actually knows. Over the last few months I have asked questions but it is very difficult to get straightforward answers. For instance, I know that the technology of freezing embryos is available in Queensland and yet there is no regulation over what happens to those frozen embryos. No-one knows how many frozen embryos there are. I spoke to one person who thought that conservatively there could be approximately 20 or so in Queensland, but she was not really sure, even though she is attached to the Mater Hospital.

There is some concern about the regulation and storage of frozen embryos and what has happened to them in Queensland in the past. At the moment there is no way of monitoring that. That is quite unacceptable in a democratic society, where we have the right to know what advances are being made and what is taking place. What seems to be occurring is that advances in medical technology are outstripping the public debate, public knowledge and the ability of societal organisations to deal with the new social arrangements developed as a result of technology.

At the moment I understand that the medical profession in Queensland believes that legislative measures are not required to regulate the activities because the medical profession is voluntarily abiding by the National Health and Medical Research Council guide-lines and ethics. Assistant Director Dr Ian Wilkey is obviously a very trusting soul because, in the *Daily Sun* of 27 April, he said that no legislation was necessary and

that, if any ratbag activities went ahead, then legislation would be drafted. I suggest that after the ratbag activity started, it would then be too late to legislate. After all, a child who is produced in unethical circumstances can hardly be given back.

I shall return to the basic reservations regarding IVF and refer again to Dr Robyn Rowland, who makes a number of interesting points. Her basic argument revolves around the question of how IVF and other changes in reproductive technology would affect women as a group. For a start most, if not all, medical researchers and medical practitioners in the field are men, who are not known for carefully taking into account women's concerns. The fundamental concern is the idea that, with IVF, women could be, and in some cases are, used as living laboratories in which interesting experiments can take place.

There is also concern about the theoretical possibility that women's bodies themselves could become obsolete in the process of reproduction if ectogenesis, which is the gestation of an embryo outside of the womb, becomes a reality. If that happens, women, who have been in control of reproduction simply because of their biological function, actually lose that function and reproduction is given over to medical science which, as we know, is dominated by men.

Unfortunately, all of the investigation in this science has been justified simply by exploiting the plight of the infertile. Anybody—I am one—who advances any kind of unease about the social implications of genetic engineering, cloning or sex pre-selection, is condemned as being insensitive to the needs of those who for one reason or another cannot have children. The fact is that reproductive technology is not only about fertility and infertility, but is about alternatives in the production of children.

The IVF program itself is incredibly selective in deciding who may and who may not have babies. The internal selection criteria used to determine who may be eligible discriminates much more severely than does nature. For instance, single women are precluded regardless of how painful their barren condition may be. In fact, it is true to say that the patriarchal values that are enshrined within our society are reinforced within IVF programs and only the traditional nuclear family structures are approved.

Mr Sherrin interjected.

Ms WARNER: I do not believe that the honourable member opposite quite understands the nature of the family in our current society or its value.

The IVF procedures themselves are rarely given much publicity. The procedure is painful, time-consuming and costly. It places enormous strain on both the woman and her partner. Although it can be repeated many times, the average number of attempts is 1.8. A further word of warning should be given. The success rate is claimed to be 20 per cent, but that figure refers to embryos, not to live babies. Live births are estimated to be between 10 per cent and 13 per cent.

All this is at a very high cost. At the moment it costs each patient $1,500, but the societal cost in terms of the technology and the medical provisions involved is about $40,000. That is the estimation of the Senate committee of what one live IVF birth costs society. We are talking about exceedingly expensive technology.

Mr Sherrin: A child is worth it though, isn't it?

Ms WARNER: Yes. But perhaps we could look at the problem at an earlier stage. If we look at the problems of infertility as such and the reasons for the developing infertility largely because of medical interventions in terms of birth control methods and so on——

Mr Sherrin: One of the biggest causes of infertility is scarred fallopian tubes.

Ms WARNER: I think that the reasons for infertility are probably much more difficult to determine, apart from the fact that it is said that infertility has risen something like 155 per cent since the 1960s, which is an enormous figure. However, if honourable

members cast their minds back to what it was like in the 1950s—perhaps some can and some can't—they will recall that if people had problems with fertility in those days, they would just shut up about them. Nowadays they believe that they can obtain a remedy, so they visit a doctor and say, "Look, I want to have a baby and I can't. Can you help me?" Therefore the statistics on infertility would increase as more people find reason to go to a doctor and say, "Look, I've got this problem. Can you help?"

However, it is a sad fact that a large number of people in the community cannot, for one reason or another, have children. I suggest very strongly that, as a caring Government and as a caring society, we should be making sure that youngsters today know very well the dangers of promiscuous sex in terms of the passing on of chlamydia, which causes infertility. We should be making sure that people understand what the nature of safe sex is, not only in respect of the problem of infertility but, as everybody knows, in the case of AIDS. Many reasons exist why society should make every effort to ensure that people are educated in the realities of sexual activity in this day and age. If we were doing that, $40,000 could probably be saved down the track when people are looking for an IVF birth. That problem could be attacked at a much more global level than just looking at ploughing a lot of money into whiz-bang new technology, which is at this stage quite an imposition on women.

I stress that one of the problems that the new technology has delivered for women is that, although it has always been unfortunate for people—not just women—to be childless when they want to have children, it now seems that, given this expectation that a person can have a quick fix-it, many people go into the IVF program not knowing the rigors that will be experienced with it, not knowing the painful procedures and not knowing quite what to expect. Therefore we should make sure that there is adequate counselling of the people who apply to attend IVF clinics so that they know exactly what they are in for. There is nothing more heartbreaking than to go through several painful procedures, as most people will—given the success rate of something like 13 per cent of all attempts—not being aware of the reality of the technology. The great successes achieved that make it sound so attractive are probably leading people on.

The other thing that needs to be examined is the question of a society which should be broad-minded enough to understand that every human being within it has his or her own intrinsic worth. One is not worth while only because one produces children; one is not worth while only because one has an important job. People are worthwhile human beings. One of the problems that women have faced traditionally is that society has said to them, "Unless you produce children, you are not a real woman." That is a cross that, through no fault of their own, a large number of women have had to bear. The societal attitudes towards them are quite painful and one of the reasons why they will put themselves through quite distressing scientific procedures simply to feel as productive and worth while as everybody else. That is an unfortunate situation. Again, that is a question of societal values and a question of our level of humanity towards one another in the community. We need to examine the whole problem, not merely the little bits of it that come out from time to time.

I will return to the matter of surrogacy. Of course, this legislation would not be needed if it were not for the new reproductive technology. Without it, the pressure to create surrogate parents would not exist. However, in the context of the new IVF technologies, surrogacy is yet another of the burdens that will be placed upon women as a group. Women will be urged to allow themselves to be used for that purpose for immediate gain or they will be under emotional pressure, both of which are unhealthy and undesirable.

I will return briefly to the subject of genetic engineering. At present I believe that it is not going on in Queensland. I am not absolutely sure, but I believe that it is not. There is considerable pressure within the IVF programs to produce healthy babies; yet it has been demonstrated that IVF procedures produce more birth defects than ordinary births. A study of all the IVF births in Australia and New Zealand between 1979 and

1984 revealed that 2.4 live IVF births had major congenital abnormalities compared with 1.5 for all births——

Mr Sherrin: Per how many?

Ms WARNER: An incidence of 1.5 for all births.

Mr Sherrin: Per thousand?

Ms WARNER: Yes, I think it is per thousand live births. I have not actually got the full figures in front of me. The reference is the Australian parliamentary select committee.

Dr Rowland has also pointed out that the IVF perinatal mortality rate was four times higher than the total population average. In these circumstances it is very tempting to try to improve the technique right from the word go. Experimentation with the embryo and the viability of that embryo from an earlier stage is a temptation for doctors because they want to produce healthy children. Yet there is a statistical possibility that those children will be less healthy. Once doctors start intervening at that level, they are becoming involved in genetic engineering. There is no doubt about it. Do we really want that to happen? If we do not, why does the Government not set up a bioethics committee so that we know exactly what is going on? At the moment it is regulation free.

There is another concept that will cause a problem. Recently in the United States the legal concept of wrongful life has been raised. That concept is that, although people do not choose to be born, they can still have a right to be born without defects. Therefore, if scientists produce a child whom they could have prevented from being abnormal by some kind of scientific experimentation that they did not do at the time, the individual who is produced with the defect could say to those scientists, "I am suing you for wrongful life. I deserve to have a life that is fit and you had the power to make my life fit and you did not do it." Again, it gets into this really crazy——

Mr Veivers: But that is hypothetical.

Ms WARNER: No. It is happening in the United States. These sorts of legal concepts are emerging from the whole IVF procedure.

The United States has gone much further down the track than Australia has in terms of dealing with ethical dilemmas. All I am saying is that we should learn from those experiences. Let us find out what is happening in the United States so that we do not face myriad ethical dilemmas.

Another problem, of course, is the matter of sex determination of an embryo. Is that useful knowledge? Is it really useful for people to know what the sex of their child will be? I can tell honourable members now that, in 99 per cent of all the societies in the world, male children are favoured. As honourable members are aware, societies such as China and India even go to the extent of committing infanticide of female children.

Mrs McCauley: There is no accounting for taste.

Ms WARNER: I could not agree more.

All I can say is that, if a whole lot of men are in charge of this new reproductive technology and people can have a child of the sex of their choice, female children will not stand a chance. There will be all these little males. If honourable members think that that is a problem for the next generation, they need not worry about it because the ones we have already can be cloned. Women are not really needed at all. That is the end result. It is quite bizarre. It is pure science fiction at the moment, but it is technologically possible. All I can say to that is that I hope there are a large number of women doctors who get their hands on the technology first; then we will see which sex is produced in a greater number.

As I have tried to explain, the legislation simply addresses the tip of the iceberg. The whole question of surrogacy is very thorny. It is made more complex by the

introduction of IVF technology. There are a variety of ways in which women have acted as surrogate mothers in family situations and in which no harm has come to either the mother or the infant. For instance, many women have looked after their nephews or nieces when their sister has run off. That is part of a family arrangement in which I do not think Governments need to intervene, because it is part of what happens in society. However, the whole subject of IVF throws the matter of surrogacy into a much harsher light.

In Victoria recently, baby Alice was produced. The older of two sisters was infertile; her husband was infertile; the younger sister was fertile; an ovum was taken from the non-fertile sister's womb, impregnated with an anonymous donor's sperm and implanted in the younger fertile sister's womb; and baby Alice was produced. When baby Alice was born, she was given to the older, infertile sister—a classic case of surrogacy. That is a classic illustration that the whole question is not about infertility. Who was receiving the IVF technology in that instance? It was not the older sister; it was in fact the younger sister, who had a perfectly healthy womb and a perfectly healthy reproductive system. She was the one who received the IVF procedures.

The other problem that women face is that donor eggs are in short supply. A female relative could be pressured into producing eggs because eggs are really hard to obtain and because women are pressured into using their uteruses for pregnancies. It has been suggested by some people that maybe it would be all right, as long as it was not done for profit. I suggest that if women are going to be pressured into using their wombs for the production of children, the least that could be done would be to pay them for it. However, I prefer to go in the other direction, which is in the direction of the legislation itself, and suggest that it is not a viable proposal.

I turn to the problems that are experienced with adoptions. More and more children who have been adopted want to know about their genetic background. What is going to happen with this massive technology? With anonymous sperm and ovums, a person will not know what his genetic background really is. What effect will that have on persons as they reach adulthood? I do not know the answer to that. Surely we should be considering such matters before we go hell-bent into this technology.

I return to the question of what is happening in Queensland at the moment. I understand that more and more centres with IVF programs are emerging. Existing centres have been quite traditional fertility clinics. For instance, Dr Hennessey has a clinic at Wesley Hospital. That was a traditional fertility clinic in which some IVF programs were used. It certainly was not the whiz-bang research, brave-new-world sort of thing that we have been hearing about in Victoria.

In the *Courier-Mail* of 25 June 1988, a report appeared about the opening of a new infertility medical centre at the Allamanda Private Hospital by the State Liberal Leader, Mr Innes. The new IVF unit consists of an operating theatre and an embryology and biochemistry laboratory. It will be headed by Professor Carl Woods of Monash University. Professor Woods was the pioneer of IVF technology in Victoria.

It has been suggested that the reason why he has been inspired to come to Queensland is not only because of the free-wheeling, free-enterprise attractions of this State but also because Queensland has no regulations on his activities. In terms of experimentation, he can do whatever he likes. He certainly has the know-how. Because the Gold Coast does not have a bioethics committee, and because this State has no legislation of the kind that has been introduced in Victoria and South Australia, Professor Woods is sitting pretty and stands to make quite a few dollars. The Government should step in. We should be told exactly what is going on in that hospital. I would like to know what is happening. I would like to see the establishment of a body of people whom we can trust to ascertain exactly what is going on around the place.

Although it may not have sounded like it, I support the legislation. However, it does not go far enough. The Opposition will be opposing the extraterritorial provision, which is quite outside the scope of the legislation and brings to mind some frightening developments. I will mention more about that during the debate on the clauses.

Mr STEPHAN (Gympie) (8.32 p.m.): I join in this debate for the enlightenment of Opposition members and Government members alike. I noted the comments that were made by Ms Warner.

Mr R. J. Gibbs: Imagine drawing you out of a sperm bank.

Mr Beard: That would be a wild card.

Mr Casey: He looks like he came out of a test-tube.

Mr DEPUTY SPEAKER (Mr Alison): Order!

Mr STEPHAN: They do not seem to be able to help themselves.

This legislation involves the making of a determination as to what is desirable and acceptable within the community, which is not always easy. In many instances it is not easy to ascertain which course to take. I congratulate the Minister on his determination to proceed with this legislation.

It has been suggested that, in an endeavour to bear a child, a woman will put herself through trauma, which is not to her advantage. Possibly one of the greatest needs of a woman and her partner is to have a child of their own. I do not intend to enter into a discussion on genetic engineering. However, I take note of the physical and emotional strains that are put upon human beings—husbands and wives—in so many different circumstances.

A surrogate mother agrees to bear a child for another woman and, upon delivery of the child, relinquishes it to the person or persons with whom she made the agreement. It must be difficult for a woman to bear a child and then relinquish that child to another woman with whom she has made an agreement. It must place a tremendous strain on both the surrogate mother and the woman to whom the child is relinquished.

In most cases a surrogate mother agrees to bear a child for a couple, one or both of whom are usually infertile. Surrogacy can take many different forms. The most common form of surrogacy is known as partial surrogacy, when the surrogate mother is in every sense a natural mother. This could occur if the surrogate is inseminated by the husband of the infertile woman by artificial means or in fact even by sexual intercourse. In cases where the husband is also infertile, the surrogate would be inseminated with donor sperm. In either case, the surrogate provides the ovum to be fertilised, carries the child to term and gives birth.

By contrast, what is described as total surrogacy would involve the surrogate being implanted with an embryo produced in vitro from the gametes, that is, the ovum and sperm, of one or both of the commissioning couple. Alternatively, the ovum and sperm could be provided by donors. In that situation, the surrogate would provide the gestational but not the genetic component of reproduction. She would carry the child to term and give birth but would not supply the ovum for fertilisation.

Surrogacy could be undertaken on a commercial basis, and therein lies a problem. In many instances people could be forced into it against their wish or against their will, with detrimental effects to their health. Commercial surrogacy involves the payment of a fee, which would be paid after the child has been safely surrendered to the commissioning couple, or by earlier instalments. Reports indicate that the practice usually involves the drawing-up of a contract with specific terms to be agreed to and fulfilled by both parties. That is where the legal aspect comes into it. There is the legal aspect of whether or not the terms have been fulfilled, whether or not there can be any second choice or second decision, and just what would happen under such circumstances.

It should be noted that in recent years the United States has seen the development of a number of commercial enterprises exploiting the development of new reproductive technology. Accompanying those practices has been the establishment of surrogate mother clinics which advertise their services in making such arrangements, seeking out suitable surrogate mothers, marketing with couples seeking a child, arranging the insemination of the surrogate mother and drawing up the surrogacy contract.

An edited account of a talk given by an American lawyer, Mr Bill Handel, is quite interesting. He operates such an agency which illustrates some of the requirements and problems of surrogate mother arrangements, especially when operated on the commercial basis about which I spoke. Since Mr Handel's practice entered into the area of organising surrogate motherhood contracts, 26 babies have been born. Surrogate mothers who were accepted into the program went through almost two years of psychological back-up. Two years is a long time. That comprised a three to four months' screening program; three to five months of being artificially inseminated; constant monitoring of the surrogate mother's condition; attendance at group sessions after the birth, and providing assistance in the process of having her baby adopted by the infertile couple. Assistance is needed because of the emotional drain on the people involved. Over the past two or three years, instances of surrogate mother contracts, both here and overseas, have come to the attention of the public. The most recent of these was the Baby Cotton case in England, where the High Court finally decided to leave the baby in the custody of the American couple who entered into an agreement with Mrs Cotton to bear the child for them. However, the child remains a ward of the court. Not all surrogacy arrangements, however, end in that way. In many cases, the surrogate mother, after conceiving and carrying the child for nine months, finds it impossible to relinquish the child and decides to keep and rear the child herself. As I said, therein lies the big problem, that of relinquishing, that of being able to give up that child after the trauma that has been gone through, the worry, the health problems and everything else associated with it.

Some of the comments made by mothers illustrate the effects that relinquishment subsequently had on their lives. One said—

> "I feel that I have to try and do something to relieve the awful feelings of loss, loneliness and emptiness that have been with me for such along time and intensified with the birth of my other children."

Another said—

> "Nothing could ever replace the agony of those lost years—part of me is dead."

Another statement was—

> "My sense of loss is worse now"—

this case involved a little girl because the mother speaks about "she"—

> "that she has reached her teens—have things worked out for her?"

The surrogate mothers wonder how the children are, and they are for ever on their mind.

In reaching these conclusions, account was taken of the following considerations, which were outlined in the Demack report—

- to use/pay another human being to reproduce is the ultimate in dehumanisation;
- a baby must not be treated as a commodity to be purchased; it must not be the subject of traffic in any form;
- the emotional significance to the pregnant woman that it is likely to cause unsolvable emotional and legal conflicts if she is required to give up the child; and
- any form of profiteering with human life is abhorrent.

On the other hand, the term "altruistic surrogacy" describes circumstances in which a woman might agree to bear a child on behalf of an infertile couple, without payment or reward in return. Most reported cases of altruistic surrogacy have involved private agreements between family members or close friends. Surrogacy arrangements could be sought where the commissioning woman, and possibly also her husband, is unable to provide genetic material for child-bearing. Alternatively, it may be sought where the commissioning woman is able to provide genetic material but is unable to gestate the foetus. This could arise where a woman has functioning ovaries but has no uterus or some malformation prevents her from carrying a child.

Conversely, surrogacy could occur for the sake of convenience, where there is no medical reason why a commissioning woman should not bear her own child. However, to avoid the inconvenience of pregnancy, she would simply donate her ova so that an embryo can be carried to birth by the surrogate.

The practice of surrogacy calls into question fundamental issues. Some of the most obvious are—

- the status of the family;
- the definition of motherhood and the role of women;
- the role of marriage; and
- the meaning of the relationship between mother, father and child.

Each issue is very important. Each factor will have a marked bearing on the relationship between a husband and his wife and on the relationship between mother, father and child.

Honourable members should ask themselves whether they want a society where there is a "rent a womb"; where women are used as incubators; where the surrogate mother seeks to deny her parental responsibility; where a child would be created deliberately to be abandoned by one of its parents; and where women of low socio-economic status may seek to become "breeders" for economic reasons. Alternatively, is the future of the world one where carrying a child and the physical risks and emotional upheaval associated with pregnancy and childbirth seem to be ignored or denied; where people are used in this matter as means to ends; and where the intimate relationship between mother and child is dehumanised to a working relationship between a unit of manufacture and its product?

Mr R. J. Gibbs: You're a fraud.

Mr STEPHAN: I am not a fraud. The honourable member is sitting in this Chamber with a smirk on his face as though this is a matter of no importance.

Mr R. J. Gibbs interjected.

Mr DEPUTY SPEAKER: Order! The honourable member for Wolston will cease interjecting.

Mr STEPHAN: Do honourable members want a world where women can be degraded as people, because of their value being seen in terms of their reproductive capacity and where relationships are manufactured? Is the honourable member against that type of prospect? Does the honourable member like relationships that are manufactured; relationships that are here today but gone tomorrow? That is not the society in which people want to live. It is not the sort of society in which I want to live.

Mr R. J. Gibbs: Why didn't you show the same concern about child pornography? You stand up here, but you'd know absolutely nothing about this.

Mr DEPUTY SPEAKER: Order! The honourable member for Wolston will come to order and cease making repetitious interjections.

Mr STEPHAN: I firmly believe that the Queensland community does not want such a significant departure from existing values and standards and that there are sound social, ethic, moral and legal reasons for prohibiting the practice in this State. The proposed Queensland position on this issue is supported by various reports on the subject that have been issued elsewhere. For example, the British Committee of Inquiry into Human Fertilisation and Embryology, known as the Warnock committee, found in 1984 that surrogate motherhood was not acceptable and should be made illegal. The role of criminal law in this field was expressed by the Warnock report in the following terms—

> "We have considered whether the criminal law should have any part to play in the control of surrogacy and we have concluded that it should be. We recognise

that there is a serious risk of commercial exploitation of surrogacy and that this would be difficult to prevent without the assistance of the criminal law."

Earlier this year in West Germany the Benda Commission gave no support to surrogate motherhood as an acceptable procedure for the alleviation of infertility. In May 1988 in the United States the report of the New York Task Force on Life and Law strongly advised the States to outlaw any commercial aspects of surrogacy. Since the Baby M decision, at least five States have passed laws addressing various aspects of surrogacy.

Within Australia the practice of surrogate motherhood has been examined in a number of reports. In 1984 in Queensland the Demack committee and in Victoria the Waller committee both provided reports, and in 1985 the Family Law Council and the Tasmanian Chalmers committee produced reports. In 1986 the Western Australian Michael committee issued a report, and in 1987 the South Australian Cornwall committee also reported on the subject. All of these reports have recommended against various surrogacy practices.

In South Australia, the 1988 Family Relationship Act Amendment Act has provided that surrogacy contracts are illegal and void. In Victoria, the Infertility (Medical Procedures) Act 1984 makes it an offence to become involved in any surrogate motherhood arrangement involving payment or reward and provides that altruistic arrangements are void. The more recent commencement of operations of the Infertility (Medical Procedures) Amendment Act 1987 would appear to prevent a surrogate mother being inseminated artifically. The New South Wales Law Reform Commission is expected to issue a report into surrogacy at the end of December 1988.

The practice of surrogacy is not supported by the churches. In March 1987, the Congregation for the Doctrine of the Faith of the Roman Catholic Church released its *Instruction on respect for Human Life in its Origins and on the Dignity of procreation: Replies to Certain Questions of the Day.* With particular regard to surrogacy, the instruction rejected surrogacy as morally illicit and stated—

"... (it) represents an objective failure to meet the obligations of maternal love, of conjugal fidelity and of responsible motherhood; it offends the dignity and the right of the child to be conceived, carried in the womb, brought into the world and brought up by his own parents; it sets up, to the detriment of families, a division between the physical, psychological and moral elements which constitute those families."

Mr R. J. Gibbs: That doesn't make it wrong.

Mr STEPHAN: It is an expression of opinion, and that opinion, together with others, emphasises what I am saying tonight and what many Australians are saying.

Other denominations have rejected the practice as being imcompatible with Christian teachings on marriage and parenthood. The Anglican Archbishop of Sydney was quoted in a report as stating—

"Surrogate motherhood is not the way for our society to help people overcome the suffering, deprivation and unfulfilled longing that may come from being childless... Marriage is an exclusive relationship between husband and wife. The introduction of a surrogate mother into the relationship violates and places stress on that union."

Mr R. J. Gibbs interjected.

Mr STEPHAN: The honourable member does not have to agree. I am telling this House what is accurate.

In October 1987 the Lutheran Church of Australia issued a statement opposing the use of partial surrogacy. Those are three opinions that I have quoted, and I can see from the look on the face of the honourable member for Wolston that he does not agree with any of them. People everywhere have the ability to make up their own minds.

Mr R. J. Gibbs interjected.

Mr DEPUTY SPEAKER: Order! The conduct of the honourable member for Wolston is unruly.

Mr STEPHAN: Already there have been reported cases of this practice occurring elsewhere in Australia. This Government does not want it to occur in Queensland. I support the Bill.

Mr SHERLOCK (Ashgrove) (8.49 p.m.): At the outset, I wish to pay tribute to Mrs Yvonne Chapman, who piloted this Bill through its early drafting stages when she was Minister for Family Services, Youth and Ethnic Affairs. I pay tribute to her caring attitude and the way in which she grasped the needs of her department.

This Bill has had a long gestation period. Since 1983, five State Governments and the Commonwealth, through their Departments of Justice, have established committees to inquire into the laws relating to artificial insemination, in vitro fertilisation and other related matters such as surrogacy arrangements.

In this debate we have already heard that in 1984 Justice Alan Demack's committee produced its report, to which I referred last week in my speech to the Status of Children Act Amendment Bill. All of these committees are unanimous in one thing: that surrogacy is likely to create life conflicts for children. The committees concluded that, in making decisions about laws relevant to this type of technology, it is paramount that the welfare of the child be considered. In the debate last week I actually read out the rights of the child—they are there in *Hansard*—as defined by Save the Children.

In Australia, the New South Wales and Western Australian Governments are presently looking at the introduction of surrogacy legislation. However, the broad picture on surrogacy will be clearer in this country only when all the States have introduced their legislation. It is certainly time to introduce it in Queensland, and I commend the Minister and the department for doing so.

In the United States of America there is no conformity of legislation. About half the States have legislation permitting surrogacy contracts, whilst others do not. The ones which allow surrogacy do so under very strict controls. For example, in the State of New York, the surrogacy arrangements are covered by very strict guide-lines indeed. There are proposals before the Parliaments of Great Britain and the Federal Republic of Germany.

Queensland is in the forefront of introducing this type of legislation. This Bill, coupled with the Status of Children Act Amendment Bill, which was debated in this place last week, clarifies many circumstances and puts the legal position of the children beyond doubt. There is very little argument in this House tonight against the proposition that prohibiting surrogacy is necessary and right at this time. The essential issue is that legislation—the laws that we as legislators create—needs to be right for the time.

When one looks at the Alice Kirkman case in Victoria, which has been mentioned already tonight, one may be tempted to soften one's attitude. In that case the sister acted as a surrogate for the infertile sister. If one wanted to build a case study, that is one that pulls at the heart-strings; however, one can find numerous case studies that show serious conflicts in relationships. The bottom line is that we are unaware of the long-term psychological and emotional effects on a child from a surrogate birth. We simply do not know in a medical, psychological or emotional sense.

I will consider advances in other aspects of medical science and technology. For example, in terms of space medicine, we know now that individuals who have been exposed to weightlessness for prolonged periods have over time suffered disorientation and malfunctioning of organs. Research into that is going on now, some 20 or 30 years down the track. In the 1950s we did not know what the long-term effects of the contraceptive pill might be on women. It was not until that medication had been used for a couple of decades that we were able to assess the physiological outcome with any degree of accuracy.

The effects of which I have been speaking are medical—effects that can be monitored, tested, controlled and, perhaps, reversed. I am not a psychologist, but, to my mind, it would be very difficult to predict from a psychological viewpoint the long-term effects on a person born in a surrogacy arrangement. In my contribution to the debate on the status of children legislation, I drew attention to the circumstances of adoptees who develop a real need to identify and seek out their genetic parents. That has been referred to by another member. I can imagine the conflict in the mind and heart of a son or daughter towards a surrogate mother in the future. Let me repeat that what is paramount is that the needs of the child be assessed and considered.

In an article in the *Sunday Mail* of 3 July this year, speaking about the Alice Kirkman case, Professor Hiram Caton of Griffith University said—

> "Alice some day will leaf through the scrapbook of her controversial birth with her brother and sister—Linda's two children."

Honourable members will recall that Linda was the sister who gave birth for the infertile sister. He continued—

> "Of course they are only the uterine brother and sister, since genetically they are her first cousins. Perhaps they will wonder about the mysterious ways of high-tech kinship.
>
> Because surrogacy always twists human relations and tangles existing legal relations, surrogacy laws are a necessity.
>
> The law proposed by the Queensland Government would go to the root of the matter by prohibiting surrogacy of any kind."

According to the *Courier-Mail* of October 1987, following the well-known Baby M court case in the United States, surrogate mother, Mary Whitehead, loser in the case, had this to say before congressional hearings on surrogate mothering—

> " 'No one ever said to me it's your baby and there's a possibility that when she grows up and finds out that you sold her she might hate your guts. Many of the newspaper stories made the point that I did not finish high school. The idea that people got was that I couldn't be a good mother because I was married to a garbage man.' Mrs Whitehead was ordered by a judge to hand over the surrogate baby she bore. She said of the parents 'Bill and Bessie Stern have money and are educated and got to the Court House first. I did not think I ever had a chance.' She went on to say, 'the economics of surrogacy in this country are simple, the sperm donors are well off, the women they hire to bear their children generally are not.' "

Ms Elizabeth Kane, another wounded surrogate, told the same inquiry—

> "Someday we are going to have to explain to these children why they were created, to satisfy the obsessive desires of wealthy men, and why their mothers thought they were worth $10,000 in cold hard cash."

This legislation puts the issue of surrogacy in Queensland beyond question. I understand that in the Baby M case the contract was judged void in terms of public policy, that is, the principle of law which allowed the court to decide that the surrogacy contract in that circumstance was void because it conflicted with the stated public convention.

Of course, with high technology surrogacy is possible in all sorts of strange ways. I understand that medical science now can in fact implant an embryo—a fertilised ovum with a sperm—into a woman's stomach and, using hormones, grow the baby there and have it born by caesarian section. I understand that it is not impossible, using the same technique and using hormones, for a male to bear and nurture a baby. So the impossible becomes possible. It is science fiction stuff, but it could be that it will happen.

The passage of this Bill allows us to consider some of the aspects of in vitro fertilisation. Many aspects cause concern. Firstly, let me put very clearly that there is no doubt that the technique of in vitro fertilisation—of artificial insemination—is one

that is capable of bringing an immense amount of joy to previously infertile couples. We must be careful, though, to create a balance between the rights of infertile couples to bear a child of their own and the rights of the test-tube embryo subsequently implanted in a mother's womb, or a foetus created by artificial insemination, to be protected from practices which endanger their emotional security and their psychological identity.

The Medical Guild of St Luke, a group of Queensland-based Catholic doctors, has expressed some reservations about surrogacy and the whole philosophy of in vitro fertilisation on the following bases: firstly, that the experimental nature of all IVF programs reflects a lack of respect for human life at all stages of its existence; secondly, that there is a grave concern about the production of human embryos in circumstances in which they may be regarded as laboratory products and exposed to exploitation, which may be very difficult to regulate; and thirdly, there is devaluation of human procreation from an act of intimate mutual love and union to an exercise in skilful production.

The guild firmly attests the principle of the utmost respect for every human life from the time of inception, whether in a laboratory or resulting from natural sexual union, and holds firmly to the principle of the legal recognition of marriage as the proper institution into which children should be born and in which they can best be nurtured with a sense of identity and security.

The Demack special committee report of March 1984 addresses the principle expressed by the Medical Guild of St Luke and acknowledges the rights, the interests and the legal status of the embryo. I agree with the recommendation of the Demack committee on the prohibition of the discarding of embryos, the prohibition of experimentation on embryos, that priority be given in the programs to married couples in IVF and AI programs, that legal recognition be given to the child, which was enshrined in the Bill passed last week—the Status of Children Act Amendment Bill—that there be recognition of the conscientious objection by some doctors and other personnel and, finally, strong emphasis on counselling services before, during and after participation in these programs. The psychological preparation of the subsequent parents is terribly important.

I am pleased that all of these matters are features of Queensland's IVF programs as I perceive them, and that they are accepted as a broad basis by the various hospital-based ethics committees in this State. However, one of the recommendations of the Demack report has not been pursued, and that is the matter of the bioethics advisory council that has already been referred to by the member for South Brisbane.

That council, of course, would deal with ethical matters in this highly technical area. I understand that the recommendation to introduce an ethics committee to monitor surrogacy and in vitro fertilisation in Queensland has not been taken up because the Health Department feels that that job is being done adequately by hospital-based ethics committees in this State at places such as the Wesley Hospital and the St Andrews Hospital, which are church-based hospitals. In addition, the doctors in those hospitals are right up to speed and possibly at the leading edge of the technology in this State.

Indeed, the National Health and Medical Research Council has an ethics committee. In general terms it is felt that that committee is playing the game and that there is no need for further legislation. However, I confess to hearing some warning bells about the lack of a bioethics advisory council.

The role of the National Health and Medical Research Council committee is to make returns of all of the units throughout the country that participate in these programs and to encourage the transfer of information from hospital to hospital and unit to unit so that the information can be brought together. However, as legislators I believe that we have a responsibility to take a keen interest in the development of these procedures and this experimentation in Queensland.

Ms Warner: What about the bioethics of the hospital that your colleague opened on the Gold Coast?

Mr SHERLOCK: I will come to that.

There is a lobby by at least one ethics committee in this State at present—from a major hospital, I understand—which seeks to introduce more freedom of experimentation. That committee may have the best of ethical motives, but one wonders whether there might be a danger of its protecting its own interests.

Elements of the medical fraternity can build powerful arguments to continue with research of the type that I have already mentioned. Today doctors throughout the world—certainly in this country—are seeking to find out from legislators what the ground rules are in relation to experimentation and in vitro fertilisation procedures such as honourable members have been talking about tonight.

I predict that increasing pressure will be put on legislators by those doctors. I do not believe that the Government can put off the bioethics council for ever and a day. There are questions that have to be addressed in relation to the freeze-drying of embryos, which has already been mentioned, and the freeze-drying of other procreational materials. For example, a couple who have been trying to give birth to a baby for a very long time, and who have spent perhaps $40,000, $50,000 or $60,000 on these procedures, might suddenly find themselves with a mature embryo. There is a very real temptation to freeze that embryo and to use it in the future.

Those are the sorts of problems that a bioethics council will have to deal with in the future. We have the ability now to determine the sex of infants produced with these sorts of procedures. Of course, this prediction of the sex, this increasing procreation, if you like, of a single sex is particularly of advantage to the farmers. The poultry-farmer would certainly like to produce all hens and the dairy-farmer would certainly like to produce all cows. It is possible by manipulation of chromosomes in the male sperm to achieve that.

The establishment of a State bioethics council as a separate body to stand aside from the Government, the Health Department and individual licensed units may be something that we should consider in the future. I predict that we will.

I agree that priority should be given to married couples in IVF and artificial insemination programs. The Demack report goes on to recommend that de facto couples be considered. In Queensland, of course, de facto couples are not able to adopt children under the Act. I said last week that I find it inconsistent, therefore, that the legislation we introduced in terms of the Status of Children Act deals with de facto relationships in the same way as marriage.

The Demack report, on page 58, asserts that the institution of marriage and the family are deeply rooted in our culture and our legal system. It goes on to say—

> " . . . any proposals that would be seen to erode these institutions must be seriously questioned."

It may be argued that the ability for a de facto couple to enter into an IVF program is such an erosion.

It is interesting to note that one of the members who spoke during the debate on the Status of Children Act Amendment Bill last week enlightened this House with predictions of what could be done in this area. They were not science-fiction predictions but fact. The member for Murrumba, who with Peter Singer is the co-author of the book *The Reproductive Revolution*, is an advocate of experimentation.

Professor Caton in the same article in the *Sunday Mail* to which I referred earlier said—

> "Singer and Wells are fervent advocates of nearly unlimited medical meddling with human beings. Their book justifies the anticipated technology of cloning (producing a copy of yourself), the artificial womb, and genetic manipulation of embryos to customise babies to consumer wish.

They also approve infanticide for birth defect and low birth weight babies, euthanasia, and of course abortion. It seems that we are all to become guinea pigs of the boffins."

Professor Caton goes on to draw attention to another proposal to appropriate the wombs of brain-dead women. He said—

"Doctor Paul Gerber, reader in medico-legal studies at the University of Queensland, extolled the idea as a 'wonderful solution for the problems of surrogacy' "——

Mr WELLS: I would like to make a point of personal explanation. I would like to have it clearly on the record that the views attributed to me by Hiram Caton in that article are not my own.

Mr DEPUTY SPEAKER (Mr Alison): Order! Very well. The honourable member's personal explanation is noted.

Mr SHERLOCK: Mr Deputy Speaker, I accept the honourable member's explanation.

However, in relation to using the wombs of brain-dead women, Professor Caton goes on to say that this is a "magnificent use of a corpse". However, no-one else thought that this was a good idea. It has been denounced as bizarre and sick—very sick indeed. So it is. This is a bizarre and indeed very sick, twisted mind. Experimentation is abhorrent indeed. In the *Courier-Mail* of Saturday, 16 May 1987, claims were made of a secret ape man slave program in Italy. If I may have the indulgence of the House, I would ask honourable members to listen to this. The report states—

"Brunetto Chiarelli, Florence University's dean of anthropology, said biogenetic scientists were capable of breeding a new type of slave, an anthropoid with a chimpanzee mother and the sperm of a human father.

He said the experiments on the subhuman species had been interrupted at the embryo stage because of 'ethical problems'

. . .

Chiarelli said the new species could be used 'for labor chores that were repetitive and disagreeable or as a reservoir for transplant organs.' "

Church-leaders said that the Vatican had condemned genetic experimentation of that type.

Members may have seen the *60 Minutes* program of just a fortnight ago where in the United States the pedigrees of the highly intelligent, talented, champion sportsmen were paraded before would-be parents of in vitro fertilisation programs who would choose a suitable donor from a shopping list. One could imagine the psychological strain placed upon a child produced by that arrangement. How many brilliant children do we know with parents who have limited intellectual ability? How many children of very talented sportsmen have had no talent on the sporting-field at all? Unreal demands and expectations are placed on children who are born of such parents.

Cost is one of the common criticisms of IVF programs. The *Life Report* magazine of March of this year contained a report about Dr Ditta Bartels, a Sydney social scientist who was speaking at the annual symposium of the Australian Academy of the Social Sciences at Melbourne University late last year. She told that gathering—

". . . that the 660 babies born in the first five years of IVF programs in Australia had cost a 'staggering' $32 million, or slightly more than $48,400 a birth."

The article continued—

". . . her estimate provided only for the direct Government expenditure on treatment cycles and did not include costs of laboratory work, spending on the pregnancy and birth complications often associated with the treatment, or public money spent on IVF treatments and babies."

The article continued—

> "Dr. Bartels said various accounting tricks were used to cut the costs of IVF patients. These included billing for procedures that did not have a Medicare item number as procedures that did have such a number, and paying for clinical services by way of tax-deductible donations.
>
> A single IVF treatment cycle costs $3,738, with the Government contributing $2,665. Dr. Bartels estimated that 12,000 treatment cycles were performed in Australia between 1980 and 1984.
>
> Of the 660 babies born as a result of 518 IVF pregnancies, 32 were stillborn or died soon after birth, and a further 10 babies were born with congenital defects. 'Obviously high financial community costs are involved in regard to these defective infants as well,' Dr. Bartels said."

It is important that the debate on in vitro fertilisation and allied technology is kept in perspective. One would have thought that it would be an advantage to create in Queensland a bioethics advisory council to give advice to the Government on these matters and to monitor progress in an area where new ground is constantly being broken. However, in common with many of the recommendations that have been made by committees set up by this Government, that recommendation has gone unheeded, which may be to our long-term disadvantage. I sound that note of warning tonight.

As legislators, we have a responsibility to the community in general to consider carefully the implications of highly technical procedures such as the ones that we are now discussing. Because much of what they produce is very good for society, these matters should be discussed with the medical experts, who are understandably very keen to go as far as possible in the high-tech world.

When making assumptions about what may happen in the future, we need to tap into the knowledge of psychologists and lawyers. Parts of this legislation relate not only to the present but also to the future. I reiterate what I said earlier: at any time when there is an opportunity to create legislation, we must tailor the legislation to suit that particular time. It is appropriate that this House supports this Bill at this time. The Liberal Party certainly supports it.

Mrs McCAULEY (Callide) (9.14 p.m.): Firstly, I pay tribute to the Minister for Family Services for the sensitivity and understanding that he has brought to his portfolio. He has gone about his work quietly, and is to be commended for that. If the honourable member for Southport were in the House, he would support my comments.

I intend to concentrate on the subject of surrogacy from the point of view of the child concerned. I have tried to be objective, but it is an emotional subject about which many people become emotive.

I ask honourable members to consider the potential harm to the identity and security of the child through the division of parenting roles into different components whereby there are not simply Mum and Dad but a genetic father—the one who gave the donor sperm; a social father, or commissioning father—I suppose he is the one who hands around the cigars; a genetic mother—from whom the donor ovum is taken; a gestational mother, or the surrogate mother—who is the bearer of the child; and a social mother—who ends up with the child.

Surely, under such circumstances, a child could be forgiven for asking not, "Who am I?", but, "Whose am I?" Children who have been through the trauma of a divorce or adoption can often suffer distress, dislocation and pyschological problems. When I was working in a school for four years I saw that very clearly. It was very easy to detect the children who came from homes that had separated parents.

Mr Prest: I wouldn't get off the script too much.

Mrs McCAULEY: It is all right; I can cope.

This could also happen to surrogate children. They could also be subject to such stress and psychological problems.

Let us return to the child when it is first born. What happens if it is rejected, if it happens to be the wrong sex or perhaps it is not good looking? Perhaps it is faulty. Is it returned to the store? For example, in June 1987 a United States case was reported involving a surrogate mother who gave birth to healthy twins, a boy and a girl. The boy was rejected by the commissioning couple because they did not want a boy; they only wanted a girl baby. It is very sad indeed when the stage is reached at which people can say, "No, we do not want this child. It is the wrong sex." That could occur not only in cases where the child is the wrong sex but also in cases where the child is born disabled—if it has some genetic defect—and is rejected by the commissioning couple and also the surrogate parent. What happens then? There is a child that nobody wants.

Another example is the United States case in which a surrogate, Mrs Stivers, was injected with semen from a Mr Malahoff and agreed to exchange the resulting child to Mr and Mrs Malahoff for $10,000. The exchange occurred, but subsequently it was found that the father was Mr Stivers and not Mr Malahoff. Eventually that baby was accepted back by the Stivers.

I wonder what the background to that particular case was. Did the commissioning parents—the parents who bought the baby—think that the child was not looking enough like Dad or was not acting enough like Dad, so they decided that perhaps it was not really their child after all and they did not want it? A fair amount of ego is involved in those sorts of decisions.

I firmly believe that children are not commodities to be bought or sold or exchanged or returned. The whole idea is deplorable and it is certainly the antithesis of any of my beliefs.

A situation could also arise in which there could be quality control. This is seen on our stud property, where we breed cattle. A human breed plan is a very awesome idea. I know that many people who have their cattle studs computerised can say fairly clearly, just by the parentage on both sides, what the worth of a calf will be to them before the calf is even conceived. I shudder to think that that could ever be translated into human terms. However, it is possible that people could choose surrogate mothers for their intelligence, their beauty, their musical talents or whatever reason, depending on what they are looking for.

In fact, a recent edition of *60 Minutes* on the Channel 9 network about designer babies showed evidence of moves in this direction in the United States.

Mr R. J. Gibbs interjected.

Mrs McCAULEY: Has Mr Gibbs ever thought of giving donor sperm? He could make a lot of money out of at least one of his nocturnal activities.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Alison): Order! The House will come to order.

Mrs McCAULEY: An article on surrogate motherhood in the *Economist* of July 1988 states—

> "Rejection of the child by both sides is a horrifying possibility."

Some American surrogacy contracts already contain clauses binding the surrogate to undergo pre-natal tests, such as amniocentesis, in order to detect and abort if necessary a defective foetus.

If a baby can be sold, why not older children? Where is the line drawn on this issue? Consideration of that aspect raises an interesting question.

What do commissioning parents tell their child—the one that they bought? If they choose not to tell the child of its origins, will that become a dreaded family skeleton in

the cupboard, an awful secret, in much the same way as adoption used to be regarded when I was a child? Those honourable members who are in the same age group as I would know that adoption was not a matter that was freely discussed. These days, the Department of Family Services wisely requires that adopted children be told that they are adopted. How would the child feel when it is told about its ancestry? Would it feel abandoned? Would it feel betrayed?

A Catholic church spokesman, Father Brian Lucas, was reported in an article in the *Courier-Mail* on 13 June 1988 as follows—

> "... surrogacy arrangements failed to take into consideration the rights of children born in this manner."

He went on to say—

> "... surrogacy arrangements deny the right of children to know their true parentage."

Today I heard the honourable member for South Coast speak of her mother with respect and affection. I identified completely with what she was saying because my daughter is always saying that I am becoming more like my mother every day. I know that my daughter means that as a compliment, because my mother is very single-minded and courageous, and she has a very strong belief in standards that she sets. She is very uncompromising. I am sure that that is what my daughter means when she says that I become more like my mother every day.

Another factor to consider in the overall question is whether commissioning parents could be unsuitable and may already have been rejected by adoption or fertility programs on that basis. I have three children of my own, and nothing that I will ever do during my life will compare with the satisfaction of having and raising those children. I therefore have the deepest compassion for those couples who cannot have children. However, I firmly believe that the exploitation of the reproductive capacity of women is wrong. It is morally and socially wrong.

In the famous Baby M case, the New Jersey Supreme Court concluded as follows—

> "... paying women to be surrogate mothers was 'illegal, perhaps criminal, and potentially degrading to women.' "

The Chief Justice went on to say—

> "There are, in a civilized society, some things that money cannot buy."

A Michigan judge said also that a surrogacy contract "denigrates human dignity, especially when there is a monetary exchange", which is unenforceable.

Those comments were made by people who have actually had some experience with surrogacy arrangements. They are in line with Queensland's Demack report, which resulted from a special committee appointed by the Queensland Government to inquire into laws relating to artificial insemination, in vitro fertilisation and other related matters.

When referring to the use of donor eggs, sperm and embryos, Justice Demack made the following comments in his report—

> "These procedures result in the deliberate creation of a child who is dispossessed of any relationship of one or both biological parents."

The report goes on to state as follows—

> "The psychological consequences of this upon the child were likely to be profoundly disturbing."

The report went on to recommend prohibition of both surrogate motherhood and advertisement for surrogacy.

Let us now consider a situation in which the surrogate mother changes her mind and decides to keep her baby—is it her baby?—even though the baby may be genetically related to the commissioning parents. Queensland could well have its own Baby M case. Giving up a baby would be one of life's most difficult decisions. For a start, it is something that I could not do. I ask honourable members to consider the baby Alice

Kirkman case. What if Linda Kirkman, the sister of the woman who was the donor of the ovum from which the baby was created, decided that she wanted to keep that child? That story that everyone saw on television would not have had a happy ending. Instead, it would have been a rather messy affair. Let us also not forget the effects of surrogacy on siblings—the other brothers and sisters. If a child is old enough to understand, how would he or she react to his or her mother selling the new baby? A sense of anxiety, loss and possibly depression would result and that child might be very concerned that he or she might be sold as well. These symptoms are backed up by psychiatric opinion.

Ms Warner: Wouldn't you say we already have that? They have traumas about their biological background.

Mrs McCAULEY: Some do, but I do not believe that it is to the same extent at all.

Ms Warner interjected.

Mrs McCAULEY: No, I believe that is an entirely different stream.

I am aware of the public opinion survey which found that a fair proportion of people do not object to surrogacy. However, I wonder whether they really know what surrogacy entails. I know that the survey has been criticised because it failed to include any reference to the rights of any child so produced. It also included extreme situations which are well outside acceptable public policy.

Recently in Biloela, the Knights of the Southern Cross from the Catholic Church held a week-end seminar and various speakers referred to subjects such as in vitro fertilisation and surrogacy. The fostering of community awareness of these social issues is very important and necessary and there should be more of it.

I was interested to read an editorial in the *Sunday Mail* on 12 June this year. It was rather an emotive editorial that referred in glowing terms to baby Kirkman as the "beautiful baby girl" and slated the idea of outlawing surrogacy. It posed the question, "What is so new about the concept of a host womb?" I know that the article was written by a man. In my opinion, he is a very insensitive man because he was more interested in—to use his words—"couples desperate for babies".

Recently in South Africa, a mother bore triplets for her daughter. The daughter already had at least one child and had her tubes tied, or there was some other problem. She could not have any more children and her mother was implanted with her eggs and bore her triplets. What stuck in my mind when I read about this case was the emotive way in which it was described; the daughter was desperate to have another child or she and her husband were desperate for more children. I do not relate to that at all and that idea is to be deplored.

The more I think about this subject and consider the issues, the more I am convinced that the Queensland Government is on the right track. Clearly surrogacy places children at risk and is not in their best interests. The practice undermines the dignity of women, children and human reproduction. I firmly believe that this Government must do all in its power to prevent a Queensland child from being unfortunate enough to be the subject of a surrogacy arrangement. I am happy to support the Bill.

Mr CAMPBELL (Bundaberg) (9.28 p.m.): If the new reproductive technologies that have made surrogate parenthood a possibility were available in 1940, the proposed Hitler super-race would have been a reality. This Bill is one for the future, not only for Queensland, but also for the whole world. I believe that the new reproductive technologies that have been developed in Queensland will be abused, corrupted and profitised in the Third World.

It is important that this House consider the total world aspects. In the debate so far members in this House have discussed the different aspects of new reproductive technologies and surrogacy. Last week the House debated the Status of Children Act Amendment Bill, which involved the Attorney-General and the legal aspects of the new

technologies. The Department of Family Services is involved in this Surrogate Parenthood Bill, but I am concerned that there is one area that this Government has failed to consider. I call on the Government to immediately look at the possibility of involving the Health Minister in the establishment of a bioethics committee.

What is decided here tonight will affect Queensland, Australia and many other nations. I shall refer to an article in the *Courier-Mail* of 25 June this year that referred to the opening of the Allamanda Private Hospital by the State Liberal Leader. The IVF centre from Victoria has moved to this hospital in Queensland. The article mentions Professor Woods, who will head the medical centre. He said—

> "Unlike most units in Australia, this one has been tailor-made for the IVF program and is twice the size of comparable units.
>
> Despite some suggestions, we haven't come to the Gold Coast to avoid Victoria's laws.
>
> We will be guided on the coast by the hospital's ethics committee and the Queensland Government."

Mr Hayward: It is one of their new industries.

Mr CAMPBELL: That is right, that is one of the new industries that is coming to Queensland.

Why did it set up at the Gold Coast? I am concerned that in future a tourist package will be put together to take advantage of Queensland's, and Australia's, low-cost medical centres. Women from the United States and Japan will come over here on a hospital package and get pregnant. Where will it end? Will frozen embryos from other nations be kept here to be used in the thriving industry that is being developed on the Gold Coast? What will happen then? When these people come here, what will the overseas ramifications be?

Mr Palaszczuk: People farms.

Mr CAMPBELL: Yes.

Honourable members must be aware that the legislation before the House will affect not only Queenslanders but also people in other countries. Because Queensland does not have the same laws, doctors have already come from Victoria to take advantage of what could be regarded as baby farms. We do not know where this technology is going. If we of this Legislature do not take action now, the technologists will get out of hand. Already there is talk of a trade in human parts. An article in the *Courier-Mail* last week dealt with embryo serum research, which had been discussed at the Australian Bicentennial Medical Congress in Cairns. It states—

> "Australian researchers would study the potential for treating genetic diseases by injecting week-old embryos . . ."

Where is the sanctity of life when people are already saying these sorts of things? Dr Alan Trounson of the Centre for Early Human Development said—

> ". . . discarded human material such as excess embryos from IVF procedures, could eventually be used to help grow new blood cells in people with disorders. . . . embryos from ectopic pregnancies (outside the uterus) also are just thrown away and I think people have to consider if they should be used."

Surrogacy raises many questions and answers none. We are told, "Everything will be all right. We have good controls here." The only control is the honour of medical people themselves. An article in the *Sunday Mail* of 12 June this year headed "Brisbane IVF unit re-opens" quotes Dr John Hennessey, the Queensland Fertility Group head. The article states—

> " 'I believe all the ethical dilemmas have been resolved,' Dr Hennessey said. 'We have very strict guidelines.' "

Dr David O'Sullivan, the president of the Medical Guild of St Luke's, which is a Catholic doctors' association, is quoted in the following way—

> " 'We are concerned that human beings (the foetus) are being exposed to manipulation and scientific procedure,' he said. 'Infertility is a tragic condition, but we feel the life of every human should be respected.' "

I agree with the first part of that quotation. What is in the second part should be questioned. Tonight I have been worried about the attitude of sympathy that has been expressed for infertile women. They can, and do, play a useful role. They should be treated as such and should not be patronised. Sympathy should not be expressed to them because of their condition. They have to be shown that just having babies is not the only end.

It is time that we stopped believing or pretending to believe that research is neutral, while only its applications can be good or bad. It is at the beginning of discovering that one must make ethical decisions. This is probably the most important technological question that we will have to answer since the development of nuclear power, nuclear technology and the development of nuclear weapons.

Our parents and other people of that era made the mistake of not questioning the scientists at that time. If we do not tonight, and if we do not next week—we should have done it last week—question what is being done with human tissue and human embryos, we will be failing our children and our grandchildren.

In vitro fertilisation continues to fulfil the law of unforeseen consequences, with new fears adding to the existing legal and ethical nightmare which surrounds the research. Although concern has developed about international trade in frozen embryos, thousands of which are stored in Australia, the first scientist to produce a test-tube baby in France has denounced his role and warned of the potential of wholesale abuses in the program. With about 10 000 embryos stockpiled around the world, scientists have warned that international trade in this marketable commodity could develop unless stringent safeguards are introduced. About one-third of these frozen embryos are stored in Australia.

Honourable members should be very concerned. In his second-reading speech, the Minister showed that we are on the right track and that we are taking the decisions that we, as responsible parliamentarians, should be taking on behalf of the community. He said—

> "It is the strong belief of members of the Queensland Government that to use or to pay another human being to reproduce is the ultimate in dehumanisation. We are of the opinion that a baby must not be treated as a commodity to be purchased. It must not be the subject of traffic in any form."

What action will the Government take about the clinic on the Gold Coast? Why would those people come to Queensland from Victoria other than for profit? The reason is that they were being too heavily controlled in Victoria.

The Minister should ask the Minister for Health to take immediate action on the matter. What the Parliament is doing tonight with the surrogacy legislation is not enough. We must go further. The Status of Children Act Amendment Bill took some action on behalf of the children. Surrogacy is another aspect; but we must go much further. All honourable members have that responsibility.

In the preamble to the International Covenant on Civil and Political Rights, it was regarded as the inherent dignity of a civilised community that it places great value on each human being; it condemns any form of scientific experimentation on human beings without informed consent; it condemns any trade in human life or tissue; it gives equal access to medical treatment irrespective of the individual's capacity to pay for the cost; and it treats the welfare of an individual child as of paramount importance.

What decisions were made about the use of embryonic tissue, whether it will be used in further experimentation or not? As members of Parliament, what do we know about the experimentation that is going on in the hospitals? We are told that, because

they are religious organisations, everything is under control. Many other so-called religious organisations have made some very tragic decisions that have affected the lives of many children. Considering the ethical, moral and legal aspects of the matter, the technology debate is of so much importance.

In the Demack report of 1984, the aspect of control of medical technology was examined. Surrogate parenthood is one aspect of the direction of medical technology. That report stated—

> "However, there are many in contemporary society who take the view that technological advance is not always an unqualified good, and in several areas of scientific and technological development there is evidence of widespread concern about the dangers or perceived dangers which may accompany such development. There is accordingly a disposition to assert that science and technology should not be allowed to develop without some measure of control in the public interest, so as to ensure that they are used to enhance human welfare and not to harm it."

The other side was also argued in the same report. It states—

> "There are some who would argue that the imposition of any fetters on scientific work would be wrong, and that scientists must be left free to advance knowledge unimpeded by any restraints. It is claimed that the immense progress achieved by science has occurred only because and to the extent that scientists have been able to pursue their work in freedom, and that they cannot and must not be asked to accept restraints on that freedom. It is said also that the public control of scientific or technological research is pointless, since it operates only to impede those subject to the authority which imposes the control and cannot prevent the research being conducted elsewhere."

I believe that that action must be taken. The Government has to ensure that standards are set so that technologies that are developed not with human beings but in the veterinary sciences will not be used to dehumanise the human race.

It is becoming accepted more and more that even the advance of scientific knowledge is not an absolute goal to be pursued by any means, without regard to its consequences for society, and that control over technology is justified to the extent necessary to ensure that it does not become a tool with which to harm society.

I believe that this Parliament is confronted with one of the major decisions that it must make in regard to the moral aspects of technology, not only in this decade but also in the next decade. It is important to ensure that Queensland has a bioethics advisory committee, as proposed by Demack in his 1984 report. It is important that that be investigated now.

Mr Justice Demack made the following proposal—

> "The Committee recommends the establishment of a Queensland Bioethics Advisory Committee to advise the Queensland Government, medical organisations and institutions, in relation to bioethical issues and to continue the work carried out by this Committee.
>
> It should have a composition which reflects varied expertise, perspectives and experience, and it should be enabled and required to consult widely before submitting its recommendations.
>
> Its primary role would be to advise the Queensland Government through the Minister for Health, on ethical guidelines which should be observed by those undertaking research into human reproduction and human fetal development, as well as those undertaking experimental forms of treatment for infertility."

There are many controls contained in that recommendation. Over the last two weeks honourable members have seen that this Government has refused to take responsibility for actions of sections of its public service. I am talking about the Fitzgerald inquiry.

Mr Austin interjected.

Mr CAMPBELL: The Government did nothing for decades.

It is important that the Government does not come back and say, "If these experiments are taking place, if this dehumanisation is occurring in laboratories in Queensland, we knew nothing about it, so we are not responsible." I do not believe that the Government can adopt that attitude. I do not believe that honourable members can say, "We can allow this to happen". It has already happened in the police force. It cannot be allowed to happen with researchers in the medical field.

That brings me again to what is happening on the Gold Coast. People only come to Queensland for one reason: if there is a long waiting-list, there is a profit to be made. When profit is involved, people will manipulate and abuse the freedoms they are given.

I turn to what people in the medical profession believe about this experimentation. In an article entitled "Regulating Reproductive Technology: The Role of Ethics Committees", contained in the *Australian Health Review* of 1988, Peter Drahos states—

> "Professor Lewis Waller has described the present system as essentially an honour system. According to Professor Waller: 'An honour system can work only where people are honourable. Is honour enough? My feeling is that it is not . . . The honour system ends where honour ends.' "

That is what people in the medical profession believe. That should be borne in mind by members of this Parliament.

Queensland is talking about setting up an ethics committee. One has to be very careful to ensure that such a committee works properly. A report has been made on the 41 ethical committees in Scotland.

One of the findings in that report states—

> "In their present form research ethical committees do not satisfy fully the interests of the public or the research worker. There is inadequate representation of lay interests at all levels, and with most committees maintaining strict confidentiality over their proceedings there is little other scope for public accountability. The limited use of expert assessors and capricious monitoring leave the research worker in a state of uncertainty."

Even there it is stated that if an ethical committee is established, it will come back to places such as this Parliament. It is important that members on both sides of the House be appointed to such a committee on a non-political basis, to ensure that once the committee is set up, there is a reporting-back to the people who are ultimately responsible, and they will be the members of this Parliament.

The report also stated—

> "There will always be some researchers who, for reasons of personal ambition or a blind pursuit of a scientific truth, will place human subjects at risk and ethics committees, whether because of favouritism, laziness, inefficiency or a lack of resources will sometimes approve projects with such risks."

I raise the issue about the AIDS disease. Research teams have been trying to take the credit for making discoveries first. That will happen particularly in areas of competition. The subject of profit is something that we have been looking at all the time with the privatisation of many areas of the health system. Honourable members must be very concerned about that.

Dr Edwards was one of the researchers who were able to develop the first test-tube baby, Louise Joy Brown. Referring to his own Bourn Hall, he said—

> "Here, as in centres in Australia, Europe and the US, tomorrow's children await their chances of life in neat rows of incubator shelves or frozen in a chilling biological time zone inside milk-can-like containers of liquid nitrogen."

How insulting! How we are looking at this aspect that is all part of surrogacy and parenthood of the future! I believe that we have to take action now. In many ways the Minister is taking action. The Opposition supports the Bill except for one part of it. The Opposition spokesman will question part of the legislation because of our concern about the application of the law not only interstate but also overseas.

I return to the Gold Coast example to examine some of the ramifications of the legislation. Is the Minister going to outlaw Japanese surrogate mothers coming to Queensland, returning to Japan and having their children there? Will the Minister allow our technologies to be used? How will that be stopped? How often will the Department of Health inspectors go to the Gold Coast to ask, "How many frozen embryos are here? Who owns them? Who is going to be able to use them?"?

Mr McKechnie: Do you want me to answer now?

Mr CAMPBELL: The Minister need not do that now; he can answer those questions later.

I have pointed out some of the concerns that I believe are important, because the Minister and I will come under a lot of pressure. There will be emotional examples of a loving family together with a baby. It is very hard to argue against that. When we look at individual examples, we will always say, "Yes. We have to go ahead and do it." However, I believe that we must consider the ramifications of the overall complexity, ethical and moral aspects of it. I believe that this Bill has acted on those issues. That belief must be carried through.

In respect of the complex rights of the child, the editorial in the *Courier-Mail* on 11 June 1988 stated—

> "If there is one simple aspect of this whole complex affair, it is this: whatever moral, medical, ethical, biological and social resolutions are reached, the interests of the child should be paramount. If the child can be brought into a warm, loving and caring relationship, and bring immense pleasure to otherwise-saddened couples, the complex moral and ethical issues might be more easily resolved."

We must be very concerned about the consequences not only for Queensland but also for the rest of the world. The technologies that are developed here should not be abused either in Queensland or other parts of the world.

Hon. P. R. McKECHNIE (Carnarvon—Minister for Family Services and Welfare Housing) (9.50 p.m.), in reply: I thank all honourable members for their contributions. I listened very carefully to all of the points that were made. I note that the Government speakers confined themselves almost totally to the Bill before the House. They spoke about surrogacy and very little else, which is the purpose of the debate. I commend those members for the research that they have done, which allowed them to speak for so long. I noted also that the Liberal spokesman, the honourable member for Ashgrove, confined himself mainly to the Bill. I will shortly come back to something he said.

The Opposition spokesmen were genuine in what they said, but they did not confine themselves to discussing the Bill; they moved on to other subjects outside the Bill about which they were worried, in particular the bioethics advisory committee. Although I acknowledge that that committee does not come within my portfolio, I am advised that a Commonwealth committee does exist. People are waiting to see how effective that committee is. As yet, there has been no demonstration of what will finally come out of that committee. Of course, hospital bioethics committees already exist.

Because he favoured a certain newspaper article in which a university professor described a book which I have read, the honourable member for Ashgrove upset the honourable member for Murrumba. I have that book here and I found it very interesting reading. The professor stated that the member for Murrumba co-authored the book and said that it was justifying the anticipated technology of cloning, the artificial womb and genetic manipulation of embryos to customise babies to consumer wishes. The professor

stated that the authors also approved infanticide for birth defects and low-birthweight babies, euthanasia and, of course, abortion. I do not intend to speak on each of those aspects.

Mr Wells: You know very well that a lot of those views are not expressed in the book. They do not represent views that I hold.

Mr McKECHNIE: I do not intend to say whether those views are accurate, or not. I noticed that the honourable member took objection to the lot, not just some. He said that they were not his words.

Mr Wells: I said that Hiram Caton's article did not reflect my own views.

Mr McKECHNIE: That is right. I acknowledge that that is what the honourable member said.

To take one central example, it was stated that both authors argued that a very early embryo is not the bearer of rights. No doubt that coincides with the honourable member's views on abortion.

Mr Comben: That is not logical.

Mr McKECHNIE: If the honourable member read the book, it would be.

Ms Warner: Have you read the book?

Mr McKECHNIE: Yes, I have read the book.

The professor also mentioned cloning and stated—

> "Our suggestion therefore is this: the genetic endowment of children should be in the same hands as it has always been in—the hands of parents. But parents who wished to use genetic engineering to bring about a characteristic which had not previously been sanctioned by society through its government, should have to apply for permission."

The authors go on to talk about how there should be a particular body to which people can apply. If they do not believe in cloning, why would those authors advocate the setting-up of a committee?

Then there is reference to the artificial womb. It should be borne in mind that the honourable member for Murrumba denied the lot.

On page 130 the book states—

> ". . . this comparison led us straight to the conclusion that the Surrogacy Board should permit full surrogate motherhood."

That is not an artificial womb in that the mother is going to eventually own the child that is in her womb.

Ms WARNER: I rise to a point of order. The Minister is referring to material that has not been raised in the debate. In case he did not notice, the honourable member for Murrumba did not rise to take part in this debate. The Minister is moving away from the points that he should be addressing.

Mr DEPUTY SPEAKER (Mr Row): Order! There is no point of order. The honourable member does not get a second chance to debate the issue.

Mr McKECHNIE: I really think that the honourable member for Murrumba has misled the House. There is no doubt about that. He made a denial in this House in response to what the honourable member for Ashgrove said. I have demonstrated just three points. I stress that in order to do my research, I have read every word in this book. I am delighted—I truly am—that Opposition members generally, with one exception, support the Bill. I congratulate the Opposition on supporting what the Government and I are trying to do. However, I am absolutely amazed that the honourable member for Murrumba was not one of the speakers in the debate. It will be very interesting to

see how he votes on this Bill because in my opinion his views are quite the opposite to what the Opposition is saying here.

Mr Wells: I will work out what my views are, Minister. I don't need to tell you to tell me what my views are. You may have read that book but you didn't understand it. I would suggest to you that you should spend some time learning your portfolio rather than reading grown-up books that are too difficult for you.

Mr McKECHNIE: Now we get to the intellectual snobbery of the honourable member opposite, who tries to say, "I have written the book. I understand it. I have this great education and no ordinary person could understand what I have written." He has made that very clear. I think Professor Caton was very accurate in the way in which he described what the honourable member said. I notice he is not taking a point of order on my saying that because he knows that I have read the book.

Mr WELLS: I seek to make a personal explanation.

Mr DEPUTY SPEAKER: Order! Is the honourable member rising on a point of order?

Mr WELLS: I seek to make a personal explanation.

Mr DEPUTY SPEAKER: Order! The honourable member is not allowed to make a personal explanation.

Mr McKECHNIE: To conclude—I think that honourable members generally have treated this Bill seriously. I congratulate all honourable members—with the exception of the honourable member for Murrumba, who I think misled the House—for the way in which they have accepted the Bill.

Motion agreed to.

Committee

Hon. P. R. McKechnie (Carnarvon—Minister for Family Services and Welfare Housing) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—

Ms WARNER (10 p.m.): I move the following amendment—

"At page 3, omit lines 6 to 8."

Effectively, the omission of "or (b) the offender is ordinarily resident in Queensland at that time, irrespective of where the act occurs." means that clause 3 (2) will read—

"(2) A person who does an act that is prohibited by subsection (1) commits an offence against this Act and is liable to be punished therefor if—

(a) the act occurs in Queensland, irrespective of the whereabouts of the offender at that time."

The remainder of subclause (2) will be deleted.

The reason that the Opposition seeks the amendment is that the second part of the clause attempts to use Queensland law in an extraterritorial sense, that is, to chase the residents of Queensland all over the other Australian States and perhaps all over the world to try to limit their activities according to the norms that apply in this State. A fairly poor precedent in general terms was set by the Queensland Government in 1987 when the Education Act and Another Act Amendment Bill was presented. The legislation was fairly unpopular and the Government was forced to withdraw it many times. In that legislation, section 37 amended section 62B of the previous legislation and required

the reporting of a non-indictable offence that was committed elsewhere if the offence would have been indictable in Queensland. It seems that the Queensland Government has a desire to proclaim almost anybody a Queenslander.

The Opposition also has difficulty in accepting the term "ordinarily resident in Queensland". What does that term mean? Does it apply to a person who goes away for a week, two weeks, three weeks or a year? How will those matters be determined? I suspect that the clause will place citizens in a quandary about their rights in the circumstances referred to in clause 3.

I wish to point out also that in virtually every other State in Australia, the question of surrogacy is banned. Therefore, clause 3 is actually unnecessary. It sets a poor precedent and is likely to be misinterpreted and create confusion.

Mr SHERLOCK: The Liberal Party does not support the amendment put forward by the ALP. The Liberal Party supports the Government and the clause as it now stands.

During the second-reading debate, I said that the whole position of surrogacy will not be clear in Australia until legislation is in place in all of the States. All honourable members would know exactly what has happened.

I understand that in approximately half the States in the United States of America, legislation is in place. In States that do not have legislation, I understand that surrogacy arrangements are being made. Recently, a report appeared in the newspapers about a Western Australian couple. I remind honourable members of the Alice Kirkman case in which a woman's sister acted as a surrogate mother. An application is now before the court for the infertile woman to adopt the child so that she and her husband will be the social parents of the child. By following that precedent, the Western Australian couple intend to be resident in Victoria for a period so that they can enter into a similar type of arrangement. I believe that if the Queensland Parliament passes this legislation tonight and prohibits surrogacy, an endeavour should be made to close all the loopholes to protect everybody involved.

I have some doubts about some of the provisions in the legislation. I am advised that it may be difficult to pursue this legislation in other States. Perhaps the Minister is aware of that difficulty. He may like to comment on how the legislation might fare in a court of law.

In conclusion, I reiterate that the Liberal Party does not support the Opposition's amendment.

Mr WELLS: I rise to support the amendment moved by the honourable member for South Brisbane. The clause as it stands would have the effect of making Queenslanders subject to Queensland law irrespective of where they were in Australia. If a Queensland resident went to Victoria or South Australia to legally undergo an operation similar to the one undergone in the Kirkman case and then returned to Queensland, in principle that person could be thrown into gaol for three years. The legislation is silent about what would happen to the child who was born as a result of that act, an act which was perfectly legal in the place where it was carried out.

Mr FitzGerald: The Status of Children Act covers that, doesn't it?

Mr WELLS: No, it does not. The Act is silent about what would happen to the child. I do not know whether the child would be thrown in gaol with its mother or would be given its liberty.

This Committee is debating a clause which gives extraterritorial effect to a Bill which carries a penal provision. To give extraterritorial effect to a clause such as that is contrary to the spirit of common law, contrary to the spirit of the statute law of Queensland and contrary to sound policy, and is a symptom of a degree of legal paternalism that is creeping into this Parliament. It is creeping in by virtue of the fact that later in this session the Government will attempt to introduce a provision into the Criminal Code which will give extraterritorial effect to the determinations of this

Parliament. To do that is a very serious thing indeed and to sneak it in as part of a Bill like this is a very, very dubious exercise. It is the thin end of the wedge. If this Committee agrees to give this Parliament sweeping extraterritorial powers of this kind in a Bill such as this, the way will be open to do it in all Bills and the consequences of that will be very severe.

Sir William Knox: It allows States to make laws affecting things across the border. That was done many years ago.

Mr WELLS: I thank the honourable member for the benefit of his historical knowledge which comes more from memory than from research.

I wish to go back a little into the history of extraterritoriality—although not in any great detail—firstly in common law and secondly in the statute law of Queensland. Honourable members will be aware that common law works by virtue of——

Mr Gately interjected.

Mr WELLS: It is fortunate that this Committee is debating the Surrogate Parenthood Bill, because if the honourable member for Currumbin ever delivered a clever remark it would be a clear case of surrogacy.

Mr FitzGerald interjected.

Mr WELLS: If the honourable member for Lockyer ever conceived a good idea it would have to be by artificial insemination.

Mr McKechnie: You wouldn't be a donor.

Mr WELLS: And the less said about the Honourable the Minister, the better.

The TEMPORARY CHAIRMAN (Mr Burreket): Order! I ask the honourable member to refer his comments to the Bill. The Committee is dealing with a clause in the Bill and the honourable member has had an opportunity to make those comments.

Mr WELLS: Honourable members will be aware that the common law works by virtue of a court determining a particular case before it and outlining a rule which becomes a precedent. This rule is followed in subsequent cases, or narrowed down. The general rule on extraterritoriality in common law was that the Legislature of a State is only entitled to impose criminal consequences upon acts occurring within its own territorial limits. That was decided in the case of Macleod v. Attorney-General (NSW). That was reaffirmed by no less a jurist than Sir Samuel Griffith, the greatest of Queensland's judges, when he said in the case of Re Caruchet—

> "There is no doubt that the tribunals of Queensland have no jurisdiction to deal with offences committed beyond the territorial limits of Queensland."

Over the years that strict doctrine limiting extraterritoriality was narrowed down. In the 1975 Queensland case of Barnes v. Cameron, which was a case concerning the low-water mark; whether a nuisance could be committed above the low-water mark; whether a nuisance could be committed about the low-water mark and whether that was outside Queensland's territorial limits. In that case it was held—

> "That, even assuming that Queensland (including Green Island)"—

which was the site of the case—

> "did stop short at low water mark, the Queensland Parliament had power to make laws having operation beyond the low water mark provided that those laws may fairly be said to be laws for the peace, welfare and good government of Queensland."

That restriction exists; nevertheless the common law acknowledges that degree of extraterritoriality. However, there is a principle of the common law that any legislation that purports to take extraterritorial effect will be read down; that principle of common law is intact and exists now. Consequently, I make the first point, that is, that this legislation goes against the spirit of Queensland's common law.

The second point is that this legislation goes against the spirit of Queensland statute

law. Honourable members will be aware that the Queensland Criminal Code was drawn up by Sir Samuel Griffith. In a letter, he said—

> "In consequence, perhaps, of the insular position of England, the common law appears to contain no provision as to the punishment of an offender in a case where several acts or events are necessary to constitute an offence, and where some only of these acts or events occur within the jurisdiction, the rest occurring out of the jurisdiction; such, for instance, as the case of a man who, standing in Queensland territory, shoots a man standing in New South Wales . . ."

He went on to say that the Criminal Code that he was drawing up was designed to cope with cases like that, cases that involved a man standing in one State who shoots somebody in another or in cases where somebody does something that has an effect in another State or vice versa. That indicates the extent to which the penal law of Queensland, as conceived by Sir Samuel Griffith, was prepared to countenance this sort of extraterritoriality. This legislation goes very far beyond that. It goes to the extent of saying that somebody who does something in another State, which is perfectly legal in that State, will nevertheless by pursued by Queensland law. I make those two legal points.

Sir William Knox: Very well made, too.

Mr WELLS: I thank the honourable member for his witty, erudite and astute interjection.

I shall now turn to the question of the enforcement of this provision. A Parliament that constantly enacts provisions that it cannot enforce will bring itself into disrepute. How precisely will the Government enforce a provision that says that something that is legal in another State, but is illegal in Queensland, will be illegal nevertheless? How does the Government intend to override the laws of another State? How will the people be apprehended, unless they return to Queensland? It does not make sense. The Government does not have the apparatus to do that. Does it intend to send Queensland police down to Victoria, South Australia or wherever it is to make sure that Queensland law is not contravened? The law is not enforceable. Worse than that, it cannot be made universal. If a Government takes a proposition such as this one that imports extraterritoriality; if it says, "Queenslanders have no right to do this and, what is more, they have no right to do it anywhere"; and if other States do exactly the same thing, what will happen is that one State will have legislated that a person has a right to do something and that he has the right to do it anywhere and another State will have legislated that a person does not have a right to do something and that it cannot be done anywhere. How will that work? That will lead to legal chaos. It just cannot be made universal.

I would have thought that a party like the one opposite, which believes in the Federal system, would believe to a certain degree in the proposition that each State has its own jurisdiction and each State can experiment in terms of the laws that it has and can develop its own body of laws. If the Government does not believe that, by all means it can undermine the Federal system by the action it is taking, but if it intends to try to make Queensland law apply to the whole of Australia, what it is doing is undermining the federalism that it purports to believe in.

Ms Warner: They are not Federalists; they are Imperialists.

Mr WELLS: I thank the honourable member for South Brisbane for her analysis.

I shall conclude by referring to the legal paternalism——

Mr Austin: Hear, hear!

Mr WELLS: I thank the Minister.

I shall refer to the legal paternalism that is endemic in this clause and that will be seen again in other clauses that this Government is to bring before the Chamber.

Queenslanders are not children who are to be told, "Not only will you not do what is against the law of Queensland when you are in Queensland, but also you will not do what is in accordance with the law in other States when you go to other States." Queenslanders cannot be treated like that. It is not as if a father is saying to his child, "Yes, son, you can take the car out, but come home at 10 o'clock and make sure you don't drive it anywhere in the meantime." That is not the sort of situation that we are in. We are dealing with adults. We are dealing with Queenslanders who have every right to make up their minds to be law-abiding citizens in whatever place they choose.

How will we identify them if they act in breach of this legislation? The Bill says that if they are ordinarily resident in Queensland, they can be caught by this provision. If people live in Queensland and go to New South Wales, how will we know? Will we send members of the police special branch down to catch people who are breaching Queensland laws? I repeat that I am not merely talking about the clause in this Bill, because it will come forward in another Bill later on—in the Criminal Code legislation. How will they be identified as Queenslanders? Will they be branded or will they have to wear a black armband? It does not make sense.

This clause is a paternalistic clause and one that is against every principle of law, both common law and statute. It is a principle that is an insult to the intelligence of the people of Queensland.

If the Minister were serious about his Federal principles, which he constantly articulates, he would withdraw this clause and say, "Fair enough. Let's confine our legislation to Queensland." I repeat that the people of Queensland are not children and they do not have to be told what to do when they are out.

Mr McKECHNIE: The Government does not accept the amendment. It wants to give the strongest message possible to the people of Queensland that it believes that surrogacy and the problems that are caused by it are bad.

Mr CAMPBELL: As the Minister will not accept the amendment, could he define what "ordinarily resident in Queensland" means, for a start?

Mr McKECHNIE: I think that it is quite clear. Obviously, if it is not clear to somebody, it will be tested in court one day. I believe that most Queenslanders want to abide by the law. The legislature is giving a very clear message as to what it believes is surrogacy and what is legal and what is not legal. The people will abide by the law.

Mr CAMPBELL: I raised that question because some people could have two residences, one in New South Wales and one in Queensland, and spend time in each State. They must have a proper definition. It is no good going to a judge and asking him to decide whether——

Mr Casey: Sir Justin Hickey did this and got a knighthood.

Mr CAMPBELL: Sir Justin Hickey got a knighthood because of it.

This legislation creates a legal precedent, which is very bad. If the Minister accepts this as a precedent, he is saying that, if someone does something in New South Wales that is legal there but illegal in Queensland, when that person returns to Queensland he will be arrested. Does that mean that, if the law is changed, next week people can be arrested for playing poker machines in New South Wales?

Sir William Knox: You can't.

Mr CAMPBELL: It can be changed. It says that here.

The legislation sets a precedent. Honourable members should be very concerned about it. The legislation does not clearly define what it means to be ordinarily resident. Instead of putting wishy-washy clauses in legislation without having them properly

defined, the Government should leave them out. By leaving that type of clause in the legislation, the Government will spoil a good Bill. I am sorry to say that when the Bill becomes law, because of that type of clause it will not be a good Bill.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 52		NOES, 21	
Ahern	Lickiss	Ardill	
Alison	Lingard	Braddy	
Austin	Littleproud	Campbell	
Beanland	McCauley	Casey	
Beard	McKechnie	Comben	
Berghofer	McPhie	De Lacy	
Booth	Menzel	Gibbs, R. J.	
Borbidge	Muntz	Goss	
Clauson	Neal	Hamill	
Cooper	Nelson	Hayward	
Elliott	Newton	Mackenroth	
Fraser	Perrett	Milliner	
Gamin	Randell	Palaszczuk	
Gately	Row	Scott	
Gibbs, I. J.	Schuntner	Smith	
Gilmore	Sherlock	Smyth	
Glasson	Sherrin	Vaughan	
Harper	Simpson	Warner	
Harvey	Slack	Wells	
Henderson	Stoneman		
Hinton	Tenni		
Hobbs	Veivers		
Hynd	White		
Katter			
Knox	*Tellers:*		*Tellers;*
Lee	FitzGerald		Davis
Lester	Stephan		Prest

Resolved in the affirmative.

Clause 3, as read, agreed to.

Clause 4, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

HOLIDAYS ACT AMENDMENT BILL

Second Reading

Debate resumed from 16 March (see p. 5239, vol. 308).

Mr VAUGHAN (Nudgee) (10.30 p.m.): This is a simple Bill to legalise a custom and practice that has been in operation for quite some time, contrary to the provisions of the Holidays Act.

As the Minister indicated, section 10 of the Holidays Act provides that all holidays granted under the Act and all Saturdays are bank holidays.

Section 10 (4) of the Act provides that all banks and insurance companies shall be kept closed on any day or half-day which is a bank holiday. However, as we are all aware, banking facilities operate at the RNA Show on all days that the show is on and at many of the country shows throughout the length and breadth of the State.

Mr DEPUTY SPEAKER (Mr Row): Order! The Chamber will come to order. There are far too many members standing in the aisles.

Mr VAUGHAN: The Bill inserts a new subsection in section 10 providing that banks operating within the confines of an annual agricultural, horticultural or industrial show may remain open on any bank holiday falling within the period of the show.

I note that the Minister has indicated that the amendment has been discussed in detail with the Queensland Bankers Association, which fully supports the proposed amendment. However, I understand that the matter has not been discussed with the relevant unions whose members are required to work on the days in question.

I would have thought that it would be logical to talk to all the parties involved, particularly since the provisions of the Act have been breached for a considerable period of time without the substantial penalties prescribed by section 10 (6) being incurred.

The amendment refers to an agricultural, horticultural or industrial show. As I understand that Expo could be interpreted as falling within the definition of an industrial show, and as the Westpac Bank is operating at Expo, it might have been a good idea to have had this legislation in place before Expo opened. Perhaps in his reply the Minister may care to tell us what the position is with Expo. In the circumstances, the Opposition supports the Bill.

Hon. Sir WILLIAM KNOX (Nundah) (10.32 p.m.): The Liberal Party supports the legislation. One aspect that interests me—the Minister might have had the opportunity to consider it—is the electronic transfer of funds and the use of those facilities at shows and other venues on show holidays. I have assumed that those facilities are outside the control of this legislation, but they also have to be serviced. I am pleased that those facilities are provided at various shows. They take pressure off the normal banking system.

Mr DEPUTY SPEAKER: Order! There is too much audible conversation in the Chamber. The Chamber will come to order.

Sir WILLIAM KNOX: I presume that banks are thinking seriously about providing electronic transfer facilities at shows, even though some extra cost might be involved. I take it that they are not affected by this legislation in any way.

One particular aspect of this legislation concerns me, namely, the failure to advise the public at large as to when particular holidays will occur. It is extremely difficult to get a complete and up-to-date list of proposed holidays. In this modern age, with modern communications and people travelling over long distances in relatively short periods, it would be very valuable if the people of this State and those who travel through it could be given notice of when holidays will occur.

More than 100 holidays are held each year, ranging from picnic holidays, Legacy holidays, ex-servicemen's holidays, show holidays and other holidays that are granted for various purposes in small localities. But because of the failure of those people who apply to the Minister for permission to hold those holidays to do so sufficiently ahead of time, it is not possible to obtain a diary that contains all prospective holidays. It has been argued that because local people know when a holiday is to be held, there is no need to worry about advising other people ahead of the event.

The tourist industry is growing very rapidly. Tourists and business people need to know the holiday circumstances of the various towns that they may be visiting. There is nothing more disconcerting for tourists from another part of the State or another part of Australia than to arrive in an area believing they can get accommodation, only to find that it is the show holiday and all the accommodation is booked out for 10 miles around.

Even the yearly diary produced by the Queensland Government does not produce a list of all the show holidays for the year. Again, that happens because of the failure of the people responsible to apply in time so that reasonable notice can be given. I know that, as soon as all the holidays are allotted, the Minister takes steps to produce a list in the *Government Gazette*, but that usually occurs well into the year in which the holidays are granted. In fact, some of the holidays have already passed when they are

gazetted. The time has come when reasonable notice should be available so that the holidays can be printed in publications.

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (10.36 p.m.), in reply: I thank the two members for contributing to the debate tonight. It is obviously very sensible for the Government to legalise something that has been happening unofficially for quite some time. This legislation will allow banks to provide services at shows and other similar events. After all, it means that those people who have exhibits at the shows will be able to bank their money, which is much safer.

In reply to a comment by Mr Vaughan—I had understood that the unions had been contacted. That was the information that I was given. I understand that the unions are quite happy with the legislation. That is all I can tell the honourable member. I cannot look him straight in the eye and say that it has happened. I am quite sure that they were told, and they certainly have no complaints about it. The Bill has been in the Parliament for a long time. They have had plenty of time to talk to me about it.

I point out that there are no trading hours at Expo. The Expo legislation was devoid of any times for trading hours.

I agree with many of the comments made by Sir William Knox, but it should be borne in mind that it would be difficult to produce a calendar that showed every holiday throughout Queensland. It certainly would be crowded. There would be some difficulty writing in every coloured square just what the holiday was. It should be noted that the consumer affairs calendar, which is produced by my department, goes a long way towards achieving that. Not every holiday is shown, because it would fill up the whole calendar. However, the school holidays, as well as many other important holidays, are shown. It goes a long way towards achieving what the honourable member suggested. Nevertheless, the point is relevant. I will investigate it further to see if there is some way in which all the holidays can be shown. I do not think the problem will be overcome totally.

I thank the two members for their most spirited contribution to this debate. This legislation will shape the future democracy of the State of Queensland.

Motion agreed to.

Committee

Clauses 1 and 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

The House adjourned at 10.41 p.m.