Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 6 SEPTEMBER 1989

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Mr SPEAKER (Hon. K.R. Lingard, Fassifern) read prayers and took the chair at 2.30 p.m.

ASSENT TO BILLS

Assent to the following Bills reported by Mr Speaker—

Referendums Bill;

Electoral and Administrative Review Commission Bill;

Constitution (Referendum) Bill;

Trustee Companies Act and Another Act Amendment Bill;

Traffic Act Amendment Bill;

State Transport (People-movers) Bill;

Local Government Act Amendment Bill;

Legal Aid Act Amendment Bill;

Food Act Amendment Bill; and

Constitution (Office of Governor) Act Amendment Bill.

PETITIONS

The Clerk announced the receipt of the following petitions—

Cigarette-advertising

From **Mr White** (130 signatories) praying that the Parliament of Queensland will legislate to ban cigarette-advertising and provide alternative funding for sporting and cultural activities.

Route 20 Environmental Impact Statement

From **Mr Milliner** (785 signatories) praying that the Parliament of Queensland will take action to withdraw option 3 from the Route 20 environmental impact statement.

East Brisbane-Coorparoo Fly-over

From **Ms Warner** (561 signatories) praying that the Parliament of Queensland will ensure public discussions are held on alternatives to the proposed fly-over from East Brisbane to Coorparoo.

Russell Island

From **Mr Clauson** (86 signatories) praying that the Parliament of Queensland will take action to allow certain citizens to make submissions at the bar of the House on the future of Russell Island.

Petitions received.

PAPERS

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

Report of the Department of Lands for the year ended 30 June 1989.

The following papers were laid on the table—

Proclamations under—

Forestry Act 1959-1987

Education (General Provisions) Act 1989
Universities and Colleges of Advanced Education Act 1989
Dairy Industry Act 1989
Sugar Acquisition Act 1915-1989

Orders in Council under—
Statutory Bodies Financial Arrangements Act 1982-1989
Health Act 1937-1989
Fisheries Act 1976-1989
Meat Industry Act 1965-1988
Primary Producers' Co-operative Associations Act 1923-1988
Primary Producers' Organisation and Marketing Act 1926-1989
Stock Act 1915-1989
Sugar Milling Rationalization (Far Northern Region) Act 1987-1989
Veterinary Surgeons Act 1936-1986
Fauna Conservation Act 1974-1989
Forestry Act 1959-1987
Grammar Schools Act 1975-1984 and the Statutory Bodies Financial Arrangements Act 1982-1989
Education (General Provisions) Act 1989

Regulations under—
Health Act 1937-1989
Hospitals Act 1936-1988
Chemical Usage (Agricultural & Veterinary) Control Act 1988
Fishing Industry Organization and Marketing Act 1982-1989
Primary Producers' Co-operative Associations Act 1923-1988
Regulation of Sugar Cane Prices Act 1962-1989
Stock Act 1915-1989
Wheat Pool Act 1920-1989
Education (General Provisions) Act 1989
Education Act 1964-1989
Adoption of Children Act 1964-1988

By-laws under—
Optometrists Act 1974-1987
Meat Industry Act 1965-1988

Statutes under—
James Cook University of North Queensland Act 1970-1987
Griffith University Act 1971-1989

Reports—
Griffith University for the year ended 31 December 1988
Bread Industry Committee of Queensland for the year ended 30 September 1988
Tobacco Leaf Marketing Board and the Tobacco Quota Committee for the year ended 31 December 1988
Navy Bean Marketing Board and the Bean Growers' Co-operative Association Limited for the year ended 31 March 1989

Council of Agriculture for the year ended 30 June 1989

Peanut Marketing Board and the Queensland Peanut Growers' Co-operative Association Limited for the year ended 30 June 1989.

MINISTERIAL STATEMENT

Expo 88 Insurance Agreement

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister for Public Works, Housing and Main Roads) (2.39 p.m.), by leave: It is vital that the House be acquainted with the facts behind the report in the *Courier-Mail* today concerning an Expo 88 insurance agreement because if ever there was a case of not letting the facts spoil a so-called good story, this is it.

The report, by a Jane Doughty, claimed that Cabinet overruled an Expo Authority decision in awarding an Expo insurance contract in early 1985. There is absolutely no basis for such a claim. The *Courier-Mail* report is blatantly wrong. But what is even more sinister is that the *Courier-Mail*—or at least the reporter—was made aware of the facts relating to that specific issue during the making of her inquiries for the report.

Late on Monday afternoon the reporter contacted Mr Dick Forsyth, my press secretary, presumably on the basis of my former role as Minister for Expo. The reporter inquired about the Expo insurance contract and indicated that she had information that Cabinet had overturned a recommendation of the Expo Authority in awarding a contract to J. W. Bell and Associates, the principal of which was related, she said, to the Honourable Brian Austin.

After some initial inquiries, Mr Forsyth telephoned the reporter and advised that, because certain people could not be contacted at that time, the matter would have to be researched the following day. Yesterday afternoon, following the receipt of relevant documentation, the reporter was contacted again by telephone. She was advised by Mr Forsyth that the information that she had outlined previously was wrong. She was advised that, by letter dated 16 January 1985, the Expo Authority Chairman, Sir Llew Edwards, had written to the then Premier, Sir Joh Bjelke-Petersen, requesting that J. W. Bell and Associates Pty Ltd, in association with Baillieu Bowring Marsh and McLennan, provide insurance brokerage services to the authority. The two key paragraphs in the letter outlining the authority's request were read out to the reporter. It was pointed out also that, on 22 January 1985, Cabinet had approved the request along the precise lines as requested by the Expo Authority.

I seek leave of the House to table Dr Edwards' letter to the then Premier and I request that it be incorporated in *Hansard.*

Leave granted.

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

THE HON. SIR LLEWELLYN EDWARDS
CHAIRMAN

Ref: 1.4.9.

16 January 1985

The Honourable Sir Joh Bjelke-Petersen, KCMG, MLA
Premier and Treasurer of Queensland
Executive Building
100 George Street
Brisbane Qld 4000

My dear Premier,

Re: Engagement of Consultants—J.W. Bell and Associates Pty Ltd in association with Baillieu Bowring Marsh and McLennan

1. In accordance with Section 22 (2) of the Expo '88 Act 1984, the Brisbane Exposition and South Bank Redevelopment Authority may engage such number and description of

consultants and other persons under contracts for services as it considers necessary for the proper discharge of its functions or exercise of its powers. The engagement of such consultants shall be on such terms and conditions as are agreed between the Authority and the consultants and are approved by the Governor in Council either generally or in a particular case. Standard terms and conditions were approved by the Governor in Council on 22 March 1984.

2. The Authority will be entering into complex insurance arrangements in respect of World Expo '88, in particular with regard to participation by overseas countries. Whilst the authority will be offering the placement of this insurance with the State Government Insurance Office (SGIO), there is still a need, and this has been conceded by the SGIO, for the services of an insurance broker in respect of World Expo 88.

3. Proposals to provide services were received from the following in response to the attached brief (Attachment A):

   - Alexander & Alexander (Qld) Pty Limited
   - J.W. Bell and Associates Pty Ltd in association with Baillieu Bowring Marsh and McLennan
   - Carroll & Georgeson Pty Ltd
   - Glassop & Son
   - Hannan Insurances Queensland Pty Limited
   - Lowndes Lambert Australia Insurances Limited
   - Reed Stenhouse Queensland
   - Sedgwick Limited
   - Willis Faber Johnson & Higgins Pty Limited

   Attached (Attachment B) are summary notes on the proposals. The General Manager and I held interviews with representatives of:

   - J.W. Bell and Associates Pty Ltd
   - Carroll & Georgeson Pty Ltd
   - Lowndes Lambert Australia Insurances Limited
   - Reed Stenhouse Queensland
   - Sedgwick Limited
   - Willis Faber Johnson & Higgins Pty Limited

   In assessing these proposals in accordance with Clause 90A 3 (b) of the Treasurer's Instructions, we believed in relation to items (i), (ii), (iii), (iv) and (v) that several of those interviewed were generally of an equal standard, including J.W. Bell and Associates Pty Ltd.

   In respect of item (vi), no other contracts for this class of work have been let by the Authority.

   In respect of item (vii), all firms agreed to reimbursement of brokerage fees from insurance companies on placement, with no charge being made directly to the Authority.

   The proposal from J.W. Bell and Associates Pty Ltd was the only proposal received which offered the advantage of a local, wholly Queensland-owned firm combined with the expertise of one of the largest international brokerage firms.

4. The Authority at its meeting on 10 October 1984 therefore agreed to the appointment of J.W. Bell and Associates Pty Ltd in association with Baillieu Bowring Marsh and McLennan as its insurance broker, subject to the details of the working relationship being formally established. This has now been done, and details are contained in Baillieu Bowring Marsh and McLennan's letter of 12 December 1984, a copy of which is attached as Attachment C.

5. There will be no specific funds required in respect of this consultancy. Funds for insurance have been allowed for by the Authority in its approved budget, and are consistent with funds appropriated for the purposes of the Authority in The Exposition and South Bank Redevelopment Authority Trust Fund.

6. The Authority is subject to the requirements of the Financial Administration and Audit Act and the Regulations of Treasurer's Instructions appended thereto. The procedures

followed for engagement of the subject consultants are in accordance with the requirements of the Act and in particular Treasurer's Instruction 90A.

7. The Authority requests

(i) that the Brisbane Exposition and South Bank Redevelopment Authority be authorised to commission J.W. Bell and Associates Pty Ltd in association with Baillieu Bowring Marsh and McLennan to provide insurance brokerage services to the Authority at no direct cost to the Authority;

(ii) that, in accordance with Section 22 (2) of the Expo '88 Act 1984, the approval of the Governor in Council be sought to this commission.

Yours sincerely,

L.R. EDWARDS
Chairman

Mr GUNN: Today, honourable members can see that that information was not contained in the *Courier-Mail* report. It has been blatantly ignored, overlooked or cut; but the end result is a story that has no factual basis. Not even a line was published to deny the misguided allegation that formed the basis for the *Courier-Mail* story. The facts did not suit the story, so they were simply not reported.

Is this the poor standard of journalism to which the *Courier-Mail* now has to resort in its campaign to denigrate members of this Government? Where is the journalistic ethic of balance and fairness? It is non-existent as far as Jane Doughty and the *Courier-Mail* are concerned. If that reporter wants to make a name for herself, she is going about it the wrong way. Selective use of such material to convey wrong information is nothing other than shoddy, poor and biased reporting. It should make any self-respecting member of the Australian Journalists Association hang his head in shame.

MINISTERIAL STATEMENT

Bundaberg Irrigation Scheme

Hon. D. McC. NEAL (Balonne—Minister for Water Resources and Maritime Services) (2.42 p.m.), by leave: Because the Federal Government has deserted the Isis section of the Bundaberg irrigation scheme, I will now inform the House of the steps that will be taken to enable the scheme to be completed without its financial support.

As at 30 June 1989, the cost of completing the scheme was confirmed by a consultant to be $37.8m. If the Commonwealth Government had continued to assist in funding the project, the cost would have been shared on a 60/40 State/Commonwealth basis. Because of the withdrawal of Federal funding, available funds will be reduced by some $15m.

Under the arrangements that were put to Senator Cook, the relevant Commonwealth Minister, work on the project would have been accelerated to an annual expenditure level of $15m with the State contributing $9m and the Commonwealth contributing $6m. Although the State Government is firmly committed to completing the project, the work must slow down in line with the level of funds that are available. Because more than the planned $9m of State funds will go to the Bundaberg irrigation scheme annually, work on other water resources projects in the State will slow down.

I have written to Senator Cook expressing my complete and utter dismay at his Government's rejection of the State's request to extend the joint-funding agreement. I told Senator Cook that the only reason that the works were not finished by 30 June 1989, when the joint-funding agreement expired, was the disastrous impact of inflation on the cost of completing the scheme and the fact that indexation of the contributions was deliberately resisted and excluded from the agreement by the Commonwealth.

I told Senator Cook also that my disappointment has been heightened because the State Government had acceded to the Commonwealth's wishes for an independent review of the benefits and costs of completing the outstanding works to be undertaken at June 1989—the results of which were very positive but to no apparent avail.

The decision flies also in the face of very encouraging comments that were made by Senator Cook's colleague the Minister for Primary Industries at the meeting of the Murray-Darling Basin Council in Moree in April 1989, to the effect that the Commonwealth would finish the project.

It has also come as a complete surprise to me that the member for Hinkler, Mr Courtice, is attempting to deflect the criticism that he undoubtedly is receiving for raising local expectations by attempting to refer an investigation of my Government's contributions to the project over the past eight years to this State's Parliamentary Committee of Public Works. The only outcome of such a referral would be a damning indictment of the Commonwealth Government's failure to measure up to the financial commitments entered into, despite this State's major additional past commitment of funds, which far exceeded its obligations under the financial agreement.

Mr ARDILL: I rise to a point of order. The Minister is totally out of order in claiming that he knows the outcome of any investigation by the Public Works Committee.

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order. There is no point of order. I call the Minister.

Mr NEAL: It is a snide attempt by the honourable member to try to take some of the heat off himself.

Mr ARDILL: Mr Speaker, I want to draw your attention to the fact that the Minister is discussing a matter that is being investigated by the Public Works Committee. He is claiming to know the outcome of that investigation. Surely, that must be a valid point of order.

Opposition members interjected.

Mr SPEAKER: Order! The House will come to order. I thank the member for his information, but I will make the rulings. There is no point of order. I call the Minister.

Mr NEAL: Mr Courtice has accused the State Government of three times failing to keep its part of an eight-year funding agreement with the Federal Government for the Isis section of the Bundaberg irrigation scheme. How he can make such an outrageous claim is beyond me.

Under the pre-existing funding agreement, the State was required to commit $6m of its own funds before qualifying for the $4m annual Commonwealth grant. The State has more than honoured its commitment. Over the past eight years the Commonwealth's total commitment was $32m, whereas the State contributed $85.4m, some $37.4m more than its commitment of $48m under the agreement. This alone demonstrated the Government's commitment to the Bundaberg irrigation scheme as a top priority.

Let the record show that, despite the recent decision of the Commonwealth Government to discontinue the funding agreement, the State Government will continue to provide funds for the completion of the scheme in the Isis region. I told Senator Cook that, in view of the Commonwealth Government's continuing exhortations that the nation must increase its export potential to trade its way out of its increasing overseas debt, I found the whole episode quite distasteful. If the Federal Government does not believe in the benefits of stabilising and increasing the export potential of the sugar industry to overcome that situation, the sooner we all know, the better.

The position now is that the scheme will take the State longer—perhaps two years longer—to complete. We must also look at the alternative of cutting back on works to serve some of the outlying farms which, in all equity, should have been included.

MINISTERIAL STATEMENT

Effect of Strike by Crane-drivers

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (2.49 p.m.), by leave: For some time we have been aware of quite a lot of industrial strife in the coal industry which has been caused by stand-over tactics of southern-based union-leaders. Unfortunately, today this influence has spread even further and the southern-based unions are trying to take over construction sites in Queensland, particularly those on the Gold Coast. Because of strikes by crane-drivers, all major building sites in the south-east corner of Queensland have now shut down.

At the heart of the dispute is a fight between the Federal branch of the Federated Engine Drivers and Firemen's Association and the State branch of the Federated Engine Drivers and Firemen's Union. It is an internal dispute between two different union factions that is shutting down the building industry.

The Federal union is promising crane-drivers some benefits which are the same as those paid on sites in Sydney. Believe it or not, these conditions include wages of $1,400 per week, rostered days off on Mondays and safety days on Tuesdays, thus reducing the working week by two days. It seems that they are the conditions that apply in some southern States. I do not know how on earth the economy of Queensland or Australia will ever improve under those circumstances.

Mr SPEAKER: Order! The honourable member for Broadsound will return to his seat.

Mr LESTER: Obviously, those conditions are not acceptable to the Queensland building industry. Apparently, they are not acceptable to other Queensland-registered unions either. For a long, long time the State branches of the BLF and the BWIU have provided a very, very good service in Queensland.

The federally registered Building Workers Industrial Union is supporting the FED and FA. The Federal unions are sticking together. They have a bad record. They are responsible for 92 per cent of all strikes in Queensland, whereas the State-registered unions are responsible for about only 8 per cent of the strikes. While the strike continues, the construction industry is losing millions of dollars a day.

This dispute has been running for 10 days. It involves 170 crane-operators. Some 3 500 employees in the building industry have been stood down. If the dispute is not resolved soon, more could be stood down. The union is saying that the sacking of a crane-driver is the cause of the strike. I can assure honourable members that is not the cause of the dispute. The Queensland Master Builders Association is seeking a compulsory conference in the State Industrial Commission tomorrow. The State Government totally supports that move.

So far the dispute has cost Queensland $20m. I want to make it very clear that the State Government will be appearing in the commission to argue against the union's claims. In addition, if this awful dispute cannot be resolved, the Queensland Government will have to resort to much sterner action. The Government cannot allow building sites in Queensland to close down. One of the benefits derived from Queensland's economy being managed so well over the years is that the buildings are completed on schedule as opposed to what happens in other States. This is a shocking state of affairs. Every member of this Parliament should get behind the State Government's attempts to resolve this awful dispute.

PARLIAMENTARY SERVICE COMMISSION

Appointment of Mr L. W. Stephan

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (2.53 p.m.), by leave, without notice: I move—

"That Leonard William Stephan, member for the electoral district of Gympie, be appointed to fill the vacancy on the Parliamentary Service Commission caused by the appointment of Andrew Anthony FitzGerald, member for the electoral district of Lockyer, to the Ministry."

Motion agreed to.

PUBLIC ACCOUNTS COMMITTEE

Appointment of Mr T. J. Perrett

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (2.54 p.m.), by leave, without notice: I move—

"That Trevor John Perrett be appointed as a member of the Parliamentary Committee of Public Accounts in place of Huan Donald John Fraser, who is now appointed a Minister of the Crown."

Motion agreed to.

GOVERNMENT WHIP AND GOVERNMENT DEPUTY WHIP

Appointment

Mr STEPHAN (Gympie) (2.54 p.m.): Following the elevation of Mr FitzGerald to the Ministry, I have to inform the House that I have been appointed Government Whip and Thomas Simpson Hynd, member for the electoral district of Nerang, has been appointed Government Deputy Whip.

PERSONAL EXPLANATION

Mr R. J. GIBBS (Wolston) (2.55 p.m.), by leave: Yesterday during the debate in this House, I made criticisms of the Liberal Party. I was severely attacked and criticised by the Liberal Party for the comments that I made. To prove beyond doubt to members of this Chamber that what I said was correct, I wish to make a brief reference to an article that appeared in the country edition of today's *Courier-Mail.* The article reports on a survey which was ordered by the Liberal Party and undertaken by a group by the name of Kenning Research. The results of the Liberal Party's own polling were as follows—

"The researchers said: 'A greater share would surely have been expected. This implies that the Liberals have gained support by default rather than by inherent voter appeal.' "

The article goes on to state in relation to the excellent performance of the Leader of the Opposition—

". . . whereas the opposite is true of the Liberal alternative—that is, the Liberal Party is more acceptable than its leader."

Mr INNES: I rise to a point of order.

Mr SPEAKER: Order! The member for Wolston will resume his seat.

Mr INNES: Mr Speaker, as you obviously realise, that was not a personal explanation and it was not a Liberal Party poll.

Mr SPEAKER: Order! Is there any other business?

Mr R. J. GIBBS: Excuse me, Mr Speaker. I am not finished.

Mr SPEAKER: Order! The honourable member is very close to finishing. I remind him that he is making a personal explanation.

Mr R. J. GIBBS: Thank you, Mr Speaker, for your tolerance. I accept the point you make.

I simply want to state the final line of the article, which reads—

". . . that is, the Liberal Party is more acceptable than its leader."

Mr SPEAKER: Order! The honourable member is now finished.

QUESTION UPON NOTICE

Sunshine Motorway

Mr BURNS asked the Deputy Premier and Minister for Public Works, Housing and Main Roads—

"With reference to the proposed Sunshine Motorway Stage II and the Government's proposals to bulldoze sensitive dune and environmentally valuable areas and build the motorway close to homes with its preferred eastern route—

(1) What are the traffic counts on the proposed and existing roads and the level of cut and fill in the dune areas?

(2) What is the total cost of the motorway, and the cost of stages I and II and the bridge?

(3) What monies have been spent by the relevant Local Authorities, Government and Semi-Government Departments on the motorway?

(4) What is the reason for the change in the number of toll collection points?

(5) What were the original financial predictions on the feasibility of the motorway and the revised predictions as a result of the removal of toll collection points in Mr Austin's and Mr Ahern's electorate?

(6) What is the projected opening date and the proposed toll?"

Mr GUNN: (1) Traffic volumes on David Low Way between Pacific Paradise and Noosa vary between 6 000 and 11 000 vehicles per day. The Sunshine Motorway is expected to carry up to 6 000 vehicles per day. Volumes will vary depending on location and route selected. A detailed traffic study to quantify the differences between route options east and west of Lake Weyba will be available early in September. The extent of cut and fill will depend on the route chosen and the details of the final design.

(2) The current estimate of the final cost for Stage I is about $76m. Stage II could be similar although detailed estimates have not been prepared. Included in the cost of Stage I is the Maroochy River Bridge at a cost of $4.3m.

(3) The Sunshine Motorway has contributed funds of $4.5m towards other roadworks in the Maroochy Shire as an offset to the council's previous investment in the Mooloolaba and Maroochydore by-passes.

(4) The object of any toll facility is to provide an additional road capacity that maximises benefits to motorists at minimum capital and operating cost to them. The current financial arrangements for the Sunshine Motorway, involving increasing the toll at one point and eliminating it at others, are consistent with this endeavour.

(5) The original financial assessments were based on a repayment strategy over 20 years. In view of the long-term nature of motorway investment, it is considered more appropriate to provide for repayment of the project cost in 30 years.

(6) The proposed opening date of Stage I of the Sunshine Motorway is December/January next. For Stage II, it is in the first half of 1992. I have announced that the toll at the Maroochy River Bridge when Stage I is opened will be $1 for cars. No other toll-collection points are involved in either Stage I or Stage II.

QUESTIONS WITHOUT NOTICE

Legal Opinion on Electoral and Administrative Review Commission by Dr J. Finnis

Mr GOSS: In directing a question to the Premier, I refer to the legal opinion from Dr J. Finnis, tabled by him in this House yesterday, dealing with the draft legislation for establishment of the Electoral and Administrative Review Commission, as recommended in the Fitzgerald report, and I ask: is it true that Dr Finnis prepared his legal opinion without reference to his own legal reference books, without seeing the Fitzgerald report and without background material to the legislation? Is it true that the Premier went, without consultation, behind the back of the Fitzgerald implementation unit to obtain this opinion, which is critical of the reforms recommended by Mr Fitzgerald?

Mr AHERN: I want to make it quite clear that the opinion was sought by the Under Secretary of the Justice Department, which, having regard to all the circumstances, was a totally appropriate course. I have tabled the legislation in this House for the consideration of the broader community, as is required on page 144 of the Fitzgerald report. The honourable member has been misleading the public again today by saying that the opinion was outrageously expensive to acquire.

This constitutional expert of world standing is retained by the Government of Queensland for reference on constitutional matters, and that retention gives the Government the opportunity to seek advice on issues from time to time. The advice was obtained under that arrangement, and therefore there was no extra cost involved. Because of the time constraints which were disclosed in respect of this matter—because of the urgency—the Under Secretary simply wrote to the gentleman concerned and his advice was received. I make no apology for that. As Premier of this State, I have a duty to seek broad views in respect of any legislation coming before the House, and I will do so whenever I feel it is necessary. I felt that it was necessary that the content of the letter be made publicly available so that there was another view.

Cooke Inquiry into Trade Unions; Resignation of Mr R. O'Regan, QC

Mr GOSS: In directing a question to the Premier, I refer to the resignation of Mr R. O'Regan, QC, as counsel assisting the Cooke inquiry into the affairs of certain trade unions, and in particular Mr O'Regan's letter of resignation to the Premier, and I ask: does he dispute that the reason for the resignation was that Mr O'Regan did not regard the commission of inquiry as necessary or appropriate to investigate the matters nominated in the terms of reference, and that those matters were already being dealt with, or were capable of being adequately dealt with, by the courts? Is this the reason why Mr O'Regan resigned? If the Premier denies this suggestion, I ask: will he table Mr O'Regan's letter of resignation to substantiate the denial?

Mr AHERN: The Leader of the Opposition is absolutely petrified of the Cooke inquiry. There is obviously an intention to denigrate the process on behalf of his mates. If there is corruption in Queensland, this Government wants to put it right, even if it descends into the union movement, as has already been prima facie established. The Government makes no apology at all for pursuing that process. It recognises that today the Labor Party is again trying to subvert the process altogether. Union officials are fleeing the country. Who is paying for it? Is the Leader of the Opposition prepared to call in his union mates and executive officials in the Australian Labor Party and insist that they co-operate with the commissioner? Who is paying for the travel costs and who is arranging for the expatriation of these witnesses?

I challenge the Leader of the Opposition to advise this House that he is not a party to the legal actions that are being taken in an endeavour to subvert the process of the Cooke inquiry. It is my understanding that there have been discussions with Hodder with a view to appealing against a decision in one particular case. The case of Hodder v. Ludwig, in which the court found in favour of Ludwig, may now go to appeal so that an argument may be raised before the commission of inquiry that the matter cannot be brought before it as the matter is on appeal in another place. I ask the Leader of the Opposition: is he a party to this hanky-panky?

Mr GOSS: Mr Speaker——

Mr SPEAKER: On what point does the Leader of the Opposition rise?

Mr GOSS: I thank the Honourable the Premier for his question.

Mr SPEAKER: Order!

Mr GOSS: He asked me a question.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

Mr Goss: Do you want an answer?

Mr SPEAKER: Order! I warn the Leader of the Opposition for the first time under Standing Order 123A.

Mr AHERN: I understand that a case is also being prepared by Labor lawyers to appeal against the appointment of the commissioner on the grounds that, because previously he appeared in a Liquor Trades Union dispute regarding women members, he is not the right person to head the inquiry. Labor lawyers are preparing some sort of subversive hanky-panky in that area also.

As far as this Government is concerned, a prima facie problem has been disclosed and it must be properly examined in the same way as other matters have been properly examined in this State. To the best of my knowledge, no letter has been addressed to me by Mr R. O'Regan.

Awarding of Frigate Contract to Victoria

Mr STEPHAN: I refer to reports concerning the darling of the Australian Labor Party, Mr John Halfpenny, who was instrumental in ensuring that Victoria won the lucrative frigate contract, and I ask: is the Premier able to tell the House if these actions by Mr Halfpenny have in any way had an impact upon the hopes which Queenslanders held for some spin-off from that contract?

Mr AHERN: This is a national issue that ought to be discussed across the nation, because it is an area of specific concern at the present time. The biggest public contract in Australia's history was recently let to Victoria. It is worth $5 billion all up.

While I was the Minister controlling industry, I tried to get some defence contracting into this State. It is well known in defence-support circles that it is no use the contract going to Queensland because the people there do not vote the right way. That is the truth of the situation. It can now all be made clear. Despite Queensland's excellent proposal for Cairncross Dock, which all of the defence-supply people said should have been examined, we were told very clearly to forget it because it was all stitched up in Victoria.

Today, certain information has come into my possession. Later I shall table if for the benefit of all honourable members. I was shocked to learn that the Victorian ALP Premier, Mr Cain, has totally ruled out any form of action involving his confidante, John Halfpenny, as a result of corruption allegations. Mr Halfpenny, of course, holds many key positions in Victorian Government authorities.

The big shock to Queensland is the loss of jobs in industry as a result of this apparent interference by the friends of the Labor Party. It is not surprising, when we look back at the performance of the Federal Labor Government in awarding contracts, that Queensland has missed out since 1983.

Last night in another place certain information was briefly outlined in respect of this saga of Labor mismanagement and its subservience to trade union manipulators. Today I can pass on more information in the public interest to underline the nexus between corruption and the Labor Party.

The document, which is headed "National Crime Authority", commences—

> "Statement in matter of: Alleged corruption committed by John Francis Halfpenny."

The statement is from one Margaret Florence Halfpenny. I understand that they are now estranged. If they were not, they will be after today. As I said, I shall table this document and seek leave to have it incorporated in *Hansard* because I am sure that honourable members on the other side of the House will take an avid interest in it. It is a full statement.

According to the front page, between 1974 and 1977 there was apparently a very happy marriage. The couple resided in Eddie Kornhauser's apartment in Spring Street, Melbourne, for six months. It was apparently quite a place. It was an expensive apartment, taking up one whole floor.

This document is a litany of information regarding corruption in respect of the frigate contract.

Mr R. J. Gibbs: In that case, you had better give him back the money he donated to your campaign fund.

Mr AHERN: Mr John Halfpenny? The member has to be joking! The document outlines only certain little bits and pieces. In early 1980, a job was granted as a favour to John Halfpenny, but it was not a proper job.

Mr Stephan: Read it all.

Mr AHERN: No. It would take too long to do that.

The document outlines that, without the knowledge of the workers, John Halfpenny made 10 separate visits to New Zealand at the expense of his union to argue on behalf of a successful contractor. It deals with John Halfpenny's lobbying Mr Beazley, the Federal Minister for Defence. The statement reads—

> "John said, 'Beasley is receptive. I have no trouble with him.' "

And later—

> "In my opinion John would have received money for assisting Transfield obtain the contract from the Government. In my opinion John would have made it his business to see the right people to ensure that Transfield obtained the contract to construct the frigates."

This has all the appearances of the biggest corruption scandal this nation has ever known.

I lay this document on the table and I ask that it be incorporated in *Hansard.*

Leave granted.

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

NATIONAL CRIME AUTHORITY

STATEMENT in matter of: Alleged corruption committed by John Francis HALFPENNY	Place: National Crime Authority SYDNEY Date: 17 August 1989

Name: Mrs Margaret Florence HALFPENNY

Address: 2/62 Bell Street, FITZROY, Melbourne Tel. No.:

Occupation: STATES:—

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in Court as a Witness.

2. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

3. My full name is Margaret Florence HALFPENNY. My date of birth is 25 November 1945. I reside at 2/62 Bell Street, Fitzroy, Melbourne.

4. On the 16 April 1977 I married John Francis HALFPENNY (born April 1935), who was then the Secretary of the Amalgamated Workers Union of Victoria. We then lived in the following addresses:

1974-197

In Eddie KORNHAUSER's apartment in Spring Street, Melbourne (6 months). This was an expensive apartment, taking up one whole floor.

197 -197

In a rented flat at 8/45 De Carle Street, Brunswick.

1982—12 March 1987

In a rented house in Clifton Hill.

12 March 1987

In a house at 107 George Street, Fitzroy. Peter Nelson Real Estate was the vendor's agent. This house was in very poor condition and was purchased for approximately $30,000.00. I do not know the source of the money to buy this house. (Holding Redlich letter 13/3/87 shows:

George Street sold for $137,000. Deposit $13,700. Received at settlement $123,088.80. Less pay out of mortgage. (C'th Bank Loan 323 480 504) $36326.45. Balance of $86,430.26 used for the purchase of Bell Street.

Bell Street purchase price $190,000.00. Deposit paid $19,000.00. $90,742.93 came from George Street. $80,000.00 balance "provided by you". Part of this was at $25,000 Commonwealth Bank Mortgage no. 363 856 406. (Commonwealth Bank Loan no. 323 480 504 may also have provided some of purchase price).)

12 March 1987

At a renovated warehouse at unit 2, 62 Bell Street, Fitzroy. This was purchased for $235,000.00 in joint names in 1987. There is a small mortgage to the Commonwealth Bank. The current mortgage balance is $24,200.00. The mortgage from the Commonwealth Bank was insufficient to pay the full purchase price of the unit, and John HALFPENNY borrowed additional money ($100,000) for that purpose from Richard PRATT. I do not know the details of the loan and I did not sign any documents in relation to this loan.

5. Since October 1977 I have held the following positions of employment:

Between October 1977 and the end of 1978 I was a member of the Western Regional Council, which was a body established by the Federal Government for the purpose of distributing federal grants to local communities. This was a real job, but not a strenuous one. My impression was that it was a way of wasting taxpayers' money.

Between February 1979 and October 1979 I worked at the Lazar Restaurant for Mr Tom LAZAR. I was an executive with this firm. This job only lasted for six months and was a sinecure granted by LAZAR as a favour to John HALFPENNY.

Between early 1980 and early 1983 (or 1984) I worked for Jetset Tours. This job was granted to me as a favour to John HALFPENNY but this was a proper job. I worked as the Assistant to the retail Manager, Mr Lionel LANDMAN. Isi LIEBLER wanted John HALFPENNY to go to Moscow to talk to the Government about Refusniks and to apply some pressure to influence the Australian Left's attitude towards Israel and the Middle East.

I had 3-4 months off after leaving Jetset in early 1983, and from mid 1983 until 1986 I conducted a catering business called "Food for All Seasons" at home until we moved to the unit at Unit 2, 62 Bell Street, Fitzroy. Holding Redlich did the legal work to

establish this catering business and also offered to provide a sum of money to buy equipment and the like. I took this money. It would appear as a loan on the books. The accountants to the catering business were Pratt Peterson and Associates, Public Accountants, 667 Burwood Road, Hawthorn East (phone 813 1233), and they prepared the accounts and tax returns in order that the business made just enough money to avoid any tax liability. I believe their records would show me as Margaret SABRANSKY.

Since 198 I have been on the salary of Brenmoss, a company now based in Sydney which owns Sheridan and Actyl, woollen mills at Wangaratta, and which previously owned Katies. This job is a favour to John HALFPENNY and whilst I draw a salary I have no function in the company, particularly as its operations are now based in Sydney. I draw a salary of $1,315.00 net per month.

6. I have a number of allegations to make concerning my husband, John Francis HALFPENNY. The first allegation concerns Transfield and their involvement in the 'frigate' contract recently decided here by the government. About 12 months ago John HALFPENNY left the Metal Workers Union and went to the Trades Hall Council of Victoria. To my knowledge Transfield is a private company owned and operated by Franco BELGIORNO-NETTIS and a Mr SALTARI, I don't know his first name. They are both about 80 years of age, Mr SALTARI may be a fraction younger. When Franco is absent his son Marco takes charge. Mr SALTARI's son Robert is also involved with the company. John is a close friend of the two older men and a particular friend of Franco's. I have met all of the men. I have had lunch at Transfield in their dining room at 110 Arthur Street, North Sydney. The men involved are Italian. The company is the construction company building the harbour tunnel. They have a factory at Parramatta. Franco lives at Clontarf on the waterfront. He has a house in Porto Venere about 30 minutes from La Spezia. He has a yacht there. Marco also lives in Sydney as does Mr SALTARI. Robert lives in Melbourne. Franco has another son who lives in Brisbane, his name is Guido and conducts a similar business there. Franco also owns a house at Surfers Paradise.

7. As far as I am concerned Franco makes the decisions, especially on the frigates at John's behest. Franco and John met about 3 years ago, I don't know where. John knew about the frigate contract at least three years ago. I know that as John told me that the government were putting out a tender for frigates.

8. John decided, on his own initiative, to find a company large enough and with sufficient capital to provide for a bid. I know that John chose Transfield. John said to me 'Transfield would be the ideal company to be involved with this'. Subsequent to John telling me this, Franco arranged for John and I to meet with him and his wife. John and I stayed at the Hilton in Sydney on this occasion and I know Franco provided the air tickets and the accommodation for our weekend. We had a meal together at a yacht club, near Elizabeth Bay, where Franco is a member. On the Sunday we spent most of the day at Franco's house. All this took place about two years ago.

9. Next thing I remember, an employee of Franco's, Tony SHEPHERD, came to Melbourne and John and I had several meals with Tony and they, i.e. John and Tony, openly discussed the frigate contract and who Tony should see in Canberra, i.e. which politicians and naval authorities. The naval authorities had to assess the offers being made to build the frigates, who would make their recommendation to the appropriate minister, in this case, Mr BEASLEY.

10. Franco visited Tony SHEPHERD in Melbourne to be a spokesperson in the company that John could deal with on a day to day basis. John suggested to Franco that SHEPHERD be set up at Williamstown in Victoria separate from Transfield in an endeavour to win the contract. I am aware of that because John told me this one day at our home. I am not sure of the name of the company but I have a card somewhere and I will give it to you later. The idea was that SHEPHERD did not show the name of 'Transfield' in Melbourne as people may realise that John was involved.

11. I know that Franco, John, Tony and John WHITE, a Chairman of Amecon (the company which now has won the contract) set up a consortium and arranged for the bid to be made. There are other people involved but I am not sure who they are.

12. After setting up the consortium there was a lot of hard work. There is a company set up in New Zealand, it is Amecon's sister company. John would often go to New Zealand to lobby for the contract. I know that John has travelled to New Zealand with Franco, Tony SHEPHERD and John WHITE.

13. He said 'They (New Zealand government) are excited about having me there in New Zealand. They can't do enough for me'.

14. John never paid for the trips to New Zealand, it was either the union or Transfield or someone from New Zealand. I told John that I was not interested in going to New Zealand, I didn't want to be involved in this type of practice. I would estimate that John travelled to New Zealand at least ten times in the past two years. I would say that this was outside John's employment duties. John argues that he is assisting the workers by getting the contract to Williamstown dock area. But I am sure that John didn't tell any one of the workers that he was representing Transfield.

15. I know that John has spoken to the Minister for Defence, Mr BEASLEY and discussed the Amecon tender. John told me that he did approach Mr BEASLEY. John told me this at our house months ago. I know that John also spoke to other people in Canberra, in the Defence Department. I know how he operates—he would have spoken to senior public servants and anyone he could lobby with concerning Amecon's tender for the frigate contract.

16. John said, 'BEASLEY is receptive. I have no trouble with him'. He complained about public servants but John didn't say anything further about Mr BEASLEY assisting or resisting, just nothing at all.

17. I am sure that John would go to any extreme to assist Franco with this contract. He may have even gone to Mr HAWKE, the PM. John and Mr HAWKE know each other although they don't get on particularly well. I know that John has access to Mr HAWKE and most people of importance. I know that he also spoke to Mr BUTTON, he was the Minister for Industrial Affairs, as he would have had some input into this type of tender.

18. In my opinion John would have received money for assisting Transfield obtain the contract from the Government. In my opinion John would have made it his business to see the right people to ensure that Transfield obtained the contract to construct the frigates. He would have manipulated people in high places to have the contract go the way it has subsequently worked out.

19. John has not discussed any money obtained with me. We have been separated since February 1989. We have spoken to each other on a few occasions since we separated but we have not discussed the frigate contract.

Overseas Trip by Cooke Commission of Inquiry Witness

Mr STEPHAN: I ask the Premier: is he aware of reports that a potential key witness in the Cooke inquiry into corruption allegations involving the trade union movement is shortly to leave on an extended overseas trip? Will the Premier advise whether anything is being done to ensure that this person, a Mr Colin Hardie, is not given the opportunity to avoid fronting the inquiry?

Mr AHERN: ALP officials in Queensland who want to maintain some integrity have a duty to ensure that his trip does not proceed. I understand that the Liquor Trades Union is represented legally by a company named Goss Downey Carne, with which it has been associated for a number of years. Apparently Mr Colin Hardie is moving to Geneva. There is no doubt at all that that is quite nonsensical. It is so disclosed today by the industrial reporter in the *Courier-Mail*. The heading reads, "Union man flees probe, says official". It is time that the Labor Party started to get fair dinkum in some of these matters. It should get rid of the rhetoric and start to promote some honesty in the trade union movement in this State.

Queensland Industry Development Corporation Loan to Mr Michael Tracey

Mr De LACY: In asking the Premier a question, I refer him to a report in the *Sunday Mail* of 3 September regarding Michael Tracey, a constituent in the Landsborough electorate for whom the Premier successfully lobbied for a $200,000 loan from the Queensland Industry Development Corporation. In the article, Mr Tracey states that both the Premier and the QIDC were aware that he was an undischarged bankrupt prior to the approval of the loan. Was the Premier aware that Mr Tracey was an undischarged bankrupt before he sought substantial financial assistance from the QIDC for Mr Tracey? If so, why did the report in the *Sunday Mail* state that the Premier had no knowledge of Mr Tracey's bankruptcy? In the Premier's view, is it appropriate for a properly managed financial institution to set up a company so it can advance significant funds to bankrupted individuals?

Mr AHERN: My one regret is that I had not spoken to the honourable member for Townsville East before this matter arose, because apparently the gentleman had worked for him on a previous occasion. He might have been of assistance.

Mr SMITH: I rise to a point of order. I make it quite clear to the House that the article to which the Premier refers, which indicates that Mr Tracey was my employee, is incorrect. Unfortunately, Mr Tracey was a member of the staff in a NORQEB department that I was responsible for. He was not my personal employee.

Mr AHERN: Michael Tracey came to me and said that he had all sorts of fancy contracts with the Federal Government.

Mr Milliner: Did you believe him?

Mr AHERN: He certainly did have the contracts at the time. There is no doubt that he had the contracts.

He is an incredibly talented designer. As to his managerial ability—that is another matter altogether in the other direction.

I had no relationship with Mr Tracey. He came to my electorate office and sought assistance. I sent him to the Small Business Development Corporation, which gave him assistance in approaching the QIDC and in preparing business plans. At the time, I had no knowledge of his bankruptcy. However, I was aware immediately of the managerial problems that he obviously faced, and had faced previously. That is why I sent him to the Small Business Development Corporation, to ask it to prepare the business plans to ensure that it all stacked up.

A man called Harry Whitehouse is an executive official of the ALP at Maleny. He is president, secretary, treasurer and everything else of the local branch, because he is the only member of the Labor Party at Maleny. Harry accompanied Mr Tracey to my office and offered a guarantee, but he has since approached me to see if he could not be relieved in some way from his obligation under that guarantee.

In the circumstances, I simply sent what I thought was a deserving case to the Small Business Development Corporation.

Mr De Lacy: You didn't send him to the QIDC?

Mr AHERN: No. The chairman of the QIDC has indicated that in public statements. I know that it has not stopped the honourable member, it will not stop the Leader of the Opposition and it will not stop the avid press reporters from having a field day in respect of it. I simply looked after a constituent in a thoroughly proper manner. I tried very hard to help that gentleman. I am sorry that he got himself into trouble, but there was nothing inappropriate in the overall association.

Practices Adopted by Minister for Finance in Making Appointments to Key Boards

Mr De LACY: In directing a question to the Premier, I refer him to the practices adopted by the Minister for Finance in making appointments to certain key boards.

Mr Austin: What practices? Have the courage to say what practices.

Mr De LACY: I am just about to refer to them.

I ask: does the Premier approve of the fact that the Minister for Finance appointed a close relative by marriage and, in fact, the best man at the Minister's wedding, Mr John Bell, to a position on the board of the QIDC, an institution for which Mr Austin had direct ministerial responsibility? Does he also approve of the fact that Mr Austin appointed the same Mr Bell to a position on the South Brisbane Hospitals Board when Mr Austin held the Health portfolio?

Mr AHERN: The honourable member should do his homework and be aware that the Minister for Finance does not appoint members to the board of the QIDC; the

Executive Council does. There is a very substantial difference. When all the issues are considered, the Executive Council of Queensland looks at the broad range of skills available in appointees before their appointments are confirmed.

When the subsidies under the Federal and State arrangements are taken into account, the QIDC arrangements have worked very satisfactorily, having returned a profit, which is more than can be said for similar statutory authorities in the Labor States of Australia, whose books are awash with red ink.

In this country, the Labor Party has made an art form of creating jobs for the boys. Federal Ministers appoint seven and eight consultants to their staffs, thereby providing sinecures for their ALP mates. If Opposition members challenge me to table a list of those people, I will be pleased to do so. If I were the honourable member for Cairns, I would pipe down about that matter, because it will not read well.

Attack by Leader of Opposition on Agent-General's Office, London

Mr HYND: I ask the Premier: has his attention been drawn to recently reported comments by the Leader of the Opposition attacking the performance of the Agent-General's Office in London?

Mr AHERN: The Leader of the Opposition has been denigrating the London Agent-General and his staff. I rise to their defence to say that they are doing an excellent job. I am very impressed with the facility. It is clearly the best facility in London of all the States. The Agent-General, Tom McVeigh, is working long hours and is very successful. The staff are deeply committed people and are getting results.

The refurbishment of Queensland House has resulted in an excellent facility that is worth much more now than it cost the Queensland tax-payer. The result of the introduction of cost-saving measures is that space is being made available for leasing, and the flat which has been refurbished is available for rent. An office is available for visiting Queensland businesspeople. There are art displays, on a commercial basis, of Queensland artists. Business migration programs have increased in number from 24 to 52 this year.

Successful tourism seminars have been conducted in London and Paris. Successful trade delegations to Queensland have been arranged from Dundee, Staffordshire, Munich and other cities. Assistance is now being provided to trade missions and delegations from Queensland in the form of itineraries, taxation advice and so on. Seminars are now being planned for the United Kingdom, the Republic of Ireland, Belgium, Switzerland, Spain, France, Italy, Zurich and other venues. The list goes on.

The Queensland Government is very proud of that achievement. I rise to the defence of the Agent-General and his staff. I am sure that they enjoy strong support from the people of Queensland for the difficult job that they are doing.

Downgrading by Moody's of Australia's Credit-rating

Mr HYND: I ask the Premier and Treasurer: what additional cost will the tax-payers pay as a result of the downgrading of the Australian credit-rating by Moody's to AA2?

Mr AHERN: This is another matter that has almost escaped the attention of the Australian public. It is apparently just something that was expected. Now that Australia has a credit-rating of AA2, it places the country in line with Spain, and it is looking down the Argentine road. That is the prospect that the ALP has given to the businesspeople of this country.

The cold, hard reality is that this downgrading will mean that, in the future, at least 0.2 per cent additional interest will be paid in the form of higher charges to electricity-users, users of water and sewerage, and borrowers in the public sector. The

cold, hard reality is that ALP mismanagement will result in higher water and sewerage rates and higher electricity charges across the nation.

Australians will have to pay an additional $100m out of their pockets because of what Moody's has judged to be necessary as a result of what the ALP has done to this country.

Grain-feeding of Cattle at Metropolitan Regional Abattoir, Cannon Hill

Mr INNES: I ask the Minister for Primary Industries: is he aware that the Metropolitan Regional Abattoir is again allowing cattle to be grain-fed at Cannon Hill despite a letter from him to Mr T. Hoge, secretary of the South-East Action Group at Cannon Hill, dated 29 November 1988, promising that supplementary feeding operations would cease from the termination of the then existing leases? That letter states—

> "... the practice of feeding grain rations to cattle on the areas under the control of the Authority is definitely to cease as neither the Authority nor I wish to see any discomfort brought upon people residing in the adjacent areas."

Will the Minister act to honour that commitment?

Mr HARPER: I thank the honourable member for his question. I must say that I am rather surprised. I thought that the member for Yeronga was the Liberal spokesman on feedlots.

Honourable members would be aware, as you are, Mr Speaker, of course, that the problem of odour emanating from feedlots is caused by the presence of grain in the manure. I see that the honourable Leader of the Opposition is nodding his head. He obviously fully understands the problem with manure.

I am aware that the Metropolitan Regional Abattoir, for which the Livestock and Meat Authority of Queensland is responsible, did allow some very short-term feeding of grain to cattle that were necessarily held prior to slaughter. It is correct that I have given an assurance—and that was done in concert with the Chairman of the Livestock and Meat Authority of Queensland—that the feeding of rations containing grain at Cannon Hill would cease.

I must express in this Chamber my appreciation for the understanding of the residents of the area at the time. The company that was causing the distress asked for an extension before it removed the cattle that it had in condition. I personally spoke with the leader of the group concerned and, as a result of those discussions, the general community was considerate enough to allow Leeson, the company which owned the cattle, to extend the period of time that the cattle spent there. However, the Government was very firm in saying that those cattle had to be removed, and they were removed.

What has been agreed now by the Chairman of the Livestock and Meat Authority of Queensland is that not even short-term feeding of grain will be allowed, and as from today, 6 September, any cattle that are held in that area will be fed only hay. That will overcome that distasteful presence of grain in the manure and, hopefully, overcome the problems that apparently are causing concern to some members of the Liberal Party.

Gold Coast Monorail

Mr INNES: In directing a question to the Premier and Treasurer, firstly, I challenge him to supply the list of consultants employed by Federal Ministers and, secondly, I refer to the feature article on the Gold Coast monorail which appeared in Tuesday's *Courier-Mail*, and I ask: as there are allegations of the shredding of evaluation reports, of directions to professional staff to change reports, of the completion of reports subsequent to the making of decisions to which they relate and of theft of documents relating to the project, will the Premier, in the interests of accountability, firstly, have an exhaustive investigation conducted; secondly, table all reports relating to the contract in the Parliament; and, thirdly, introduce amending legislation to the Public Works Committee legislation to allow that committee of this Parliament to fully investigate the contract?

Mr AHERN: The allegations of shredding are rejected completely by the senior departmental officials. In respect of this particular matter, an interdepartmental evaluation group was formed. Cabinet has acted on its recommendation. I have checked it out with senior officials and they are completely comfortable with the recommendation that was made.

From a technical viewpoint, I should say that a monorail is operating down there at present, so it obviously does work in that context. It was the technology that was used at Expo, so the argument against it on technical grounds is obviously a specious one.

Very intense lobbying took place prior to the Government's consideration of the interdepartmental reports, which were made not only on technical grounds but also on financial grounds thoroughly researched by Treasury. Treasury has indicated to me that it is completely comfortable with the recommendation made on that occasion. It appears that this is some aftermath of the intense lobbying that took place beforehand.

A particular group entered into some newspaper advertising beforehand. It lobbied Ministers very intensively, although it was not supposed to do that under the terms of the call for tenders. The group also undertook political lobbying all over the place. I had to make it absolutely clear to those who were being lobbied that that decision would be made in terms of the recommendation of the interdepartmental group, and that no other recommendation would be made by the Government. The decision was made on that basis.

There is now some disappointment and some ongoing argument about this particular matter. I am quite confident, after investigation, that the whole matter is completely secure and that it is just one disappointed party that continues to promote controversy where there is none.

Federal Government's Higher Education Contribution Scheme

Mr SLACK: I ask the Minister for Education, Youth, Sport and Recreation: is he aware of the reports that the Commonwealth's graduate tax scheme is expected to raise millions of dollars more than expected and that the Australian Vice-Chancellors Committee has called on the Federal Government to use the revenue to increase tertiary education funding?

Mr LITTLEPROUD: A press release from the AVCC states—

> "The Executive Director of the AVCC, Mr Frank Hambly, was commenting today on reports that the Higher Education Contribution Scheme is expected to raise millions of dollars more than originally estimated. The Government expected the graduate tax would raise $83 million this year, but it has already raised $42 million.
>
> Mr Hambly said the AVCC was keen to ensure that the money did not return to consolidated revenue.
>
> 'The extra resources should be returned to the people who provided the funds—the students—by increasing the funds per student provided to institutions,' he said."

In the same media release Mr Hambly outlined that a fall of about 8 per cent had occurred in the level of funding for students for the next three years. He also pointed out that, throughout Australia, between 13 000 and 20 000 academically able young Australians missed out on places in tertiary institutions. That has been highlighted for a long time in Queensland. At the end of last year the Sherrin report brought together the data necessary to put pressure on the Federal Government to respond. Together with some money contributed by Queensland, funding for about 3 000 additional places for students was provided. However, there is still a shortfall.

I was interested to note that the Leader of the Opposition recently visited Charleville. While he was there using the fistful-of-money trick, he made mention of the fact that

he would build a residential facility beside the TAFE annexe in Charleville. That would be welcomed. However, I wish that he would also show the same sort of zeal and put pressure on the Federal Government to provide funding for residential colleges at the tertiary institutions in Queensland.

Mr Goss: Why won't you give any priority to the west?

Mr LITTLEPROUD: The Government is giving priority. The Leader of the Opposition is visiting places after the work has been done. He made statements about what he is doing about tourism. My colleague Mr Borbidge pointed out that what was suggested by the Leader of the Opposition had already been done.

When people with children of school age migrate from the southern States to Queensland, as Minister for Education I am expected to make sure that those children have a desk, a seat on which to sit and lessons to go to. That is the responsibility of the State Government, and I accept it. On the other hand, the Federal Government is responsible for tertiary education. A total of 20 000 young Australians go along to tertiary institutions and say, "I am qualified. I want to get in." However, they are turned away. Over the next three years the level of funding will drop by 8 per cent. If in the lead-up to the next State election the Opposition's Education spokesman, the member for Rockhampton, makes a lot of noise about funding for education, I will very quickly remind him of the Federal ALP Government's performance. I will also remind him of the performance of the ALP Government in Victoria, which has cut its education budget by 10 per cent and turned away 2 400 teachers.

Tax Increases by Victorian and New South Wales Governments

Mr SLACK: I ask the Minister for Finance: is he aware of recent tax increases by Labor and Liberal Governments in Victoria and New South Wales? How do those tax increases compare with the position in Queensland?

Mr AUSTIN: In answer to the honourable member, perhaps it would be better if I quoted from a document produced by the Institute of Public Affairs. It is a media release about Victorian spending. The document states—

> "The latest Grants Commission report shows the enormous scope which exists for cutting State spending and taxation, particularly in high spending and taxing States. The report shows that the greatest scope for expenditure savings and tax cuts exists in Victoria.
>
> According to Les McCarrey (Head of IPA States Policy Unit) and Des Moore (Head of IPA Economic Policy Unit) the main points from the figures are:
>
> - The substantial variation which exists between States in levels of spending on State services and in the severity of taxes levied by the State Govt. This provides a basis for high spending/high taxing States to reduce their spending/ taxation levels towards those in low spending/low taxing States;
> - Victoria has the highest level of spending and imposes the second most severe State taxes;
> - by contrast, Queensland's level of spending is the lowest (over 30 percent lower than Victoria's in per capita terms) and its taxes are the least severe (about 30 percent less than Victoria's in per capita terms);
> - if Victoria's standard of spending had been the same as Queensland's in 1987-88, State taxation could have been no less than $2600 million lower. Even if Victorian spending had been only the same as in NSW, taxation could have been about $700 million lower.
> - Tasmania had the most severe State taxes in 1987-88 and experienced easily the largest increase in tax severity over the period 1985/86 to 1987/88. This increase, which may have had some bearing on recent political developments in that State, reflected to a substantial extent the reduction in Tasmania's share of Commonwealth assistance, as recommended by the Grants

> Commission. However, the Northern Territory—which experienced an even greater reduction in Commonwealth assistance—increased the severity of its taxes only slightly over the same period.
>
> Although 1987-88 is the latest available year for these figures, there is unlikely to have been any major change since then in the relative positions of the States. They therefore provide useful background for judging the forthcoming State budgets and any 'excuses' used by State Treasurers for failing to make greater cuts in spending and taxes."

One must ask: how does the Victorian Government fund those magnificent things that it allegedly does for the community?

Yesterday in this House I read from an article titled "Victoria, the State of Insolvency" that appeared in *Australian Business*. That article stated—

> "Equity service: $507 million paid in 1987-88 by public authorities to the government in dividends and notional taxes. For 1988-89, four instrumentalities alone will have to pay about $255 million in dividends, plus sizeable equivalents to income tax. The State Bank paid $15 million dividend and $97 million in 'tax' in 1987-88."

That means that that is not really taxation. The Victorian Labor Government elected to plunder the cash reserves of its statutory authorities, and that is why its statutory authorities are in dire straits.

Members of the ALP are strangely silent today. They obviously do not like the people of Queensland being told exactly what the policies of a Labor Government in this State would do to their statutory authorities.

I turn now to New South Wales, and I do not intend to use the word that I used yesterday.

Mr Burns: You're always taken by surprise with these questions.

Mr AUSTIN: I always keep this information here because I never know when I might need it.

As I said yesterday, I feel sorry for Nick Greiner, because the Wran Labor Government and the Unsworth Labor Government did to the New South Wales Treasury exactly what the Cain Government has done to the Victorian Treasury. They plundered the purses of the statutory authorities, spent up the cash reserves and made big fellows of themselves. That is why the very same types of statutory authorities in New South Wales are in the same difficulties as the statutory authorities in Victoria.

Poor old Nick Greiner has had to increase third-party insurance to the average car-owner by $110.

Mr Goss: Typical Liberal policies.

Mr AUSTIN: It has got nothing to do with the Liberal Party.

Nick Greiner inherited a huge debt. The New South Wales third-party insurance fund was $3 billion in debt. That was the legacy of the Wran Labor Government. That is an example of what Labor Party policies do. Labor's great models, John Cain and Neville Wran, left legacies of $3 billion each.

In Queensland, the total third-party insurance bill for a car-owner is only $150. In New South Wales it costs almost $600 for motor vehicle registration and third-party insurance.

Mr Burns: $390 on a four-cylinder car in New South Wales. Tell the truth.

Mr AUSTIN: Opposition members and their Federal colleagues have to answer to the public for that. The driver's licence fee in New South Wales rose from $2 to $31—just a slight increase!

Opposition members interjected.

Mr AUSTIN: I point out to Opposition members that petrol tax in Queensland is nil and Queensland has no financial institutions duty.

Opposition members interjected.

Mr AUSTIN: The tobacco tax in Victoria is twice that in Queensland. Opposition members do not like to hear the truth.

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

Mr AUSTIN: In an attempt to pay for the debt that the Labor Government created in New South Wales, every household in New South Wales——

Opposition members interjected.

Mr AUSTIN: If Opposition members do not believe me, I invite them to read a report that was produced when Greiner came to Government and that exposed the debt that had been left in New South Wales.

Every house-holder in New South Wales is required to pay an $80 annual environmental levy. I have never heard of such a thing. The price of cigarettes in New South Wales rose by 11c per packet.

Opposition members interjected.

Mr SPEAKER: Order!

Mr AUSTIN: All I can say is that the truth hurts.

According to figures that have been produced by the Australian Bureau of Statistics, because of the taxes and charges that are imposed in New South Wales, the average family in Sydney pays $80 per week more than the average family in Brisbane.

Leasehold Land Rental Assistance

Mr BEARD: I ask the Minister for Public Works, Housing and Main Roads: can he advise what steps, if any, are intended to be taken to ease the load on people who live on leasehold land rather than freehold, particularly those living on leases such as State housing perpetual town leases who, even on modest valuations set by the Valuer-General, have to pay annual land rentals of the order of $330 which, unlike local authority rates, provide no services at all?

Mr GUNN: I am not sure whether that question should be directed to me. If the honourable member will place the question on notice, I am sure that it will be directed to the appropriate Minister.

Mr BEARD: I place the question on notice for tomorrow.

Return from Darwin by Member for Manly; Entitlements of Members

Mr BEARD: In directing a question to the Premier and Treasurer, I refer to a question that was asked by the member for Windsor on 7 July 1989 concerning the use of the Government jet to fly the member for Manly from Darwin to Brisbane to vote in a division. At that time the Premier replied—

> "The cost of the visit was about $10,000. I personally authorised it. The arrangements were made for the honourable member's return in accordance with the normal entitlements of members."

I ask: what normal entitlements of members was the Premier referring to?

Mr AHERN: The honourable member is obviously trying to score some cheap political point.

Mr Beard: I would like to score a couple of trips like that.

Mr AHERN: Would the honourable member? I understand many honourable members did recently when they came down for this sitting of Parliament. I do not know if the honourable member was lucky enough to be one of them. I understand that the Government jet was made available to other honourable members opposite to ensure their convenience in coming to this parliamentary sitting. I have heard no complaint about the facilities that were provided.

In the circumstances that existed at the time to which the honourable member refers, I have no regrets about the actions taken, and I would take them again in similar circumstances to ensure all honourable members were able to come to sittings of the House.

Queensland Housing Commission Home-lending Programs

Mr BURNS: I ask the Minister for Public Works, Housing and Main Roads: is he aware that Queensland's home-lending programs operated by the Queensland Housing Commission are considered a joke by senior executives of housing authorities in the Liberal and Labor States of New South Wales and Victoria? The New South Wales Housing Commission has offered to come to Queensland to help it out with its problems. Is the Minister aware that most other States have reorganised the financing of their home-lending programs, making greater use of private-sector funds raised from the secondary mortgage market? Is he aware that, as a result of this innovation, over the last five years these States have been able to double, and treble, the number of concessional loans provided to lower-income families? Will he agree to establish an urgent review of the financing of Queensland home-lending programs and make the results available to the public and to this House?

Mr GUNN: As a matter of fact, most of the other States are copying Queensland's housing policy.

Mr Burns interjected.

Mr GUNN: Under the various schemes that operate in this State and under the interest subsidy scheme, $1.5m per day is being lent.

Mr Burns interjected.

Mr SPEAKER: Order! The honourable member for Lytton will listen to the answer in silence.

Mr Burns interjected.

Mr SPEAKER: Order! I now warn the honourable member under Standing Order 123A for the first time. I call the Honourable the Deputy Premier.

Mr GUNN: I can appreciate that the honourable member would not want to hear my reply.

The Housing Commission is deserving of the highest praise. I challenge the honourable member to tell me of an instance anywhere else in Australia in which an ordinary worker earning $497 a week or less can provide 10 per cent——

Mr Burns interjected.

Mr SPEAKER: Order! I now warn the honourable member for Lytton for the second time.

Mr GUNN: As I was saying, that worker has to provide only 10 per cent of the capital value of the home and he is granted a loan at an interest rate of 13.75 per cent. If that person cannot meet those commitments, the Government helps him through its interest subsidy scheme. That is unknown to the member for Lytton. He does not know about that. I will give him the full details of it. Many people in his electorate are making use of this scheme. Last year the Government subsidised that scheme by $16m.

The Queensland Government does not have to follow anybody; it is leading in the housing field, and the honourable member knows it.

Greenhouse Effect, Tidal Differences

Mrs GAMIN: I ask the Minister for Water Resources and Maritime Services: will he inform the House what steps have been taken by the Government to monitor any differences that have occurred in tides and that may be attributed to the greenhouse effect?

Mr NEAL: I thank the honourable member for the question. My Department of Harbours and Marine, in co-operation with the Queensland harbour boards and the Beach Protection Authority, is routinely monitoring sea levels. The sea-level data is computerised in Queensland and forwarded to the Flinders Institute for Atmospheric and Marine Science in Adelaide for final analysis and for the preparation of Queensland's tide predictions.

The Flinders institute reports to the Department of Harbours and Marine annually on its findings. Also, the planning for a base-line, sea-level network of supertide gauges for Queensland is in progress. These gauges are very precise and will measure the small variation in tides being experienced at present, which is approximately 1.2 millimetres per year. At this rate of variation, monitoring for approximately 20 years will be necessary before meaningful results can be obtained.

Alleged Representations by Premier to Queensland Industry Development Corporation on behalf of Behnfeld Corporation

Mr HAYWARD: In directing a question to the Premier and Treasurer, I refer to a report in the *Courier-Mail* of 24 August on the collapse of the Australian building industries group formerly known as the Behnfeld Corporation, with estimated debts of at least $80m. I refer also to statements reported in the *Courier-Mail* on 8 August by former QIDC Chairman, Mr Graham Tucker, regarding pressure applied by National Party Ministers in decisions relating to QIDC investments, and I ask the question in two parts: will the Premier confirm whether he made personal representations on behalf of the Behnfeld Corporation to the QIDC for an equity investment? Secondly, if the Premier did not, did any other member of his then Ministry make such a representation?

Mr AHERN: I have no knowledge at all of making any representations. However, I will check with the organisation concerned. If the honourable member places the question on notice, I will respond.

Mr HAYWARD: I do so accordingly.

Mr AHERN: However, I just want to say that the retired chairman of the corporation deeply resents the implication that the honourable member has made about him and ministerial influence and has indicated he rejects it completely. I have spoken with him personally. Perhaps he might tell the honourable member his opinion of the member but, frankly, that would need to be done in private.

Queensland Industry Development Corporation; Crongold Pty Ltd and Aquaculture Industries (Qld) Pty Ltd

Mr HAYWARD: In directing a question to the Premier and Treasurer, I draw his attention to his response to a question without notice regarding the conflict of interest involving QIDC board members Jim Brennan and Tom Maule and their financial interest in the companies Crongold Pty Ltd and Aquaculture Industries (Qld) Pty Ltd, when he read a prepared statement to the Parliament in which Mr Brennan claimed that he had personally taken no part in decisions relating to any QIDC investment in Aquaculture Industries, and I ask: will the Premier table a copy of the minutes of all meetings of the QIDC board and any meetings of the executive at which the following investment and loan decisions were discussed: a $1m loan from QIDC to Aquaculture Industries approved

in August 1987; a $200,000 equity investment by QIDC in Aquaculture Industries in August 1987; and a $1m equity investment in Aquaculture Industries through the QIDC's venture capital fund? As a matter of principle, does he believe it to be acceptable for the QIDC to invest in a company in which a QIDC board member has a personal financial interest?

Mr AHERN: I naturally carry in my head all those detailed files recording dates, times, places and people. It is obviously a nonsense to ask me to answer that question without notice. I simply say that the last time I looked at the rantings of the honourable member in relation to this matter, the facts as they were discussed just did not add up. However, if the honourable member puts the question on notice, I will provide an answer for him tomorrow.

Mr HAYWARD: I do so accordingly.

Legalisation of Two-up Games on Anzac Day 1990

Mr GATELY: I ask the Minister for Police: will he give an undertaking to take appropriate steps to introduce legislation into this Parliament to legalise the playing of two-up on Anzac Day 1990 at locations throughout Queensland where returned ex-servicemen and women, their families and friends are gathered to commemorate Anzac Day in memory of Queensland's fallen servicemen and women and ensure that the real and meaningful traditions of Anzac Day are upheld?

Mr BORBIDGE: The matter will be given further consideration by the Government.

Queensland Industry Development Corporation Loan to Minister for Land Management

Mr SMITH: I ask the Minister for Land Management: has he ever received a loan from the Queensland Industry Development Corporation? If so, what was the amount of the loan? What was its purpose? Did he fail to disclose the loan on the pecuniary interests register because it is recorded under the name of Dalgety Winchcombe? Does he believe, as a matter of principle, that Ministers of the Crown should be granted loans from State financial institutions?

Mr GLASSON: I cannot understand the honourable member. He should put the question on notice.

Mr SMITH: I do so accordingly.

Mr SPEAKER: Order! The question will be placed on notice. The time allotted for questions has now expired.

CONSTITUTION ACT AMENDMENT BILL

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (3.57 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Constitution Act 1867-1988 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (3.58 p.m.): I move—

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

The purpose of this Bill is to amend the Constitution Act 1867-1988 to give formal recognition to local government in Queensland. Honourable members will be aware that on 13 April 1989 I introduced an earlier Bill to recognise local government in the State's Constitution. That Bill was drafted following extensive consultations with the Local Government Association of Queensland. However, following representations from the President of the Local Government Association of Queensland, Councillor J. Pennell, I agreed to withdraw the Bill to enable further discussions with the association.

The Bill now before the House has been significantly amended to reflect and protect the democratic nature of local government in Queensland. Proposed section 54 now explicitly acknowledges and enshrines in the Constitution the fact that there is, and must continue to be, a system of duly elected local authorities. This explicit recognition is further buttressed by the new proposed section 55. By virtue of that provision, if the Executive suspends a local authority, that suspension must be supported by this House if it is to be fully effective. It will not be sufficient for the Parliament to simply ignore the suspension because, if it does, then it will lapse.

In short, before the members of a duly elected local authority can be dismissed, this House—representing the people of Queensland—must explicitly vote in favour of such a move. No longer will the Executive alone have this power. I think this is a significant move forward, not only for local government but also for good government, per se. The Bill is a further progressive initiative of the Queensland Government.

If this Bill is passed by the Parliament, it will ensure that Queensland has progressed further than any other State in Australia in formally recognising local government and in providing local government with real protections.

I will now outline the principal provisions of the Bill.

Clause 54 relates to the system of local government. This clause recognises that a system of elected local government shall continue to exist in Queensland.

Clause 55 relates to dismissals of local authorities and the manner of appointing persons to exercise functions of local government.

Clause 55 (1) provides that a duly elected local government body may only be replaced with an appointed local government body if the provisions of clause 55 are complied with. If clause 55 is not complied with, then the Government cannot dismiss a duly elected local government body.

Under clause 55 (2), the Government may dismiss an elected local government body, but the instrument of dismissal must be tabled in Parliament within 14 sitting days after it is made. Unless Parliament confirms the dissolution of the council within 14 sitting days, the purported dismissal takes the form of a temporary suspension of the local government body only.

Clause 55 (3) explains that where Parliament confirms the dissolution of the council, the instrument takes effect as a dismissal of the council.

Clause 55 (4) explains the consequences of Parliament refusing to confirm the dismissal, or failing to confirm it. In either of these events, the suspended local government councillors shall be reinstated, and the administrator's role shall terminate.

Clause 56 relates to procedures on Bills affecting local government. Clause 56 (1) provides that the Minister responsible for local government, when introducing legislation to the Parliament, shall, wherever practicable, prior to introducing the Bill into the Parliament, forward a summary of the proposed Bill to the Local Government Association of Queensland.

Clause 56 (2) provides that, before any Bill is introduced into Parliament to abolish the system of local government throughout the whole of Queensland, a referendum must be conducted.

The principle of consultation with local government has long been accepted by the Queensland Government. In 1985, the Government released a statement of principles

which was intended to clarify and to place on public record the manner in which the Government would deal with local government. One of the principles specifically included in this statement was as follows—

> "The Queensland Government is committed to a process of genuine consultation with local authorities and their associations in respect of all matters of relevance to local government."

The consultation provision in the Bill before Parliament is unique in Australia. No other State has introduced legislation granting local government a legal right to be consulted on proposed legislation by the Minister responsible for local government.

While not all the Local Government Association's requests have been able to be met in relation to this Bill, most of the requests have been granted.

This Bill does not merely provide a symbolic recognition of local government; it offers meaningful recognition and substantive protections to local government authorities in Queensland. The Bill goes further than any other State in recognising and protecting local government. For example, in only one other State—Victoria—is the Government required to go to the Parliament to have a dismissal of a local authority approved; no other State has legislation providing that the Minister for Local Government shall, where practicable, provide the Local Government Association with a summary of a Bill he is introducing to the Parliament prior to its introduction; and no other State has legislation providing that a referendum must be held before the system of local government can be abolished.

This Bill is tangible evidence of the level of importance which my Government attaches to local government in Queensland.

I commend the Bill to the House.

Debate, on motion of Mr McElligott, adjourned.

DAYLIGHT SAVING BILL

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (4.04 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill to provide for a trial period of daylight saving and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (4.05 p.m.): I move—

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

On 21 August 1989, I announced approval for a trial period of daylight-saving in Queensland in the summer period of 1989-90. This Bill provides for the trial period to commence at 2.00 a.m. on Sunday, 29 October 1989, and terminate at 2.00 a.m. summer-time on Sunday, 4 March 1990.

This period of summer-time will provide uniformity of daylight-saving in Queensland and New South Wales. However, it is understood summer-time will continue in Victoria until the third week in March 1990. Other States, such as South Australia, will operate on summer-time similar to that being observed in Victoria.

Daylight-saving was last trialled in Queensland from Sunday, 31 October 1971 until Sunday, 27 February 1972. On that occasion, the trial of daylight-saving was implemented

following assent to the Daylight Saving Act 1971. This Bill is similar to the 1971 legislation.

The Government is fully aware of the problems which could arise, particularly in the northern and western areas of the State, as a result of the introduction of this measure. For that reason, a task force has been established to hear submissions from interested parties prior to the introduction of daylight-saving, during the period it is in force and at its conclusion. It will be chaired by Mr Ian Staib, Under Secretary, Department of Industrial Affairs and will have the following members: Mr Hugh Cornish, media representative; Mrs Theresa Cobb, Isolated Children's Parents Association; Mr Don McKechnie, Queensland Producers Federation; Mr Lindsay Hall, Queensland Council of Agriculture; Councillor Jim Pennell, Local Government Association of Queensland; Mr Harry Hauenschild, Trades and Labor Council of Queensland; Mr Gary Black, Queensland Confederation of Industry; Mr Peter Roubicek, State Chamber of Commerce and Industry; Mrs Jean McCulloch, consumer representative; Mrs Muriel Pagliano, Country Women's Association; Mrs M. McKernon, Health Department; and Mr Ralph Connolly, Queensland Tourist Industry Association.

The terms of reference for the task force are—

(i) receive submissions from interested parties prior to the implementation of the test to ensure a smooth transition to daylight-saving;

(ii) ensure that no section of the community in Queensland is unduly disadvantaged by the introduction of daylight-saving;

(iii) monitor closely the implementation of the test of daylight-saving in Queensland having regard to the decentralised nature of the State;

(iv) ensure that any issues raised during the test are appropriately considered;

(v) receive submissions from interested parties by 31 March 1990 in respect of community attitudes to the test; and

(vi) report to Government by 30 April 1990 on all aspects of the test and whether daylight-saving should continue to be observed in future years.

My Cabinet colleague the Honourable the Minister for Employment, Training and Industrial Affairs and the chairman of the task force will this month visit northern and western areas of Queensland to explain the reasons for the trial and to seek local input. As I have said, this measure is being introduced on a trial basis only. At the end of the four-month period, the task force will furnish its report and the Government will make a decision on whether daylight-saving should continue in future years.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

CONSTITUTION (CANCELLATION OF REFERENDUM) BILL

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (4.08 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to cancel the referendum to extend the duration of the Forty-fifth Parliament of Queensland."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (4.09 p.m.): I move—

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

As honourable members are aware, it has been decided not to proceed with the proposed referendum to extend the duration of the Forty-fifth Parliament of Queensland. This Bill repeals the Constitution (Referendum) Act 1989 which provided for the Bill extending the duration of the Forty-fifth Parliament of Queensland to be submitted for the approval of electors at a referendum. I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

WHEAT MARKETING (FACILITATION) BILL

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (4.10 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to facilitate the efficient and effective marketing of wheat and certain other grains by way of marketing agreements between the State Wheat Board and the Australian Wheat Board, to repeal the Wheat Marketing Act 1984-1986, to amend the Wheat Pool Act 1920-1989 in certain particulars and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (4.11 p.m.): I move—

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

I have much pleasure in presenting to the House new legislation which will provide for the continued efficient and effective marketing of the Queensland wheat crop by the State Wheat Board and the Australian Wheat Board in accordance with the wishes of the Queensland wheat industry.

During more than 40 years Queensland wheat-growers have reaped the benefit from a close working relationship between the State Wheat Board and the Australian Wheat Board. On the one hand, the marketing of the crop had benefited from the internationally recognised marketing expertise of the Australian Wheat Board, while on the other hand the State Wheat Board has provided an impressive array of grower services, including the seed wheat scheme, the hail insurance scheme and the wheat crop establishment credit scheme, which are the envy of growers in the other States.

The involvement of the Australian Wheat Board in the marketing of the Queensland wheat crop, and Queensland's participation in the national wheat marketing arrangements of past seasons, has been based on complementary Commonwealth/State wheat marketing legislation. This legislation has previously been enacted every five years to allow for appropriate review and modification when necessary to cope with changing circumstances, particularly in the marketing and financial arena.

The most recent complementary legislation was enacted in 1984 and effectively expired on 30 June this year. Accordingly, new legislation is necessary if the Australian Wheat Board is to continue its involvement with the Queensland wheat crop.

In May this year, the Commonwealth Government adopted its usual arrogant approach to primary industry by enacting the new Commonwealth Wheat Marketing Act which it considered to be appropriate regardless of the advice of national and State industry bodies.

On this occasion, the Commonwealth has attempted to force through a deregulation of domestic wheat marketing arrangements and may also attempt to use its new legislation as a vehicle to implement the much-discredited recommendations of the McColl royal commission into grain storage, handling and transport.

I would add, however, that the Commonwealth's current infatuation with deregulation does not extend to embracing a deregulation of restrictive labour practices. Indeed, we have recently seen a particularly disgraceful example of the Commonwealth's weakness when confronted with union intransigence on the waterfront. Unfortunately, the Australian Wheat Board was not able to resist the pressure the Commonwealth applied to get the board to back away from the manning dispute at Fisherman Islands.

Unlike the attitude adopted at the Commonwealth level, the Queensland Government recognises the pivotal role of primary industry as the driving force of the State and the national economy. The wheat industry, due to its size and strength, requires particular attention. In stark contrast to the Commonwealth's attempt to force its own views onto the industry, the approach of the Queensland Government, as embodied in the legislation now before the House, is to consult with industry in the first instance and then, once the needs of the industry have been identified, to implement the necessary legislation to facilitate those needs.

The industry in Queensland has indicated to me that it considers the Australian Wheat Board should continue to be involved in the marketing of the Queensland wheat crop and that this should be by way of formal marketing agreements with the State Wheat Board. This Bill provides for those agreements, the terms and conditions of which will be subject to the approval of the Queensland Minister for Primary Industries. In anticipation of this legislation, the State Wheat Board and the Australian Wheat Board have already registered the business name "Queensland Grains" and have set up a joint management committee to co-ordinate the activities of the two boards in this State. It has been necessary for these steps to be taken in advance of the legislation to ensure that proper arrangements are in place for the 1989-90 wheat harvest which is already under way in Central Queensland and going very nicely, I might add.

Ideally, this facilitating legislation should have been put in place before the harvest commenced. However, it was not practicable to introduce new legislation in Queensland until we knew precisely what was in the new Commonwealth Wheat Marketing Act. It is unfortunately a matter of record that the Commonwealth did not introduce its new legislation until very late in the autumn session of Parliament and without proper prior consultation with the States. It is for that reason that the legislation now before us was not able to be introduced into this House earlier in the year. To be effective, this legislation needs to apply as from 1 July of this year and the commencement clause in the Bill makes an appropriate provision.

Whilst the key thrust of the Bill is to facilitate marketing agreements between the Australian Wheat Board and the State Wheat Board in respect of wheat, the Bill also permits the making of similar agreements in respect of other grains, subject to certain important provisions which I will outline. As is the case with wheat, a formal marketing agreement will need to be drawn up between the two boards and submitted to the Minister for Primary Industries for approval.

In the case of statutory grains, in other words those grains for which a marketing board has been constituted, such as barley, and grain sorghum in central Queensland, the State Wheat Board and the Australian Wheat Board, through Queensland Grains, will only be authorised to purchase those grains from the particular marketing board if the marketing board has given written approval for direct purchases from growers. In other words, the operation of Queensland Grains will not be allowed to undermine existing statutory grain-marketing arrangements in Queensland.

In the case of the non-statutory grains such as grain sorghum in south Queensland, oilseeds and chick peas, the State Wheat Board and the Australian Wheat Board, through Queensland Grains, will be able to trade in only those grains which have been declared by Order in Council. This will ensure that the two boards do not lose sight of their prime objective, which is to efficiently and effectively market the wheat crop. As Minister for Primary Industries, I will only recommend the declaration of a non-statutory grain to the Governor in Council when I am convinced that it is in the interests of growers for Queensland Grains to become involved and where it can be shown that such

involvement will not adversely impact on the wheat-marketing arrangements of Queensland Grains.

I also draw attention to the specific provisions of the Bill that require the State Wheat Board to keep the accounts of trading activities in other grains completely separate from the wheat accounts and to have those trading accounts audited by the Auditor-General. Under no circumstances will the State Wheat Board be allowed to use money from the wheat pool to cross-subsidise trading activities in other grains.

I take the opportunity to make it clear that this Bill is not intended to be a vehicle to force the amalgamation of the various State grain-marketing boards. If growers wish to bring about such an amalgamation, there is already provision for the amalgamation of marketing boards under the Primary Producers' Organisation and Marketing Act. The provisions of that Act allow a poll of growers before an amalgamation and I do not propose any changes to the rights of growers in that regard.

Turning briefly to other features, the Bill confers certain powers and functions on the Australian Wheat Board which are necessary to allow the board to participate in marketing arrangements with the State Wheat Board. These provisions mirror, where appropriate, similar powers and functions conferred upon the Australian Wheat Board under the Commonwealth Wheat Marketing Act. Owing to constitutional constraints, which are important to State responsibilities and which will not be relinquished by Queensland, the provisions in the Commonwealth Bill can apply only to export and interstate trade. Hence similar provisions are necessary in the Queensland legislation to cover those activities which we approve within Queensland.

This Bill will not in any way exempt or exclude the Australian Wheat Board from complying with any other Queensland laws. In particular, there will be no relaxation of Queensland's grain storage, handling, transport and marketing laws. If the Australian Wheat Board, or for that matter any other grain-marketing organisation, wishes to operate in this State, it must comply with the laws of this State.

The Bill also makes certain changes to the Wheat Pool Act, under which the State Wheat Board is constituted. In order to facilitate the State Wheat Board's participation in Queensland Grains, the board will be empowered to operate as an agent or delegate of the Australian Wheat Board and will be able to enter into arrangements on behalf of that board. Reciprocal provisions in these areas will also apply.

Where the State Wheat Board purchases wheat outside its normal pool operation, the board will be allowed the discretion as to whether to take such wheat into a pool, if it considers this necessary to supplement the supply of wheat in the pool, or whether to dispose of that wheat separately from the pools. This will give the State Wheat Board greater flexibility in dealing with wheat of interstate origin and permit wheat which might be offered for sale to the board.

As already provided in the Wheat Pool Act, separate accounts will be kept for pool and non-pool wheat and all such accounts will be audited by the Auditor-General.

Subject to certain minor transitional provisions, the Bill repeals the Wheat Marketing Act 1984-1986, which set out the ground rules for Queensland's participation in the national wheat-marketing arrangements for the five seaons commencing in 1984-85 and concluding with the 1988-89 season.

The Wheat Varieties Advisory Committee, which operated under the 1984 legislation, will continue under this new legislation and will provide advice and recommendations to the State Wheat Board and the Australian Wheat Board on varietal and other relevant matters. I regard this as a most necessary responsibility.

A review clause has been included to allow both the legislation and the marketing arrangements for the Queensland wheat crop to be reviewed within five years. The results of the review will be laid before this Parliament. This does not preclude any necessary changes to those marketing arrangements, or prevent any necessary amendments to this legislation, within that period. As this legislation is premised on the concept of marketing

agreements between the State Wheat Board and the Australian Wheat Board, any breakdown in these arrangements would necessitate a reconsideration of the nature and extent of the Australian Wheat Board's involvement in this State.

I am confident that the legislation now before the House will meet the requirements of the Queensland wheat industry for a strong, flexible and orderly system of marketing which brings together the ability, experience and commitment of both the State Wheat Board and the Australian Wheat Board. This legislation has the support of the Queensland industry and, indeed, was prepared only after close consultation with the industry.

I commend the Bill to the House.

Debate, on motion of Mr Casey, adjourned.

SUGAR MILLING RATIONALIZATION (FAR NORTHERN REGION) ACT AMENDMENT BILL

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (4.22 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Sugar Milling Rationalization (Far Northern Region) Act 1987-1989 in certain particulars and to declare an Order in Council made in pursuance of that Act to be of no effect."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (4.23 p.m.): I move—

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

The Sugar Milling Rationalization (Far Northern Region) Act as it presently stands provides that cane-growers who prior to 1987 were assigned to the Goondi mill are deemed to be rezoned to either the Babinda mill or the Mourilyan mill for a period of five years or such shorter or longer period as declared by Order in Council.

The purpose of those provisions was to provide added security to the Government in respect of financial assistance provided by the State under the Sugar Milling Adjustment Scheme, which, to the Babinda co-operative, amounted to almost $9m.

As the financial commitments have been repaid in advance of the scheduled date, it is intended that the prohibition on rezoning be removed, allowing the general provisions of the Regulation of Sugar Cane Prices Act to apply. It is also intended that the position of ex-Goondi growers rezoned to the Babinda and Mourilyan mills be protected after the period during which rezoning was prohibited.

The present Bill clarifies what was intended to occur after the expiration of that period, that is, that the growers remain assigned to either the Babinda or Mourilyan mill areas on the same basis as all other growers in the respective areas and be free to participate in industry expansion on an equal footing.

The Bill also addresses an area of doubt over the status of the ex-Goondi growers in light of an Order in Council which declared the period to expire on 20 July 1989. This Order in Council was revoked on 27 July 1989 when the status of the ex-Goondi growers was noted to be in doubt because of the statutory lapsing of the rezonings.

The Babinda co-operative is now the subject of a purchase offer and a meeting held to consider steps appropriate to the acceptance of the offer was held on 25 July. The

status of ex-Goondi growers who are now share-holders in the Babinda co-operative is clarified by this Bill and any resolution passed at the July 25 meeting will accordingly not be invalid because of votes cast by those share-holders.

I commend the Bill to the House.

Debate, on motion of Mr Casey, adjourned.

IPSWICH TRADES HALL (VALIDATION) BILL

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (4.26 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to activate certain provisions of the Ipswich Trades Hall Act 1986 and to validate acts matters and things purporting to have been done or suffered under the authority of those provisions."

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) (4.27 p.m.): I move—

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

Honourable members will recall that the Ipswich Trades Hall Act 1986 was passed by this House on 3 September 1986.

That Act provided the mechanism in respect of an exchange of land on which was the Trades and Labour Hall in the city of Ipswich for other lands held by the Kern Corporation and for related purposes. The exchange was to facilitate the development of the central business district of Ipswich. That development has now been completed and all those involved can be proud of that development. The Act was assented to on 15 September 1986.

The Act was slightly unusual in that two proclamations were required, one for the commencement of the Act and one for the commencement of a designated day. The designated day was the day upon which, certain actions by the parties having been completed, certain things for the exchange of lands between Kern Corporation and the trustees of the Ipswich Trades Hall and Labour Day Committee became effective.

The proclamation for the commencement of the designation day was dated 25 August 1988 and that day was declared as 1 September 1988, with the gazettal being on 3 September 1988. The Acts Interpretation Act is silent as to whether the gazettal can be after the commencement, although opinion is that it should not be and may even void the action.

To place this matter beyond doubt, the Parliamentary Counsel, in clause 4 of the Bill, provides that all things done prior to the date of the commencement of the Bill, notwithstanding any defect, are deemed to be authorised by the principal Act.

It was unfortunate that, through an oversight, action for the proclamation for the Act to commence was overlooked.

This Bill deems that, other than for sections 1 and 2 of the Act which commenced from the date of assent, and section 3 which commenced from the designated day, the remaining sections of the Act commence from the date of assent.

I commend the Bill to the House.

Debate, on motion of Mr Eaton, adjourned.

LAND ACT AMENDMENT BILL

Hon. W. H. GLASSON (Gregory—Minister for Land Management) (4.30 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Land Act 1962-1988 in certain particulars and for a related purpose."

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) (4.31 p.m.): I move—

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

The amendments contained in the Bill restructure the composition of the advisory committee on stud holdings to gain greater input from industry representatives. As its name implies, the committee is an advisory body to the Minister on matters relating to the stud industry and is required to make all such investigations and report as the Minister directs.

The Bill also provides for a fixed term of three years for members, and there are short provisions regarding vacancies of office. Conditions of lease of existing stud holdings provide for specified numbers of sires to be sold each year. Where a lessee has bona fide offered for sale the specified number and the market is such that there are no willing buyers, it can hardly be held against the lessee that he has not sold the numbers required.

Provision is now made that instead of "sell", the lessee "bona fide offer for sale" such sires and each year make a statutory declaration as to the number of sires offered and the dates those offers were made. Consequential amendments are also made to the provisions regarding failure to comply with such condition.

The fostering and encouragement of our stud holdings is important for the continued growth of our grazing industry, which for decades has been a large contributor to export industries.

I commend the Bill to the House.

Debate, on motion of Mr Eaton, adjourned.

WIVENHOE DAM AND HYDRO-ELECTRIC WORKS ACT AMENDMENT BILL

Hon. D. McC. NEAL (Balonne—Minister for Water Resources and Maritime Services) (4.32 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Wivenhoe Dam and Hydro-electric Works Act 1979-1984 in a certain particular."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. McC. NEAL (Balonne—Minister for Water Resources and Maritime Services) (4.33 p.m.): I move—

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

In 1979, the Wivenhoe Dam and Hydro-electric Works Act was passed to provide for the construction of Wivenhoe Dam on the Brisbane River and of works associated with the dam. It also provided for certain land to be reserved and set aside for parks, gardens, recreation, scenic and other purposes and for that land to be placed under the trusteeship of the Brisbane and Area Water Board once the Co-ordinator-General certifies that the Wivenhoe Dam project is complete. The legislation obviously recognised the benefits to the community that derive from the provision of recreational and associated facilities at large dams such as Wivenhoe.

In 1985, a recreation plan for Wivenhoe Dam and its environs was prepared by an interdepartmental committee, adopted by the Government, and the board was directed to implement the plan over time. That plan identified the land at Wivenhoe Hill as being suitable for the development of a tourist resort. However, the Act as it stands would not permit development of tourist facilities in the manner endorsed by the recreation management plan. Provisions of the Act also restrict the timing of development as the Brisbane and Area Water Board must wait for finalisation of every single element of the project before the land at Wivenhoe Hill can be transferred to its trusteeship. Whilst infrastructure works are complete, considerable work is required to finalise road closures and other land dealings. It is unrealistic to delay further recreation and tourist development until the last of these minor actions is resolved. Therefore it is necessary to amend the Wivenhoe Dam and Hydro-electric Works Act to enable development of a tourist resort at an appropriate time.

The proposed location of a resort on an area of land at Wivenhoe Hill will be ideal. It will be yet another reason for tourists from interstate and overseas to visit Queensland.

What is proposed in the Bill is that land vested in the board may be used for purposes as determined by the Governor in Council by Order in Council. It will also enable the land to be transferred to the trusteeship of the Brisbane and Area Water Board now rather than at some indefinite time in the future. Any such land may also still be used for environmental parks, parks, gardens, recreation grounds or for scenic purposes. However, the Brisbane and Area Water Board will remain as trustee of all the land in question. The board will not be able to divest or sell any of the land. Any developments will be by way of lease from the board. This initiative will ensure that the long-term management of all land is retained by the board to preserve the area for the enjoyment of the people of Queensland. The development of a tourist resort will also provide additional funds by way of rental to the Brisbane and Area Water Board which will contribute towards the board's cost of operation and administration.

Finally, it is worth noting that this Bill has the full support of the Brisbane City Council and of all other local authorities represented on the board. I am also pleased to say that the Lord Mayor has offered her support for the Bill.

I commend the Bill to the House.

Debate, on motion of Mr Prest, adjourned.

WATER RESOURCES BILL

Hon. D. McC. NEAL (Balonne—Minister for Water Resources and Maritime Services) (4.36 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill to consolidate and amend the law relating to rights in water, the measurement of water, the construction, control and management of works with respect to water conservation and protection, irrigation, water supply, drainage, flood control and prevention, improvement of the flow in or changes to the courses of watercourses; the safety and surveillance of dams; to provide for the continuance in existence of the corporation sole under the name 'The Commissioner of Water Resources' as a corporation sole under the name and style 'Water Resources Commission' and its powers, authorities, functions and duties; and for purposes incidental thereto and consequential thereon."

Motion agreed to.

First Reading

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

Second Reading

Hon. D. McC. NEAL (Balonne—Minister for Water Resources and Maritime Services) (4.37 p.m.): I move—

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

Over the past 100 years, water legislation has been enacted to meet various needs as they were identified. This has resulted in the promulgation of numerous Acts relating to water-resource management, together with their regulations and by-laws.

Until now, no serious attempt has been made to amalgamate the various Acts into comprehensive legislation, to remove duplications or to remove provisions that are no longer relevant.

Water law can be divided roughly into two separate parts. The first concerns water-resource assessment and management and its inevitable close links to rural water supply. The second major aspect is urban water supply, with its clear links to technology, quality, treatment and health-related aspects of water for human consumption. Each has its own particular ramifications and there are no real advantages in attempting to link these two major strands together into a single piece of legislation. Rather, there is a need to ensure that all the diverse law relating to each aspect is integrated to produce legislation that is relevant to the current day.

As a first step in this process of amalgamation and modernisation, the legislation dealing essentially with water-resource assessment, management and rural water supply has been reviewed, and that has resulted in the Bill before the House at this time.

The Water Resources Bill proposes to amalgamate four existing Acts—

- the Water Resources Administration Act 1978-1989;
- the Irrigation Act 1922-1986;
- the Water Act 1926-1987; and
- the Farm Water Supplies Assistance Act 1958-1989.

The Water Resources Administration Act constitutes the corporation sole—the Commissioner of Water Resources—and sets out the administrative powers, functions and duties of the commissioner.

The Irrigation Act provides for the establishment and management of irrigation undertakings and areas.

The Water Act provides the regulatory powers and duties of the Water Resources Commission with respect to surface and underground water, quarry material in boundary watercourses and control of referable dams. It provides also for the constitution and management of water supply and drainage areas.

The Irrigation Act and the Water Act have been amended on many occasions since they were first enacted more than 60 years ago, but they no longer satisfy the needs of the water industry as it exists today or is expected to exist in the future.

The Farm Water Supplies Assistance Act has served a most useful purpose in assisting farmers to develop water conservation, irrigation, stock water and domestic water supply systems on their properties.

Some changes have already been made to this latter Act. Honourable members will recall that earlier this year, administration of financial assistance to farmers to develop water supplies on their properties became the sole responsibility of the Queensland Industry Development Corporation. The function of providing technical assistance to farmers remained with the Water Resources Commission.

There was an urgent need to revise these four Acts, to remove provisions that are no longer applicable and to add new provisions, where necessary, to meet present day needs and those of the years to come. Each of these Acts covers interrelated areas of water-resources management. Amalgamation will remove many unnecessary duplications and make one comprehensive Act. More importantly, it will streamline procedures and provide modern legislation that will improve both the management of the State's scarcest resource and the service that is provided to water-users in Queensland.

New initiatives in the Bill have been described in not one but two Green Papers. Based on the public discussion and feedback from those Green Papers, I am satisfied that the provisions of this Bill have the overwhelming support of those who they are most likely to affect.

The Bill is necessarily long. I do not propose to detail the many provisions that have been taken from the existing Acts without altering their impact. However, I do want to draw honourable members' attention to the important features of the Bill.

Part I includes a number of new terms to complement the new initiatives. Wherever possible, definitions that are contained in various existing provisions have been brought forward to the Interpretation clause.

Part II deals with the Crown's right to control the use of non-tidal surface water and underground water.

The whole fabric of water legislation in Queensland—indeed, in the whole of Australia—depends upon the right of the Crown, through its officers, to control the use of water. That right is essential to the equitable distribution and use of water. It continues to be embodied in the new legislation.

Until a short time ago the body of opinion available to the Water Resources Commission favoured the proposition that the Crown controls the water flowing at any time in rivers, creeks and streams up to the point where the water leaves the feature and flows outwards over the adjacent land; in other words, up to the point where the watercourse commences to flood adjoining land. However, more recent opinion is that the Crown's control is limited to water that is usually to be observed flowing in the watercourse.

Loss of control of the water that flows during freshes would have a devastatingly adverse impact on the distribution of water to users along rivers, creeks or streams and on the conservation of water in major, publicly funded storages that provide water for rural, urban, industrial and commercial purposes. The Water Resources Bill corrects the anomaly by clarifying the Crown's right to the use and control of water. In so doing, the provision clarifies water management without affecting in any way the rights of riparian land-owners or the ownership of land.

I am sure that honourable members will agree that for the greater prosperity of Queensland, the Crown must continue to exercise control over a valuable and scarce resource such as water.

A small but significant change has been made to the constitution of the corporation sole which is presently designated as the Commissioner of Water Resources. The Commissioner of Water Resources, as a corporation sole constructs, operates and maintains dams, weirs, barrages, etc., develops and manages irrigation areas and acquires, holds and disposes of real and personal property. The commissioner, as a natural person, is the chief executive of the Water Resources Commission. He is charged with the regulatory functions under the Water Act, and the administration of the department.

The Bill provides for the corporation sole to be known as the Water Resources Commission constituted by the commissioner for the time being, who will also be the chief executive of the department of Government known as the Water Resources Commission. Those matters concerning construction and management of works and the acquisition and disposal of property will be dealt with by the corporation sole whilst

other matters will be dealt with by the Commissioner of Water Resources as the chief executive of the Water Resources Commission.

The Bill amalgamates provisions of the Water Resources Administration Act, the Irrigation Act and the Water Act that deal with the management and development of the water resources of Queensland, the construction, operation and maintenance of headworks and the establishment and management of irrigation areas. These provisions now include the diversion of water from one source to another, the establishment of tourist and recreational facilities at the commission's storages and the sale or lease of those facilities.

The provision of tourist and recreation facilities at dams constructed throughout the State by the Water Resources Commission is becoming a very significant feature of water resources development and management.

Two further changes include revised provisions for the disposal of farms within irrigation areas and, where appropriate, for determination of the downstream limits of watercourses. Under the first of these two changes the former owner of land acquired for the development of irrigation farms may retain one farm at the value paid by the commission. He may also purchase additional farms at prices based on the irrigable values together with existing improvements. The current legislation does not provide for the increased value, resulting from the construction of headworks, to supply water to the farmers, to be taken into account in arriving at the purchase price for additional farms. The right of appeal to the Land Court in respect of the purchase and resale prices is still retained.

The second change recognises that natural barriers which separate the fresh and tidal waters at the downstream end of watercourses tend to move. The Water Resources Commission's control is limited to the fresh-water section. A stable demarcation point is necessary to save confusion when the natural barrier moves. The Bill will allow an arbitrary limit to be set by reference to a prominent feature such as a bridge or the boundary of a parcel of land.

Part IV of the Bill contains the regulatory provisions from the Water Act that deal with the use of surface and underground water and the removal of sand and gravel, etc., from watercourses that form land boundaries. This part contains a number of new initiatives to provide greater protection to the interests of land-owners who otherwise may be adversely affected by the development of nearby water resources.

A non-riparian land-owner who intends to apply for a licence to pump water from a river or creek will have to satisfy the Water Resources Commission that he has informed the owners of land on which he may wish to construct his pump and pipeline of his intentions. The owners of the lands will be alerted to watch for advertisements concerning the proposal and may, should they wish, lodge an objection within the time prescribed. If they do not object, they cannot later appeal to the Land Court if they are dissatisfied with the commission's decision on the proposal.

If land is sold and a non-riparian irrigator's access to water is affected as a consequence, his licence will remain valid during the time it takes to resolve the matter and, if necessary, for a new licence to be issued. This provision will enable crops to be saved while problems arising out of changes to land ownership are resolved. However, the real solution to this problem is still for the non riparian owner to negotiate an easement across the intervening land.

Applications for bore licences will be advertised to allow other bore-owners to object if they think their water supplies will be reduced by a new bore. Advertisement of applications for domestic bores will not be required. In certain cases, the distances within which land-owners may object to applications for licences may be increased to suit particular circumstances.

The Bill removes the 10 years' limit on the renewal of licences and the issue of new licences. The terms and conditions of licences can be varied during their currency. As is now the case, any proposed increase in benefits will need to be applied for,

advertised and be subject to objections, if any. These measures will provide a better service to licensees and significantly reduce administrative costs. The savings will ensure that costs to licensees are maintained at a reasonable level.

The present legislation does not provide a practical way for the Water Resources Commission to authorise other Government departments to take water from watercourses for departmental purposes. Nor is there a ready means to authorise contractors and others to take water for short periods from watercourses to which they have access. Both matters are addressed in Part IV.

The legislation is strengthened with regard to permits to pump water from streams for domestic and stock-watering purposes. Permits may be refused if water is limited and alternative supplies are available. Conditions governing the use of the pump may be endorsed on the permit. Times during which the pump may be used may be restricted or the quantity of water used in any period may be limited.

These measures are intended to protect the rights of all water-users including commercial irrigators whose livelihood may be affected by excessive use of water for non-essential purposes.

The provisions dealing with the removal of sand and gravel—called quarry material in the Bill—have been expanded. Removal of material from non-boundary watercourses will be subject to controls to ensure that the beds and banks are protected from damage, that water is not polluted and that the interests of other stream-users are not adversely affected. In addition to the current practice of operators applying for a permit to remove sand and gravel, the Bill provides for the sale by tender or auction of quarry materials owned by the Crown. It also provides for a security bond to be lodged so that the terms and conditions of the permit will be complied with or damage to the watercourse rectified. The permittee may be required to contribute towards the cost of investigating proposals in sensitive areas.

In 1975 the Water Act was amended to included control of the safety of referable dams which otherwise could endanger life or property in the event of their collapse or failure.

Of present concern is the possible pollution of surface or underground water by the waste products from mineral separation processes. Part V of the Bill includes new measures to prevent the escape of hazardous wastes from holding dams and ponds into surface or underground water. These measures will keep water free from contamination. Seepage losses through embankments and from submerged areas of storages containing contaminants will occur unless action is taken to prevent those losses.

As an incentive to prompt remedial action in the event of waste material escaping, owners of referable dams may have to lodge a security bond against their compliance with the terms and conditions of their licences. In most instances, the imposition of fines after the event is quite inappropriate. Once released, especially into underground water, contaminants cannot be recovered. Whilst these provisions have been included in the Water Resources Bill, I recognise that my colleague the Minister for Mines and Energy and the Mines Department are responsible, and will continue to be responsible, for the management of mining operations in the State. I can assure honourable members that administrative procedures relating to these measures will ensure that the unnecessary duplication of administrative processes will be avoided.

Part VI introduces a new initiative in respect of what are to be known as special works. The provisions will ensure that certain types of major works are maintained for periods long enough to allow them to stabilise. The period required may extend beyond the life of the venture for which the works were constructed.

One likely example of special works is the diversion of a watercourse—perhaps even a major river—around an open-cut mine or to supply water to an industrial plant requiring large quantities of water.

The licensing provisions of the Bill are not designed to ensure ongoing responsibility for works that, once constructed, must be maintained over a long period of time to

protect the interests of the rest of the community; nor would it be appropriate to strengthen the licensing provisions to deal with a few isolated cases. The special work provisions require the proponent to enter into an agreement with the Minister and for a covenant to run with all the lands associated with the works and venture in question. The existence of the agreement will be notified to all appropriate authorities to ensure that purchasers, lenders, etc., are aware of the obligations imposed on the original proponent.

New initiatives are also contained in Part VII. This part introduces the concept of designated areas wherein the construction of works that affect the flow of water on flood plains may be controlled by the issue of licences.

First of all, it will be the local community that will set in motion any proposals to designate an area. Over the area designated the community will be expected to play a significant role in dealing with all matters arising out of the management of the area and the works constructed in the area. It should be noted that generally works constructed under the authority of other Acts will not be subject to this part of the Bill. However, levee banks constructed under section 47 (24) of the Local Government Act will come within its ambit if the local authority that authorised the works later relinquishes its powers under section 47 (24), or the Governor in Council declines to extend the powers of the local authority.

One of the more important pieces of water legislation over the years has been the Irrigation Act. This Act provides for the constitution and establishment of irrigation undertakings and areas. Under its provisions, we have seen the establishment of eight irrigation areas throughout Queensland, starting with the Dawson Valley in the 1920s and most recently the Lower Mary River. The huge Burdekin River irrigation area continues to be developed under the provisions of the Irrigation Act, and the Bundaberg and Eton areas are nearing completion. Total capital expenditure to date on irrigation undertakings exceeds $630m. All the relevant provisions of the Irrigation Act have been included in Part VIII of the Bill. A number of new or amended provisions also have been included. Under existing legislation an irrigation undertaking is approved by resolution of Parliament. But, from a practical point of view, works can only be commenced when funding is approved by the Government. It is also the Government which initiates any proposal for the constitution and establishment of an undertaking. The Bill provides for the establishment of undertakings to be at the discretion of the Governor in Council. The Queensland Water Resources Commission's obligation to prepare and present a detailed report on proposed undertakings is retained.

The current Act enables assessments to be made on owners of sugar-mills crushing sugar-cane grown on lands within an irrigation area. The Bill extends the provision to include commercial enterprises, local authorities and other organisations that would clearly benefit from the establishment of the particular area. Any such assessments would be negotiated before the area is first established, and approved by the Governor in Council. New assessments will not be imposed retrospectively on such bodies in existing irrigation areas.

There is an obvious need to protect public moneys invested in capital intensive projects. Therefore, procedures were put in place many years ago to ensure that, among other things, freehold land within an irrigation area could not be subdivided, sold or taken out of irrigated production without the approval of the commissioner. Presently, that approval can be given only on production of survey plans capable of being registered at the Department of Freehold Land Titles. A more flexible approach was needed in this area and a new procedure has been adopted. The proponent can submit a proposal for preliminary approval without the need for detailed survey plans. The final proposal will take into account any requirements of the Queensland Water Resources Commission or, if the preliminary application is refused, no real expenditure has been incurred. The right of appeal against refusal or the imposition of conditions has been retained.

With regard to the allocation of water, two new terms have been introduced—"nominal allocation" and "announced allocation". A nominal allocation will combine

the quantities of water to which an irrigator is entitled under a water right, an agreement with the commissioner and sales water.

An announced allocation will represent the quantity of water actually available to each irrigator during an irrigation season and will take into account the volume of water in storage at the beginning of the season and the expected inflow to the storage during the course of the season. In line with the storage status, the announced allocation could exceed, be equal to, or could be less than, the nominal allocation. In almost all years the irrigator will be sure of obtaining his announced allocation and will be able to plan his irrigation program accordingly. This more flexible approach will significantly improve management of water and increase productivity within each irrigation area.

Other benefits will also accrue to the irrigators and the Queensland Water Resources Commission. One nominal allocation for each holding will allow the current documents, water right, agreement, etc., to be replaced by a single licence, which will be issued automatically without the need for an application. An irrigator will continue to need to apply for approval to use water in excess of his allocation.

An important function of the Water Act is to provide for the constitution, operation and management of rural water supply and drainage areas. New procedures to streamline the constitution of an area have been incorporated in the Bill. These new procedures include preliminary advertising of the proposal to gauge support for the constitution of an area and, where support is forthcoming, the establishment of a steering committee to comprise land-owners from within the proposed area.

The steering committee will liaise with land-owners, consultants and the Queensland Water Resources Commission on all matters concerning the constitution of the area. Where initially there is only partial support for a proposal, it will be the task of the steering committee to convince the non-supporters of the benefits to be gained from going ahead with the scheme.

There are some doubts that the current legislation entitles a board to enter land to operate and maintain works taken over by the board at the time of its constitution. The Bill remedies the problem. This provision will not preclude boards from further protecting their interests by taking easements along the works.

Financial arrangements entered into by boards will comply with the Statutory Bodies Financial Arrangements Act. Financial administration will be subject to the Financial Administration and Audit Act.

The bases for rating and levying charges on rate-payers in rural water supply and drainage areas have been extended to incorporate the bases currently adopted by boards under their by-law powers. Elimination as far as possible of the need to make by-laws will effect cost-savings for the boards, which will in turn benefit the rate-payers. Provision has been made for discounts for prompt payment of rates and charges and for pensioners. Provision has also been made for charges to be made for new or additional services.

The Bill requires the performance of boards and the need for their continued existence to be reviewed at intervals not exceeding seven years. It will also enable negotiations to be entered into between a board and a local authority when it is evident that the latter can now undertake the functions of the board more effectively and economically.

Part X of the Bill contains miscellaneous provisions from the amalgamated Acts. Where appropriate, they have been amended to accord with current administrative, business and legal practices.

A significant new initiative allows the temporary transfer of part or the whole of a nominal allocation from one irrigator to another within the same irrigation scheme. This will enable an irrigator with temporarily surplus water to transfer it to another for a consideration. Temporary transfer will enable utilisation of the overall resource to be optimised.

I trust this brief explanation of the more salient features of the Bill will convince honourable members that a great deal of thought has gone into its preparation. I believe that its many new and amended provisions are sound. The changes proposed result from the many years' combined experience of the Commissioner of Water Resources and his officers.

The fundamental intention of the Bill is to improve administrative procedures to enable that most important and scarce natural resource, water, to be better utilised to the overall benefit of Queensland and to provide a better service to the commission's many clients. It also aims at better protection for water-users generally.

I commend the Bill to the House.

Debate, on motion of Mr Prest, adjourned.

UNIVERSITY OF QUEENSLAND ACT AMENDMENT BILL

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth, Sport and Recreation) (5.03 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the University of Queensland Act 1965-1989 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. B. G. LITTLEPROUD (Condamine—Minister for Education, Youth, Sport and Recreation) (5.04 p.m.): I move—

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

I present to the House a Bill to amend legislation covering the University of Queensland. Honourable members are aware of the provisions in legislation relating to universities in Queensland, other than the University of Queensland, empowering them to engage in commercial enterprise. In the future it will be necessary for universities to raise additional revenue from sources other than the Commonwealth. Much of this revenue will be generated in commercial enterprise through the strengthening of links with the business sector.

For many years, the University of Queensland has engaged in commercial enterprise through the companies University of Queensland Foundation Ltd and Uniquest Limited as provided for in the University of Queensland (Confirmation of Powers) Act 1985. The University of Queensland Foundation was established in 1982 as a capital fund by which research moneys could be applied. Uniquest Ltd was established in 1984 as the marketing and contracting wing of the foundation. Through these companies, the University of Queensland has been able to make valuable contributions not only to research, but also to the Queensland economy.

Research is the essence of any university, and its outcomes can be considered as the key not only to the economy, but also to the life-style of the future. As better industrial performance is often the outcome of research findings, it is appropriate that industry be involved in contributing towards research undertaken by a university. The participation of a university in wider and improved opportunities to undertake research also results in improved learning facilities within that university.

It is desirable, in the entrepreneurial atmosphere fostered by this Government in the State of Queensland, that provision be made for commercial enterprises and the universities to contribute their considerable power and expertise to the long-term benefit of both sectors.

The university seeks to extend its powers relating to corporate functions in keeping with those provisions legislated for in other existing Queensland universities. The University of Queensland is at a decided disadvantage by not being empowered to take full advantage of such functions. These amendments will consequently enable the University of Queensland to engage in more flexible commercial enterprise through the formation and conduct of companies in addition to those already nominated.

On the matter of university infrastructure, the senate of the university currently has the power to establish academic departments within the university as it sees fit. In concert with this power, the senate seeks to be able to establish schools and academic units in the same way without the need for statutes to effect such establishment. This flexibility will improve the overall operations of the university. The university has requested more flexibility also in the provision of its external and evening instruction. As part of the national rationalisation of external studies, the University of Queensland's funding in this area will be drastically cut by the Commonwealth Government and the university may eventually be forced to curtail its external offerings. The amendments allow greater flexibility by removing the mandatory offering of such instruction.

I commend the Bill to the House.

I now seek leave to have the remainder of my speech, comprising a clause-by-clause overview of the legislation, incorporated in *Hansard.*

Leave granted.

Clause 1 cites the short title of the Bill. Clause 2 covers the citation of the University of Queensland Act 1965-1989, as amended by the Bill, as the University of Queensland Act 1965-1989. Clause 3 is a machinery amendment to the Division of the Act. Clause 4 inserts a necessary definition into the Interpretation section. Clause 5 inserts a subclause widening the corporate powers of the University.

Clause 6 removes an unnecessary administrative requirement on the Senate of the University before it it is able to establish an academic unit or school. Clause 7 allows the University more flexibility in the offering of external programs, the funding of which will be drastically cut back by the Commonwealth Government as part of the national rationalization of external studies.

Clause 8 provides flexibility with respect to the creation and administration of any trust fund. Clause 9 inserts provisions for the formation of and participation in companies by the University of Queensland. The provisions are similar to those extended to other existing universities in Queensland.

Clause 10 provides for the inclusion of Statute making powers for the ownership of inventions and discoveries by the University. Clause 11 inserts a new section which provides a head of power for the University to exploit commercially facilities and resources of the University.

Debate, on motion of Mr Braddy, adjourned.

LAW REFORM (HUSBAND AND WIFE) ACT AMENDMENT BILL

Second Reading

Debate resumed from 12 April (see p. 4560, vol. 312).

Mr WELLS (Murrumba) (5.08 p.m.): At 10 a.m. on 20 July last year, a lady came to my office to see me. I interviewed her and, after a very short period, I discovered that she had driven all the way from Toowoomba to raise a matter with me. The fact that she had driven so far indicated the degree of her desperation. Her name was Heather Thorne. Her problem was that it had been impossible for her to get any direct compensation for the loss of her husband's consortium. While rights of consortium are available elsewhere to women who lose the right of consortium to their husbands—particularly in South Australia—that is not the case in Queensland. In Queensland, a man can sue for loss of consortium; however, a woman cannot.

I decided to raise the matter publicly, which I did in a number of ways. I made the statement that a Labor Government would introduce legislation similar to the South Australian Wrongs Act. At the same time, I made representations to the Queensland Minister for Justice and Attorney-General as he then was, in which I drew attention to the plight of Heather Thorne and her family.

It is appropriate to say that, as part of his valedictory, that Minister had some penchant for reform. He was not immune to new ideas and, during the course of his period in office, he introduced a number of reforming pieces of legislation. In the department that he administered there are a number of people cognisant of the need for law reform and who were prepared to introduce into this Parliament, through the medium of that Minister, pieces of legislation that actually addressed social wrongs.

One of the occasions on which the department so responded and the Minister so acted was that on which my representations concerning Heather Thorne were received. The result is this Bill. The Bill redresses a long-standing wrong. In the past, if a man lost his wife or his wife's consortium, he was able to sue the person who had thus wronged him but a woman did not have a similar right. This was a double standard that stood to the shame of the Queensland Government, which allowed it to go on for so long.

Let me say to the credit of the former Minister for Justice and Attorney-General and his department that they are ahead of certain other States in introducing this reforming measure. Therefore, the Labor Party warmly supports the Bill. We congratulate the former Minister for his willingness to take up good ideas. It does something to restore one's rather tenuous faith in Westminster democracy as it exists in this place to know that it is possible to bring to the attention of the Minister a serious grievance and to have this serious injustice righted.

Mr McElligott interjected.

Mr WELLS: I thank my colleague for asking where it got the Minister. I think that he has paid the price paid by most people in the Ahern Government who introduce reforms. He had stated in the past his commitment to the implementation of the Fitzgerald report. His successor who is in charge of the House at the moment, when asked at a press conference whether he was in favour of the implementation of the recommendations in that report, said that it was not a matter any single Minister could decide, that it was up to Cabinet. I would be grateful if, at some stage, the Minister could inform the House of any deliberations that Cabinet has had on this subject, because any thoughts on that subject would be gratefully received.

Mr Hamill: The Minister thought that the Fitzgerald report was his weekly column in the *Gatton Star.*

Mr DEPUTY SPEAKER (Mr Row): Order! This debate is hardly relevant to the Bill.

Mr WELLS: I thank you, Mr Deputy Speaker, for your protection.

The double standard that existed and that will be redressed by this Bill raises its head in a number of other ways. The Government, which has been prepared to reform this measure, has not been prepared to introduce reforms in other areas concerning women. For example, there is no equal opportunity legislation in this State. In that, Queensland stands apart from more enlightened jurisdictions. The question of the delivery of women's services has not been seriously addressed by this Government; nor has the question of the status of women. A Labor Party in Government would redress all of those issues. This Sunday there will be a women's policy launch which will spell out in more detail those measures that need to be taken. The redressing of this double standard is a step in the right direction but it is only a small step in securing an end to the double standards that have blighted the status of women in this State.

I conclude this short series of remarks by congratulating the former Minister and his department on responding to the representations that I made and on introducing this enlightened legislation.

Mr INNES (Sherwood—Leader of the Liberal Party) (5.14 p.m.): This is an interesting piece of legislation. There has been a deal of argument proposing that the law of consortium or the right to recover damages under the head of consortium be abolished. Certainly, in a world in which the two sexes are treated far more equally than in the past, it is perfectly appropriate that there be an action for the woman in respect of the man similar to that of the man in respect of the woman. Because of the roles that people play in modern society—in terms of equality—the Liberal Party has no objection to this change in the law.

Over the years, arguments have been put forward for the abolition of the head of damages for consortium, leaving damages to relate to physical damage and the consequences which flow from physical damage as opposed to the loss of society of the conjugal attributes of the spouse. However, insofar as the legislation ensures that women are treated in the same way as men in having the right to consortium, the Liberal Party supports the legislation.

As a matter of practical consequence, I ask what the situation is with the extension of limitation of time. I do not object to the proposal to extend the limitation of time. However, it has a consequence on somebody else such as the insurer. A claim will be made against the Nominal Defendant or against a specific insurer. If a person did not have insurance, it would be unfair to extend the liability, because a person who could not previously have been sued may be sued. Because the Liberal Party realises that a pool of compulsory insurance exists, it does not raise any great objection. As a matter of practicality, I am merely interested in what will occur in the case of Mrs Thorne. Will she sue the Nominal Defendant or an insurer? Which insurer might it be? Will she sue a private insurer or the Government's insurer?

Mrs GAMIN (South Coast) (5.16 p.m.): I am pleased to support the Law Reform (Husband and Wife) Act Amendment Bill, as it is such a positive piece of legislation for the women of Queensland.

The cause of action for loss of consortium is medieval in origin and was based on the notion that the husband had a proprietary right in his wife so that a loss of her physical capabilities was a loss to him and thereby entitled him to bring the action. It goes back to the old days where a woman was considered to be part of her husband's goods and chattels, like his ox, his ass, his camels and his sheep. She was considered to be his goods and chattels—his property. That situation remained unchanged for centuries. Even though women attempted to bring actions in their own right, the judiciary refused to expand the common law to enable the wife to bring the action.

With the growing awareness of women's rights in the twentieth century, the action for loss of consortium was reviewed as it was obvious that grave inequality existed between men and women in that area of the law. Some legislatures responded to the anomaly by abolishing the action altogether. South Australia took the opposite approach and legislated to enable a woman to bring an action for loss of consortium.

The situation of Mrs Thorne in Toowoomba last year, which has been raised in the House, has shown that in certain cases third parties can be devastated by the acts of others. It is because of that that the Queensland Government considers that it is worth while not only to retain the action, but also to extend it so that women will be entitled to utilise it. We join with South Australia in showing the way to true equality under the law.

This is a progressive and compassionate piece of legislation which will afford to women status equal to men in this area of the law. The Bill is one of a list of Government initiatives which are aimed at improving the status of women in this State.

The Domestic Violence (Family Protection) Act which came into force on 21 August 1989 has ensured that victims of domestic violence, the majority of whom are women,

receive the full protection of the law. Furthermore, recent amendments to the Queensland Criminal Code have made rape in marriage a criminal offence.

The Child Support (Adoption) Act has ensured that mothers of ex-nuptial children will be entitled to utilise the Commonwealth Child Support Agency so that their children will be provided with adequate levels of maintenance. Their use of the Child Support Agency will ensure that they receive maintenance payments regularly and on time, and that the fathers of those children accept responsibility for their welfare.

The introduction of permanent part-time work into the Queensland Public Service will ensure that female employees will no longer be forced to relinquish full-time employment when they decide to have a family. They will be able to participate in the work-force whilst being able to attend to their family duties.

The Queensland Government family policy entitled *Our Families—Our Future*, recently released by the Honourable the Minister for Family Services and Corrective Services, Mr Sherrin, details a number of initiatives in relation to women.

The State and Commonwealth Governments are continuing their co-operative arrangements for the establishment of additional child-care facilities throughout Queensland. Present services to women include the provision of travel concessions on Queensland Railways to women in western areas, the funding of crisis accommodation services and services to families with particular needs, to name a few. Those initiatives show the strong commitment of the Government to the welfare of women in this State.

Another such initiative is the Law Reform (Husband and Wife) Act Amendment Bill to allow a woman to bring an action in her own right for loss of her husband's consortium.

I commend the Bill to the House.

Hon. A. A. FITZGERALD (Lockyer—Minister for Justice) (5.20 p.m.), in reply: I thank honourable members for their contributions to the debate.

The member for Murrumba stated that he was involved with the introduction of the legislation. It is excellent that a member of the Opposition can see the need for legislative change and take the proper course of action which leads to legislation being presented to the House. I commend him for the way in which he carried out that task.

The Leader of the Liberal Party asked which insurance company Mrs Thorne should sue, which insurance company her husband is insured with and other related questions. Although the date within which Mrs Thorne is able to sue for damages is in place, the Bill covers anybody else who is in the same position. The Bill is not directed merely at Mrs Thorne. The Government decided that it would include a limitation date that would allow Mrs Thorne to sue for the loss of consortium.

It has been indicated that South Australia was very progressive in being the first State to bring forward this type of legislation and that a Labor Government in Queensland would bring in similar legislation. With the passage of this Bill through the House, the Ahern Government will have brought forward similar legislation.

In other parts of the world, particularly the Commonwealth countries, it has been usual to abolish the right of a husband to sue for the loss of consortium of his wife. I understand that it is fairly difficult to successfully claim for loss of consortium. It has been established that it is fairly difficult to do that. Therefore, Mrs Thorne will have to establish her claim through the courts. I am not aware which insurance company her husband was covered by, but this legislation basically gives her the right to sue.

Other Western countries such as England and jurisdictions in New South Wales and New Zealand abolished the right of a husband to sue for the loss of consortium of his wife. As has been indicated by the honourable member for Murrumba, the Queensland Government is following the South Australian law. The Queensland Government believes in equal opportunity for women. It was not willing to abolish the right of a husband to sue for loss of consortium. This Government has gone the other way and given the wife

the right to sue for loss of consortium. I think it is fair. I think it is reasonable. I am pleased to be associated with this legislation.

I want to comment also on the contribution by the honourable member for South Coast, who spoke in this debate with a lot of charity and heart. I know that she meant what she said.

I believe that this legislation is another indication that we are moving towards changes in our society that will be very, very helpful. I cannot help reflecting on when we might see this type of legislation being introduced in some of the Muslim countries around the world. We in this country have a different ethos and a different way of looking at the rights of men and women.

I am very pleased to be able to say that this legislation has enjoyed the support of the three parties in this House.

I commend the Bill to the House.

Motion agreed to.

Committee

Hon. A. A. FitzGerald (Lockyer—Minister for Justice) in charge of the Bill.

Clauses 1 to 4, as read, agreed to.

Clause 5—

Mr WELLS (5.26 p.m.): I thank the Minister for the gracious remarks that he made during his reply.

As this legislation is largely modelled on the South Australian Wrongs Act, I assume that the South Australian precedents will be taken into account in terms of the definition of "consortium". "Consortium" is, of course, a very nebulous term. From time to time there will be need for recourse to precedents. I am assuming that the South Australian precedents are those that will be followed.

Mr FITZGERALD: My understanding is that the courts themselves will determine what loss of consortium will be. No doubt they will reflect upon common law, which at present has been established in this area. Queensland will not be following other jurisdictions. Queensland judges will make their determinations in accordance with this legislation and according to common law.

Clause 5, as read, agreed to.

Clause 6, as read, agreed to.

Clause 7—

Mr WELLS (5.27 p.m.): The last part of clause 7 states—

"... shall not be brought after the expiration of three years from the date of assent to that Act."

In other words, there will be three years from the date of assent of this Act that will enable Heather Thorne and other complainants an opportunity to bring an action.

I would be grateful if the Minister could assure the Committee that he will arrange—to whatever extent he is able—for a speedy assent to the Bill and a speedy proclamation so that these people, who have been waiting for a long time to get their actions under way, will be able to get them started as soon as possible.

Mr FITZGERALD: I can assure the Committee that I will do everything in my power to have the assent to this Bill and its proclamation arranged as soon as possible.

Clause 7, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LAW COURTS AND STATE BUILDINGS PROTECTIVE SECURITY ACT AMENDMENT BILL

Second Reading

Debate resumed from 16 March (see p. 3915, vol. 311).

Mr BURNS (Lytton—Deputy Leader of the Opposition) (5.29 p.m.): Honourable members are told that this Bill will enable the adoption of a more flexible approach to the allocation of duties of senior protective security officers and that the legislation as it now stands places certain restrictions on the efficient use of their skilled resources.

First of all, I must place on record the good work that is done by the security officers in the law courts, at Government House and, of course, here in Parliament House and in a number of other buildings throughout the State. They spend long hours on the job. It is not a highly paid job. I do not believe that security officers are paid the sort of money that they deserve for the work that they do.

In many instances, honourable members accept that they are present. We do not realise just how valuable they can be till we read about what is happening overseas, where people are breaking into Parliaments and other buildings and shooting officers and other persons. Members are generally pleased that a security service is provided and that the security officers are well trained. Security officers work long hours. I am concerned about suitable clothing being provided for them. Peaked caps do not seem to be the type of clothing that they should be asked to wear when working in the Queensland sun. We should ask them what is suitable.

Is the Government going to employ new senior protective security officers or is it going to use the current building co-ordinators and leading hands who are available? Some of those people have been employed for between eight and 10 years and have given lengthy service. Those persons have great skills, which have been gained when working in Government buildings and within the precincts of Parliament House. I understand from the Minister's second-reading speech that senior protective security officers will be able to hold appointments to one or more buildings. If a senior officer is appointed to handle the Executive Building, Mineral House and Parliament House, does that mean that the two other building co-ordinators or leading hands will lose their positions? Will their positions be downgraded? Will their wages be reduced or will their take-home pay be reduced as a result of the appointment of a senior officer? Honourable members, as well as those people working on the job, ought to know the answer to that. How will those persons be employed? What will happen to the existing building co-ordinators and leading hands? If their positions are not to be downgraded, some assurance should be given to them about their future continuity of work and the way that they will be treated. I ask the Minister: if one or two people will be able to hold appointments in respect of a number of buildings, will the people in charge—the leading hands and the building co-ordinators—have their positions downgraded? Subject to the matters I have outlined, I support the Bill.

Mr GYGAR (Stafford) (5.32 p.m.): The Bill is a mere technicality to overcome an administrative difficulty, which the Minister tells us has arisen because of the need to rotate shifts amongst senior protective security officers, and to allow those officers who presently work in the law courts to rotate in that role between the law courts and Government House, and to provide some rostering flexibility. There is nothing contained in the Bill that would lead anyone to believe that the Bill has any other purpose. As such, it represents merely an increased flexibility in the work-force. Fewer people will be inconvenienced because it will be possible to make appropriate rosters work more effectively. As such, the legislation deserves, and has, the support of the Liberal Party.

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (5.33 p.m.), in reply: I thank honourable members for their contributions to the debate. I will bring to the attention of the Minister for Works, who has responsibility for the legislation, the queries raised by the honourable Deputy Leader of the Opposition. I will ask the Minister to respond in writing so that he can provide the information that was requested.

I thank the member for Stafford and the member for Lytton for their support. I commend the Bill to the House.

Motion agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

FAIR TRADING BILL

Second Reading

Debate resumed from 19 April (see p. 4879, vol. 312).

Mr HAMILL (Ipswich) (5.35 p.m.): The Bill is an important piece of legislation. It has been long promised and has had a very long gestation period. The Bill consolidates a range of legislation that has been enacted by the Queensland Parliament over the last 17 or 18 years, namely, the Consumer Affairs Act, the Door to Door (Sales) Act, the Mock Auctions Act and the Unordered Goods and Services Act. Some little time ago, when amendments to the consumer affairs legislation were being debated, I drew the attention of the House to the annual report of the Minister's department and that part of the annual report which commented upon the activities of the Consumer Affairs Council for the year 1987-88.

Last year, in the department's annual report it was stated that the major issue of concern to the Consumer Affairs Council would be the bringing together of the disparate parts of Queensland's consumer affairs legislation and the enactment of a Fair Trading Act in Queensland that incorporated and extended into Queensland consumer affairs legislation the provisions of Part V of Commonwealth's Trade Practices Act and amended those existing parts of consumer affairs legislation, such as the Door to Door (Sales) Act, so that they were brought into line with enactments in other States. Reference was made to the Tasmanian Door to Door (Sales) Act as a desirable model for Queensland to adopt. The South Australian legislation was also seen as a desirable model to be adopted in other provisions of the Bill.

What honourable members have before them is a Bill that draws upon the experience of a number of the States and the Commonwealth. In many respects, the legislation is very similar to legislation that has been enacted in other States and, of course, in the Commonwealth. The end product of this process, I trust, will afford Queensland consumers greater protection against the get-rich-quick merchants, the sharks, the con men and others who would seek to try to take advantage of a public that is either unwitting or lacking in knowledge of the quality of goods or the true characteristics of goods and services that are being offered for sale.

Basically, the Bill puts in place into one piece of legislation the framework and organs of consumer protection that currently exist, namely, the Consumer Affairs Bureau and the Consumer Affairs Council. The Product Safety Committee has been renamed, but largely the framework is in place with extensions to the legislation that make it consistent, for example, with provisions in the Commonwealth Trade Practices Act

relating to the concept of unconscionable contracts. That is a welcome addition to this State's consumer laws.

Because this Bill is very necessary and most welcome, the Opposition is pleased that finally it has come before the Parliament. The Opposition trusts that the high expectations that were discussed by the Minister in his second-reading speech will come to fruition with a strengthened Consumer Affairs Bureau that is more able and better equipped to act upon the very large number of complaints that it receives.

Because the day-to-day lives of many Queenslanders—and indeed, Queenslanders themselves—have been touched by the operations of unscrupulous traders in this State, consumer affairs legislation is very important. One aspect of the legislation that I wish to mention is as much involved with consumer affairs as it is with transport matters. I refer to problems that have been experienced in the motor vehicle industry in relation to the quality of repairs that are undertaken by persons within the industry, particularly in panel-beating. Recently a very reputable, local panel-beater invited me to inspect the sort of work that he and other panel-beaters are doing. He drew my attention to the fact that some operators in the industry take some very dangerous short-cuts when undertaking repairs to motor vehicles.

Obviously, the issue at hand is the price charged for that work. The Minister could do well to investigate the constraints that are placed upon the motor vehicle repair industry by insurance companies that are unwilling to accept excessively high insurance claims for repairs to motor vehicles. Insurance companies place fairly strict limits upon the amounts that they will pay for panel-beating. Rather than applying their trade, panel-beaters are often quite happy to bung up dents in a vehicle by using fairly poor materials to fill in the gaps, buff the surface, put on a coat of paint and send the car back out onto the road. Many vehicles on the road lack the necessary bodywork strength to conform to accepted vehicle safety standards. Proper repairs should be carried out on vehicles to restore them to the standard in which they left the manufacturing plants. The standard of repairs is a matter of concern not only in terms of product safety but also in terms of public safety.

This Bill contains provisions of inspection that allow officers to investigate companies or those people who seek to sell various goods that come within the scrutiny of the department. In some circles it has been suggested that provisions of the legislation give an undue right of entry to departmental officers. Discretion must be exercised because, although it is important to equip the Consumer Affairs Bureau and its officers with adequate investigatory powers, those powers must be used sensitively and sensibly.

While noting that some community concerns have been expressed about the scope of the powers that are contained within the Bill, at this stage the Opposition is prepared to support the Bill in its entirety and welcomes it as an addition to the legislative armoury of the Consumer Affairs Bureau of this State. However, the Opposition serves notice that it will subject to close scrutiny the activities of officers acting under the powers of this Bill. If circumstances should transpire in which traders feel that they have been unduly victimised or that their civil liberties have been impaired by this legislation, the Opposition certainly will raise that issue in this House, which is the appropriate venue for such a discussion. The Opposition supports the Bill.

Mrs GAMIN (South Coast) (5.43 p.m.): One particular aspect of the Fair Trading Bill merits support, namely, the information and safety provisions that have been extended to include services and to prohibit or restrict the supply of goods or services that are likely to adversely affect a person's mental, psychological or physical health. Those provisions are explicit in terms of the information that must be disclosed in relation to prescribed goods and services. Not only do they provide for the form and manner of the disclosure of information but also they provide for specific information that is to be provided concerning the nature, characteristics or the suitability for purpose of the prescribed goods and services.

Among other things, the safety provisions establish standards in regard to performance, composition, contents, methods of manufacture or processing of goods, the testing of goods and, in relation to both goods and services, the disclosure of warnings, instructions or other information that is necessary for the physical, mental or psychological protection of the user.

The inclusion of the latter provisions follows Australiawide debate on the perceived hazards associated with the sale of horror toys—in other words, toys that are socially unacceptable and psychologically damaging. Toys that fall into this category include "victim" toys—toys that depict suffering or mutilated creatures—and toys of violence.

Among the toys that have been examined by the Consumer Affairs Bureau are those bearing such outlandish names as Garbage Pail Kids, Trash Head Spitballs, Skateboard Smack-Ups, Mad Balls and Super Dough Squeezers. All of these portray human figures with deformities, disfigurement or gross characteristics, which could have adverse psychological effects on children. For some time the Minister has tried to gain support at the Federal level for the import of this type of toy into Australia to be prohibited. The Federal attempts to gain a self-regulation agreement from the toy industry have failed. Recent reports indicated that 75 per cent of Queensland retail outlets still sold the banned, grotesque toys.

The means for dealing with this very important problem in our State have been incorporated into the Fair Trading Bill. It contains specific provisions that will allow the Minister to make orders prohibiting or restricting the supply of dangerous or undesirable goods or services. The Bill includes the power to seize goods that contravene an order by the Minister.

For the protection of children, a provision relating to the locking devices on refrigerators, ice chests and iceboxes has also been included. This provision prohibits the sale of these items if they exceed a capacity of 0.04 cubic metres unless the compartment can be easily opened from the inside when any lock or catch on the outside has been fastened. It is obvious that the formulation of these information and safety provisions is the result of much research and work, and I commend the Honourable Minister for his commitment in this regard.

It is reassuring to see that the core provisions of this legislation are directed at the elimination of unfair practices in the market-place. One aspect that is currently causing a great deal of concern is the system being used by a number of bogus publishers to extract payment from small businesses for unauthorised advertisements and directory entries in magazines and other publications.

Mr Hamill: And members of Parliament.

Mrs GAMIN: I will come to that shortly.

This deceitful business technique is commonly referred to as blowing. The organisations that are involved in this activity are shrewd. They use unscrupulous tactics to deceive unwary businesses into believing that they have actually authorised a particular advertisement for which payment is claimed. Information that is given over the telephone, in many cases by the receptionist, is later used in order forms and invoices as a means of extracting payment from the businesses. In most cases, by the time the invoice is received from the publishing firm it is extremely difficult to determine who, if anybody, was responsible for authorising the advertisement.

It is also important to be aware that some of these organisations are using intimidatory tactics in their dealings by saying, particularly to small businesses, "We have the ways and the means of getting payment." This may involve the threat of legal action, the use of debt-collection agencies, the threat of listing the business as a defaulter with a credit agency, or the sending of a bogus document purporting to be an official court demand for payment.

The Consumer Affairs Bureau is currently taking up to 50 telephone inquiries a week in relation to this type of deception. The inquiries are largely from businesses on

the Gold Coast and in south-east Queensland areas, but they also come from the far-northern and western areas of the State. One small business in Gatton has reported receiving up to eight calls a day from blowers who are operating in that area. The bureau also estimates that, in the 12-month period to April 1989, approximately 144 written complaints were received.

It is obvious that this situation warrants strong remedial action. The new legislation will allow the issuing of injunctions to stop the perpetrators of these schemes from trading, on the basis that they have engaged in conduct that is both misleading and deceptive. Remedies are also available under the provisions dealing with unordered goods and services. Under these provisions, anyone who demands payment for goods or services or for arranging an entry in a directory must be able to prove that he or she was authorised by the recipient to provide the particular goods or services or make the directory entry.

It is also pleasing to note that the definition of "services" has been extended to expressly include building work. Of late, there have been too many instances involving reprehensible conduct by operators in the building industry, many by the one company, which traded as Designed for Living by Mansard. This company entered into fixed-price contracts to build homes. However, the fixed price was totally dependent on the commencement of building within 60 days. It has been alleged that the company intentionally delayed preparation and approval of plans to ensure that this stipulation was not met, in many cases resulting in enormously increased costs for prospective home-owners. Other complaints against this company included its refusal to start contracts, poor workmanship, delays in completion of houses, refusing to refund deposits and refusing to communicate with clients.

In recent times, through media releases, I have given many warnings to people on the Gold Coast on this topic of confidence tricksters, scams and other schemes. My most recent media release was only a month ago. I will refer to sections of that media release, in which I warned small-business operators and consumers to be on guard against confidence tricksters.

The Gold Coast is the home of confidence tricksters. It is rife with con men and con women who trick businesspeople into handing over large sums of money for goods and services not supplied. The five most common schemes targeted by the Consumer Affairs Bureau that deceive the business sector are discount vouchers, unsolicited advertising, unordered goods, intimidatory advertising and cheap finance. Unlike the con men of yesterday, who were often so heavy-handed that they immediately offended the law, today's modern bandits of the market-place are masters of the light touch. They can reach even deeper into people's pockets without producing even a rustle.

I have already mentioned bogus advertising schemes as a major problem. The operators of those schemes pressure businesspeople into paying for advertising services that were not authorised or for advertising space in obscure journals that did not have the print numbers or the distribution claimed. They often quote the names of charity organisations to embarrass businesspeople into paying.

A new variation of the scam is to bill companies or even Government departments and instrumentalities and trick them into paying for non-existent or unauthorised entries in international fax and telex directories. Discount voucher schemes can be a good promotional tool that will boost sales and bring new clients. Although there are some genuine discount schemes, there are an even greater number of bogus schemes. The bogus scheme promoter sells more than the agreed number of vouchers to the businesses' existing clients and then he disappears. If the business has to honour all the vouchers, it could end in financial ruin or lose clients and damage its reputation by refusing to supply all the goods and services offered in the voucher.

Con people who use intimidatory advertising tactics pressure people into buying goods such as electrical insect-exterminators and other appliances by claiming that installation of the appliance is required by law. Cheap financial schemes are attractive during these tough times, but they should be treated warily—as many businesspeople

have discovered to their cost. The promise of low-interest overseas loans should be treated with scepticism, at the very least. Even if a company making the offer is soundly established, fluctuations in foreign currency can cause major problems for borrowers.

Another con being used on the Gold Coast is arranging to supply a shop-owner with goods at below normal cost, claiming that they had been purchased at fire sales that had been arranged by insurance companies. The operator arranges a cash settlement in an office of a little-used building. After the money has been handed over at the front office, the operator disappears out the back of the building, leaving the buyer without money or goods.

The Consumer Affairs Bureau is doing a great job on the Gold Coast. It is really an advantage to have the office located in Southport. I thank the Minister for the installation of that office on the Gold Coast. He is to be commended on this legislation. The Bill deserves support.

Mr BURNS (Lytton—Deputy Leader of the Opposition) (5.54 p.m.): Whenever members of the Opposition talk about people being ripped off by the system, they are met with the response from those in power, "Let the buyer beware", as a general principle. Since I became the Housing spokesman for the Opposition, I have been handling a large number of complaints in respect of building companies.

In his second-reading speech, the Minister referred to Mansard and its activities, which indicate that a buyer could be as wary as possible but still be ripped off. Mansard purchasers took the builder's standard contract to their lawyers to have it checked. The lawyers said that the contract was okay, so the purchasers, after obtaining legal advice and having the contract checked, signed the contract but found that they were still able to be ripped off because the contract included a standard provision, clause 6, listing certain grounds upon which the company reserved the right to invoke rise and fall clauses. One of the grounds stated was that construction had to commence within 60 days of signing the contract. Another condition was that council approval had to be obtained within 60 days.

Anyone who has applied for a building permit to construct a home and expects the application to be processed by a local authority within 60 days is very hopeful. A minimum processing period of six weeks is routine. If the contract specifies 60 days, there is not much time available to the purchaser if mistakes occur.

These activities do not apply to Mansard only. I could name other companies, but I will not do so at this stage because I believe that some are at least endeavouring to resolve their problems. Mansard would wait until the fifty-ninth day before submitting plans to the local authority. In those circumstances, there would be no chance that the 60-day clause would not be invoked. In other words, that company expected a process that normally takes six weeks to be completed by a local authority in just one day. Mansard also submitted the wrong plans.

The best way to illustrate the point I seek to make is to describe what happened to an ordinary couple. A young married couple with a couple of kids saved a deposit and went for a Sunday afternoon drive to inspect display homes. Display homes are beginning to become something of a bait and switch operation in themselves. People go out with the expectation of buying a home for $50,000, but the display home that is advertised at $50,000 has had decorator items and extra appliances built in that are not included in the price. The extras make the home a little bit more expensive. After the husband has walked around the home with his wife and family and thinks that the home is beautiful, he says to the representatives, "How much is this house?" The representatives answer, "On your block of land, this house would cost $58,000." The price is not $50,000 any more—it has gone up by another $8,000—but because his family loves it and wants it and everybody is happy with it, he endeavours to arrange his finances to afford the $58,000, as couples often do. The end result is that the family's finances are stretched to the limit. The husband takes the contract to a lawyer to have it checked. Everything is declared to be all right and the family obtains a block of land.

The family is as happy as can be. These people are not crooks and are not seeking to rip anybody off. They are typical Australian couples who are going about the normal business of trying to buy a home. The contract is signed, but the salesman does not tell the husband about the conditions.

Last year, problems were caused when companies such as Mansard were selling six houses a month in the early part of the year, but in the middle of the year were selling approximately 50 houses a month. Mansard did not have eight times as many bricklayers, building supervisors or electricians in August as it had in January. The company could not supervise construction properly. This type of activity also applies to other large building companies in Queensland. Some of those companies are in the same type of trouble and are treating their customers in the same way as Mansard did. The difference is that Mansard deliberately set out to rip off its customers, but the others deliberately delayed construction, which caused purchasers to be overrun with costs. The end result is that the spirit of those young couples has been broken and they cannot afford to stand up for themselves against the financial and legal might of the company.

When Mansard realised that it had to construct all those houses but could not possibly complete them within the specified period that was promised by the representatives in the display homes, it then set out on a deliberate course of recouping costs. Mansard reasoned that if construction was not able to be completed within the specified period, the final cost of the house, when completed 12 months after the signing of the fixed-price contract, would be much greater than the original estimate. Mansard distributed brochures stating that it operated pursuant to fixed-price contracts and that, during construction, no rise and fall provisions would apply. Honourable members should remember the term "during construction", because that is significant; but the contract did state in absolute terms "no rise and fall".

The effect of that provision is that if Mansard had not poured any concrete or hammered any nails, no construction had commenced. In spite of the fact that the brochure stated that the contract contained no rise and fall provisions and in spite of a lawyer stating that the price was fixed according to the standard terms of the contract, everything was not hunky-dory. After the contract was signed, Mansard would realise that the only way that it could increase the price of the houses would be to rip people off under the 60-day clause.

Mansard deliberately set out to invoke the 60-day clause and rip people off. Up to 59 days after the contract had been signed, purchasers had phoned the local authority to check on the application's process, only to find that an application had not been lodged. Many applications had been lodged after the 60-day period had elapsed.

Sitting suspended from 5.59 to 7.30 p.m.

Mr BURNS: Before the dinner recess I referred to the Minister's second-reading speech, in which he said—

> "Similarly, we will be able to impose, through a court, a requirement for a trader to disclose particular information to all prospective consumers. This might be useful to caution consumers, for example, about the operation of the 60-day fixed priced clause in the event of continued activity in Queensland by Mansard Properties Ltd, trading as Designed for Living by Mansard."

I was tracing the history of 117 families who unfortunately became involved in the operations of the shady Mansard company, or Manfal Pty Ltd as it calls itself. I wish to refer again to the contract, because the biggest deal that a family or a couple involve themselves in during their life-time is the purchase of a house. They are involved in no bigger deal. I suppose that nowadays the price of a car can be equivalent to the price of a house, and some cars are in fact dearer than a medium-sized house.

This building contract was checked on a number of occasions by lawyers who told people that everything was okay. Clause 5 of the contract states—

> "The Builder shall commence the Works within fourteen (14) days of the completion or satisfaction of each of the following . . . "

There are two points in the contract over which clients have no control. They are—

"(c) Completion of all plans and specifications for the Works;"

and—

"(e) Issue of all necessary permits."

The contract continues—

"If the matters aforesaid are not satisfied within a period of sixty (60) days from the date of execution of this Contract by the Proprietor, the Builder shall at any time thereafter until satisfaction be entitled to terminate the Contract"—

or put up the price.

Mansard advertised throughout the land in brochures saying that Designed for Living by Mansard was one of Australia's biggest contractors. In all of its brochures the company stated—

"Finance allocation. Fixed price contract. As one of Australia's leading home builders we have access to finance allocations from Brisbane's major building societies that can help you in every way. Come talk to our consultants and work out what suits your needs. Every contract has a fixed price so you have no fear of price rises whilst construction is in progress."

One person after another came to see me and, as it has turned out, in the end, 117 people went to the Government.

I was invited by a lady to attend a meeting at Alexandra Hills. She said that the people at that meeting had experienced some problems. Four or five people had called the meeting and 100 people turned up at the meeting. We called another meeting a couple of weeks later and over 300 people attended that meeting.

These problems do not occur only with Mansard properties. Last year dozens of builders out in the community got themselves into trouble by overselling at display villages. They sold far too many homes. They could not complete the contracts within the specified time and they found all sorts of reasons for not completing the contract. I will not mention the names of the companies, but the people filled out these forms and included the names of the companies on them. One company claimed that an underground spring had hampered foundation preparation. It had started to dig on the day after 150 millimetres of rain had fallen and almost 10 weeks after the supposed commencement date. Those sorts of excuses were used in order to tie people up.

I will read from a letter that I received from a lady, dated 1 September 1989. She stated—

"I signed a standard Housing Industry Association contract in October 1988. The contract stated a completion date 17 weeks after commencement. Work commenced January 1989. It is now September 1989. They still have not finished the house and refuse to furnish a completion date on request."

The company will not even tell her when it will finish the house. The letter continues—

"Other completion dates specified by the company have come and gone, the house is still not complete.

I am ashamed and disgusted to be part of a justice system that allows a company to operate in the building industry with no effective control or guidelines to restrain the runaway neglect and untradesmanlike work exhibited by this company.

After discussions with the Builders Registration Board I have come to the conclusion that the board is only a buffer zone between Builder and Customer as they really have no efficient control over the builder to expedite the contract to completion and moreover are only interested in structural complaints.

For no good reason the builders are nearly four months overdue on contract time. This has caused me to have to refinance costing an extra $4,366 plus my current rent to date an extra $2,940. Also an engineer employed to evaluate defects etc $680."

That is an ordinary family and they have run up another $7,000 or $8,000 in costs.

When people started to go crook that Mansard had not even started on the slab of their property three months after they had signed a contract and paid their the first money, Mansard started to take out caveats on the property to stop the people from doing anything at all or to borrow money to finance the arrangements. People had borrowed $50,000 or $60,000 from a bank to build a house through a building firm that is registered in this State. When I wrote to the Minister for Consumer Affairs he told me to refer the matter to the Builders Registration Board. I will not bucket the board, although I should. I think that the legislation is weak and that what that lady said in her letter is correct. The only area in which some very positive work has been done in relation to builders is the trade practices area.

On 1 September, under the Commonwealth legislation, five families won compensation claims in the Federal Court against a company called Kimberley Homes (No. 1) Pty Ltd. There was a $35,000 settlement for each family. That firm had been involved in exactly the same practices as Mansard had followed in Queensland: the 60-day racket, taking out caveats and, as Mansard did when people began to complain, removing locks from doors, taking out cupboards and even removing plumbing from the building so that people could not reach the stage at which they could move into the property and complete the job. The Consumer Affairs Bureau could really do nothing about that matter.

The Minister stated that the 117 families will be compensated through the Builders Registration Board insurance scheme. I might add that the board did everything it possibly could within the law to help those people. The law—that is the Builders' Registration and Home-owners' Protection Act—states that if a company goes bankrupt all that a family can receive is an amount up to $6,000. However, if the contract can be terminated prior to that stage, that is prior to the company going bankrupt, families can receive up to $30,000. The Builders Registration Board announced on a number of occasions that Mansard was going into liquidation and had applied for voluntary liquidation and it assisted people to terminate their contracts beforehand. The other morning in this Parliament Mr Gunn stated that 117 families were involved and $1m in insurance compensation is involved. If one works that out, it comes to about $10,000 per house. That will not help to complete many of those homes. On some homes Mansard has collected $30,000 or $40,000 and has only laid the slab. I am building a house at the present time. It is not a big house. On a large house $14,000 is a lot to pay for a slab, but $26,000 and $30,000 for a slab is crazy. Many people paid 80 per cent of the cost because they thought that the company was all right. They believed the con men's story.

As a result of all this activity, part of this legislation should deal with unconscionable contracts and give people the right to a decision on whether the contract is fair, unfair, harsh or unconscionable. People ought to be able to receive Government assistance to have the contract thrown out. When these people found themselves in trouble with the builders and faced the builders' lawyers, the lawyers said, "This will cost you money. You will have to go to court and spend good money." Most of these people were already up to their eyeballs in debt. They had no chance of finding thousands of dollars to take the builders to court. If the trade practices people had moved quickly enough before Mansard went into liquidation, there could have been some help for these people. At least they will now get, on average, about $10,000 each from the Builders Registration Board.

It is important to address some of the things that have happened because of the building boom last year. More subcontractors lost larger sums of money last year as a result of the building boom than in the tough times. Companies overcommitted themselves and could not complete the job. There was one the other day—A. and L. Constructions. They contracted with the Queensland Housing Commission to build 65 houses at Mount Gravatt, 30 at Zillmere, 30 at Mitchelton and 32 at Inala, and 16 pensioner units in my electorate, and they went into liquidation. The losers will be all of the subcontractors—the brickies, the electricians, the plumbers, the concrete-suppliers, the timber-suppliers and the tile-suppliers. The liquidator will try to get as much as possible out of it. The

Housing Commission will not be able to complete the homes in time. Of course, this will not hurt as many people as it would if individual houses were involved.

People say, "We will be in our house in November." They plan on it, tell their present landlord that they will be leaving, start to buy furniture and get themselves all excited about going into their own house and then find that the builder cannot deliver. They are then told that their only chance is to go to law. They look round for help but there is none. I do not believe there will even be help under this legislation. The Minister said that it will be possible to warn them. Warning them is no good.

People accept the official-looking contracts used by these big companies. The Queensland sales manager of Designed for Living by Mansard wrote a letter in which he said that all of the sales team would resign. He wrote—

> "You assured us that the statement in the company's brochures which says that the price is fixed once the contract is signed, is genuine and that no rise and fall clause existed. But now you say that if the home is not able to start within 60 days of signing the contract, then the difference between the price at signing and the price at the time of starting work, will be charged to the client as an extra."

Even the sales people who worked for the company knew that the buyers were being ripped off, but that they could do nothing for them.

Tonight, the Minister referred to Peter Foster and said that some action was taken in Queensland. According to what I saw on television, he is working on the roads in America because he tried to do there what he did here. He is a white-collar, corporate, consumer crook. Why wasn't he made to work on the roads in Queensland? We simply issued a couple of orders on him and made statements in the paper and the next day he started doing the same thing. The Minister referred to many of them in his speech.

Mr Lester: I did meet him and debate with him and as a result of that he left the country.

Mr BURNS: That does not matter. How many people got their money back? He left Australia and immediately started to do the same thing somewhere else. He should have been in Boggo Road and working on the roads before he left the country.

Mr Hamill: The roads could do with a bit of work.

Mr BURNS: They could do with some work done on them. As a matter of fact, he could have been put into some of the potholes I have seen lately.

Mr McElligott: He will carry the stigma for the rest of his life.

Mr BURNS: I will let the honourable member get that into *Hansard* if he likes, and the Minister can answer it.

Even after the Mansard problem is finished, there will be many families still being ripped off by so-called respectable building companies. There is nothing in this legislation or any other that will help them. In this case I admit that the Builders Registration Board did its best but the legislation is deficient because it does not contain enough protection for the people. As the lady said in her letter, the board has become an apologist or a buffer for the builders. The Master Builders Association tried to take some of them on. It deregistered Mansard or threw it out of the association but that did not help even one of these people. The young couples who tried to buy a house are still in the same position, even after this legislation is passed, as they were before. The legislation in this State should provide that, if a company writes a contract and all the smart lawyers in the land are going to rip the people off under such a contract, somebody should be able to say that the contract is unfair and unconscionable and should be thrown out.

All of the small subcontractors and builders who have been ripped off by Mansard, Kimberley Homes and A. and J. Constructions should be protected by this legislation because, if they lose money, all consumers will have to pay later on. I know the owner

of a hardware shop who lost $65,000 in one of the collapses. He will have to write off this loss by increasing the prices charged to his customers.

It is time that the problems in the building industry in this State were addressed. The builders, the subcontractors and the people who have lost their money in these housing scandals should sit down together and work out what should and could be done by self-regulation or legislation.

We must examine progress payments. Builders tell people that, when they sign a contract at slab stage, they must hand over $20,000. At that stage, the builders have not spent $20,000, but those terms are specified in the contract. Home-owners receive no assistance.

Today I rang the Queensland Housing Commission and said, "I want to build a home in Queensland. Can you show me how I can go about building a home?" The Housing Commission said, "We don't have any of that information." In Victoria, a book has been put out that tells people how to approach the bank and how to check the standards and the quality of work of companies. Queensland has nothing like that.

Sir William Knox: They have got some very useful packages on that.

Mr BURNS: Today I rang the Queensland Housing Commission and told them that I had come from Victoria where pamphlets were available. I asked whether they were available in Queensland and I was told that they are not.

Sir William Knox: Try consumer affairs; they have that.

Mr BURNS: I did not ring the Consumer Affairs Bureau; I rang the Housing Commission. Shortly, in his reply, the Minister will tell me what the Consumer Affairs Bureau has.

Construction companies must advertise interest rates for overpayments such as variation charges and site costs. They must display the qualifications of inspectors and builders. In my area, in three weeks one company laid three slabs that had to be dug up. The company lost money on the work. When I complained to the company that in the 17 years that I have been in Parliament I have never had three complaints about one company in three weeks, the representative said that the company had so much work that it hired a new slab gang and it could not do the job. I asked him why he did that. He told me that slab gangs do not have certificates stating that they are qualified to lay slabs and that a person can claim to have all sorts of qualifications.

Builders are in the same predicament. When it is all said and done, if a builder builds a few homes, he will be given a registration certificate. When Mansard is registered in Queensland as a firm and as a builder, the people who require houses built believe that the Government has given that builder its imprimatur and said that it is okay.

The Fair Trading Bill will not help the people whom I tried to represent in the Mansard transaction. Before Mansard went into liquidation, we tried direct dealing with Mansard as well as arbitration. Mansard would not talk to us. We were referred to Western Australia. Mansard sacked staff members to the extent that every time we rang up we spoke to a new person. We could do nothing to control the situation. We tried arbitration, but it was too late.

The whole area of display villages and sales by salesmen who do not know the long-term plans of the company worries me. The matter should have been addressed in the legislation.

Hon. Sir WILLIAM KNOX (Nundah) (7.47 p.m.): The Liberal Party happily supports the legislation, although it has one reservation with which I will deal later. This Bill is a step in the right direction in the consolidation of consumer affairs and consumer protection legislation. The history of consumer affairs and consumer protection legislation in this State is familiar to me. When I look at the schedule at page 66 of the Bill, I realise that I had the privilege of introducing much of the legislation into this House.

Mr Davis: I remember them well.

Sir WILLIAM KNOX: I ask the honourable member not to interject. I am trying to keep this speech short.

Mr Davis: I said that I remember them well.

Sir WILLIAM KNOX: The honourable member remembers the legislation well, because it was introduced during his first term in Parliament.

Mr Davis: That was the last time I was in Parliament.

Sir WILLIAM KNOX: Good. I hope that the honourable member remembers it well on the last time he is in Parliament.

Queensland has led the way in consumer protection legislation. I congratulate the Minister on the enthusiasm that he has displayed for consumer affairs. In his time as Minister, he has added considerably to the introduction of sensible legislation in this field. In recent times, he has upgraded considerably the administration of the Consumer Affairs Bureau.

When one looks at this legislation and considers things such as door-to-door sales, cooling-off periods, unordered goods, how people can stop themselves being imposed upon and receive redress, and mock auctions, which were quite common at one stage—although people may have forgotten what they are like—one assumes that those problems no longer exist. This legislation is the reason why those problems do not exist to the extent that they did. It is a bit like immunisation. People think that many diseases have disappeared, but they do not realise that the diseases have disappeared because of immunisation. Many of the problems in consumer affairs that were with us in the past are not with us now simply because of the present legislation. People know that if they attempt to start those schemes, sooner or later the law will catch up with them. Nowadays, consumers know a great deal more about their rights in those matters.

I raise now the matter of caveat emptor. As I have said previously when introducing legislation in this field, we still have the principle of caveat emptor. Because the manufacturer, the retailer, the wholesaler, the promoter and the entrepreneur have at their command resources that help them in marketing and selling their goods a little easier than may have been the case previously, the consumer is also entitled to be equally as well equipped. He cannot be as well equipped on his or her own. A resource must be available to the consumer. That resource comes in various forms such as information. The Consumer Affairs Bureau has been particularly good with the quality of its information, literature, telephone consultation, advice and investigative powers. That is part of the resource that is available to the consumer. It allows caveat emptor to operate correctly and balances up the position in the community. If resources are available to the entrepreneur, they should also be available to the consumer. That enables the consumer to handle his own problems. If there is a cause for complaint, he is able to go to the right place the first time to have a matter rectified.

Many years ago I tried to get the media interested in consumer affairs by producing television programs and placing articles in newspapers, but they shied away. I am pleased to say that the present Minister has been more successful in getting the media involved. Now, investigators appear on television and a whole page of our daily newspaper is devoted in a very open way to consumer problems. There are risks in doing that sort of thing. Mistakes can be made and injustices can occur. The possibility of that happening does exist. Nevertheless, unless there is some degree of militancy on the part of the people who have the power, the authority and the resources with which to make inquiries, then those who want to get away with things that are not right can get away with them.

We now have incisive and very capable programs, both in the print media and on the electronic media, in regard to consumer affairs matters—a thing that the media were very shy of 10 or 15 years ago but now accept. I might say that those types of programs appeared in Europe and in North America many years ago. It has taken some time for

them to become fashionable in this country. Nevertheless, they are available now, and that helps enormously in balancing the situation between the buyers and sellers.

The problems that we talked about years ago concerning door-to-door sales, mock auctions and so on are still lurking in the background. I cite the example of pyramid selling. The Government has repealed the pyramid selling legislation. It has been incorporated in other legislation such as the Companies Act. A special committee was set up to look into pyramid selling. When they were operating here, those people ripped off not only consumers but also middle men and others. One chap was interviewed on television. He was told that an Attorney-General was trying to get him put in gaol. He said, "I employ 400 attorneys to help me avoid going to gaol." Eventually he went to gaol in Germany. The Queensland Government tried to catch up with him and failed, but somebody caught up with him.

They are the people who seem to roam around on the periphery of private enterprise and spoil it for everybody. The accumulated legislation in this area has helped to set the numbers of those people at irreducible levels. Nevertheless, there has been, and there is, room to improve the legislation. This piece of legislation, which consolidates all of the Acts and in fact repeals a considerable number of these pieces of legislation that have been introduced since 1970, is a very big step forward in assisting people who wish to be informed as to their rights in regard to consumer matters.

This State is well on the way to providing consumer protection. Queensland has been in the lead, and continues to be in the lead, in consumer-affairs matters. The attitude in the community to authority has also changed. Although members on both sides of the House used to tolerate certain provisions in legislation, over a period of time people have become more jealous of their privacy. They have become more jealous of their rights. They have become more concerned about authorities intruding into their lives.

So I have one reservation about this legislation which in previous years would have been tolerated, and that is the question of the right of entry. In this Bill that comes under the title "Part V—Enforcement and Remedies". The legislation provides that there should be a warrant where forcible entry is required or where entry into a dwelling-place is required. Of course, the Liberal Party supports that. However, when one considers the powers of inspectors, which are listed in the Bill, one finds that the powers given to inspectors—many of whom are not necessarily well-equipped to exercise those powers and are not fully trained in how to exercise those powers—need to be examined. There is a need to consider who those authorities are and who those people are, what the standard of their training is and what is expected of them.

It is true that inspectors in various areas should have the right to inspect records and should have the opportunity under law—and they do in many areas—of seeing the documents and records that people are obliged by law to keep. Those documents and records should be open to inspection at any time by lawfully authorised people. However, when it comes to seizing goods, when it comes to seizing people's chattels, when it comes to taking away a person's livelihood—perhaps erroneously because there is not necessarily evidence of guilt—then the Liberal Party believes that a warrant is necessary before that operation can take place. Under the powers provided in clause 89, inspectors are given enormous powers, some of which we believe should be exercised only if a warrant has been properly issued.

The Fitzgerald inquiry revealed a history of abuse of the use of authority by people who perhaps took things too far. Indeed, under this legislation, there is the possibility of abuse by officials. It may have been tolerated in the past. However, I think that the time has come when members of the community are very concerned about the powers of officials. Inspectors should have the necessary authority before they start seizing goods or property and possibly taking away a person's legitimate trading opportunities.

Mr GATELY (Currumbin) (7.59 p.m.): I am very pleased to support the Bill. This legislation will give the Consumer Affairs Bureau the power to deal with people who

use false or misleading advertising or other deceptive practices in the sale of goods or services. There is no doubt that it will provide the teeth to enable the bureau to deal with those people who, in the past, through their cunning, have been able to circumvent the consumer protection laws. The additional power is achieved through the adoption of the consumer protection provisions of the Trade Practices Act.

I recall very vividly an incident involving the Rental Bond Board in New South Wales. Unscrupulous people were circumventing the legislation and not placing bonds in the custody of the board. Property-owners were inserting in their agreements a provision that required the payment of an additional week's rental, thereby circumventing the legislation.

Until now, the provisions of the Trade Practices Act have applied only to companies. The introduction of uniform legislation at a State level will effectively create a situation in which members of the business community and consumers are placed in an equal position in regard to unfair practices in the market-place. Not only will competition be strengthened, but unfair competition by certain traders, which disadvantages reputable traders, will be controlled. In future, conduct that may give consumers a wrong or untruthful impression about goods or services will be outlawed.

The notorious mail order specialist, Robert William Lewis Clark, provides a perfect example of an individual who deluded numerous consumers through the use of misleading and deceptive conduct. While I am referring to deceptive advertising, I instance a prime example in the electorate of Currumbin. A development was allowed, with the consent of the Gold Coast City Council. Previously, the development had been rejected on the basis that the Gold Coast City Council, through the deputy mayor, Betty Diamond, said, "You cannot bring all the traffic from the development across Binya Avenue and into Appel Street." Betty Diamond has retired. The new alderman cannot see the wood for the trees. He and his Gold Coast City Council planning committee approved a New South Wales development on the southern side of the border, in Tweed Heads, on the basis that a fence would be put around it on the western, southern and eastern boundaries, forcing all of the traffic across Binya Avenue, Kirra, and into Appel Street, and on the basis that no vehicle could enter or leave that new development via the road system in Tweed Heads. In addition, the developer issued an advertising screed and placed advertisements in the *Gold Coast Bulletin* and the *Daily News Gold Coaster* in which it is stated, "Buy your own town house or unit at fabulous Kirra." It would be the most misleading advertisement that a person would ever read. Unsuspecting buyers would have believed that they were buying land in Kirra, Queensland, whereas they were buying property in New South Wales. It was the most blatant misrepresentation that I have ever seen.

I wrote to the Minister for Justice and Attorney-General in this State and had the matter investigated fully. I also took the step of writing to the Federal Trade Practices Commission. However, I did not receive the courtesy of a reply. The Queensland Minister has investigated the matter fully. He has had discussions with the developer. Departmental officers stopped the developer from using misleading information. However, there has not been any response whatsoever from the Trade Practices Commission. It is deplorable that a Federal department did not pursue the issue and at least furnish a reply to inform me what it was doing.

The Bill also prohibits the making of false or misleading statements about certain aspects of goods or services. A number of systems currently being offered for sale guarantee to turn a person into a millionaire if he sticks rigidly to a system in completing Lotto entries and buying lottery tickets. However, there is no statistical evidence to suggest that the systems will increase a person's chance of winning, nor any real evidence that people have, in fact, been successful.

The type of unconscionable conduct that occurs in the used car industry will also be illegal. A typical example is where the consumer is led to believe he is signing an indemnity form in order to take a vehicle for a road test. However, because of his lack of knowledge of the industry, he does not realise that he is actually signing a contract

to purchase the car. What a despicable act by those unscrupulous dealers! The situation created is one in which the dealer's conduct may be considered to be harsh and unreasonable, taking into consideration the relevant positions of the dealer and the purchaser, and therefore should not be allowed to occur within the market-place.

Conduct that is deceptive in relation to employment will be unlawful. Many advertisements for employment appear to offer normal employment for wages or salary but instead involve direct selling on commission only without any wages. Some people, especially young persons who are desperate for a job, an income and the dignity and self-respect that those things provide, are most vulnerable to that form of advertising. Sometimes a company will send recruits interstate for training. One such incident was highlighted on the *Good Morning Australia* program recently. A young fellow had gone from Sydney to Melbourne. He arrived in that city without any money and was unable to support himself. Finally, he had to contact his parents in Sydney and ask them to send money by telegram so that he could make his way back home and at least retain his self-respect. The recruit is virtually a prisoner of the company, with no money to leave or return home. Those people are put to work and must go from door to door, obtaining orders or making appointments for a salesperson to call. Commissions due are rarely paid. After a period, the recruit manages to get away but the company keeps its business flowing nicely by using a steady flow of new recruits. What a despicable act! One could call the people who operate those businesses worse than leeches—they are blood-sucking hypocrites and out-and-out criminals.

The promotion of gifts, prizes and other free items as incentives for consumers to buy particular goods will constitute illegal conduct if the proprietor has no intention of providing the incentives as offered. Some participants in the time-share industry are renowned for attracting customers with promises of overseas holidays but failing to inform them that the holidays do not include the air fare to the holiday destination.

That issue causes grave concern in my electorate and in a number of other electorates on the Gold Coast. There are many time-share units on the Gold Coast, and many people are making very legitimate claims and statements about the way in which they are being misguided and ripped off and how misrepresentations are made to them. I admit that there are some reputable people in the time-share industry on the Gold Coast. I do not knock the reputable ones, but the ones who are doing the wrong thing by consumers should be exposed fully.

Offering goods or services at an unreasonably cheap price to entice people into a store to sell them something else will also be a prohibited practice. It is generally referred to as bait advertising. That type of ploy is used by unscrupulous traders to lure customers into their stores with the prospect of a special deal.

I wonder how many honourable members or their wives have found themselves in situations in which they have answered advertisements in local newspapers. I am not referring solely to small firms; this happens with the large traders such as David Jones and Myer. I am not saying that all of them are unscrupulous, but I am saying that when a housewife trundles along in her little automobile to purchase advertised goods, even though she might be the first or second customer in the shop that morning she is told, "No, sorry, we are sold out of them, but we have got this item", which is about twice the price. That is no way for fair dinkum retail operators to carry on their business.

Offering rebates, commissions or other benefits as an inducement to buy goods or services when the particular incentive offered will be supplied only if the person provides the supplier with the names of prospective customers who ultimately also buy goods and services from that supplier is a further example of conduct that can be dealt with under the provisions of this Bill. That tactic is used in the building industry. Operators will offer a free patio or car port to a purchaser on the condition that a subsequent sale is made to another person who is nominated by that purchaser.

Organisations that accept payment for goods or services without intending to supply them as ordered will also be held to account under the provisions of this Bill. The Home Card organisation is a classic example of that type of activity. That company accepted

orders for Christmas cards for Christmas 1987, but some consumers were still waiting for delivery in the early months of 1988. In fact, some of them were still waiting three months after they had placed their orders.

In the past a number of operators have touted bogus franchise opportunities, some of which have been aimed at rural people who have land available on which to grow palms for nursery supplies and other tree crops such as avocados. Because those crops take many years to develop to maturity or to the fruiting stage, consumers have not been able to reap the immediate financial benefits that were promised when they entered into those franchise agreements. Anyone who tries to sell something like that to consumers should hang his head in shame because, when he is offering it, he knows full well that there is a long lead time from when the trees are planted until they reach fruit-bearing stage and certainly before they start to provide any sort of profit. The macadamia-nut industry and the pecan-nut industry are prime examples of that. It takes seven years for an operator in the pecan-nut industry to reach break-even point, yet unscrupulous people have tried to con others into those schemes.

The making of such misleading representations about business opportunities, including representations about home-operated businesses, is yet another aspect that is covered by the proposed legislation. I have seen advertisements in local newspapers offering earth-moving equipment for sale with contracts and the whole bit thrown in. However, when people try to make a living out of the businesses that they have created with those trucks and earth-moving equipment, they find that even though they had customers, those customers dealt with the original proprietor and have no desire to deal with them. Therefore, those people sell the businesses to other people and two or three people are caught up in a situation in which they have obtained finance through hire-purchase companies that charge excessively high interest rates. Because there is no income to meet their bills, those people cannot meet their commitments.

The use of force, harassment or coercion in dealing with consumers has caused serious concern in the past. Honourable members will recall the company that sold fire-alarm systems door to door. At present a group on the Gold Coast is going around selling home-security systems. Not long ago I walked into my house and said to my wife, "Where did these people come from?" She said, "They visited here at 8.30 tonight wanting to sell us a security system." Quite frankly, if I want to purchase security for my house I am quite capable of doing so without those sorts of grubs coming to my door at 8.30 at night.

To ensure the sale of those fire-alarm systems, that company showed slides of children who had been burned—often fatally—in household fires. They stressed constantly that the outcome could have been avoided if a fire-alarm system had been installed. Needless to say, quite a number of people immediately became committed to purchasing that company's very expensive fire-alarm systems. When persons were faced with the expense of a system costing perhaps $2,000 or more they were told, "If you don't go ahead tonight and anything happens to your children in the mean time, how could you live with yourself?" In future, that type of behaviour will be illegal.

The Consumer Affairs Act has been restricted in its capacity to deal with business practices such as those about which I have spoken. The proposed legislation will establish a standard of conduct that is acceptable to and in the interests of reputable traders within the business community. As the Minister has stated previously, it will assist the Government to convince the con men and the rip-off merchants that there is no place for them in this State. The legislation has my full support.

One of the other things that I want to quietly talk about this evening concerns the real estate industry. In my own electorate there is a prime example of what I would consider to be totally unscrupulous developers who, between 1960 and 1965, developed an area in Palm Beach in which they knocked over the tea-tree vegetation that was growing in great abundance. They did not bother to remove it or burn it.

Mr R. J. Gibbs interjected.

Mr GATELY: The honourable member should listen to this. The member sitting behind him would probably want to know about it, too.

In my view, when the areas between Cypress Terrace and the new Pacific Highway and between Second Avenue and Twenty-eighth Avenue were developed, those developers were not properly supervised by the Gold Coast City Council. Mr Burns might well take note of what I have to say about this matter. He has been reported in the Gold Coast press as saying that he will be the great saviour on a white horse. I could not see the white horse; I think it got away from him. He might have tried to come in on a jew fish, or something like that.

In that area more than 100 homes are falling apart. Before becoming the member for Currumbin, I took up the matter. I have said continually that, because of the way in which the Gold Coast City Council allowed the developer to proceed without consolidating the land in a proper manner, it and the developer have a hell of a lot to answer for. Today, people's homes are crumbling and falling apart. Only last week one home-owner came to my office and complained that the waterpipes in his home had burst. I took the trouble of phoning the town clerk, Mr Bob Brown, and I asked him, "Could you please help these people by sending out the council's plumber to assist them and to ensure that they have water flowing in their houses and not everywhere underneath them?" His reply was, "I am sorry, but we cannot do anything to help the home-owner, because if we do we will be seen to be jeopardising our claim with the insurance company."

Since September and November 1986 the Labor Party has done absolutely nothing. There was great rhetoric about what it would do, but its candidate in 1986 said, "All I can offer you is sympathy." He could not offer the people anything. All he could tell them was that when the Labor Party got into Government it would fix the problem. I had not heard one word about that until just recently when the Labor Party candidate said that his party was going to do all sorts of great things. At a public meeting that I had with the people, he asked me a few questions. He was not able to offer any constructive advice. He said he would get Mr Burns to come down and have a look at it.

Mr Burns has been down there, but I suggest that he will be caught up in the same situation as the council is in at present. The matter is in the hands of solicitors. I have spoken in this House about a Mr Peter Collas who, as a solicitor, had not done his job properly. He was a solicitor with the firm Collas Moro. He has been messing about with this matter since 1983-84. It has still not been before the court. Mr Collas was told by Master McLauchlan that he should exchange documents with the defendants in the matter. He told me by phone that he could not do that because he would be jeopardising his clients' case; he would be giving the other people some advantage. If Master McLauchlan saw fit to direct that there be an exchange of documents, which is a normal process, then I do not know why the hell Mr Collas did not do it. If he had done it, there would have been a speedy trial and the Barnetts' case would have been before the court and finished. Those people should be able to receive whatever compensation they are entitled to.

Today I spoke with the Premier and Sir William Allen of Suncorp. Sir William Allen has guaranteed that he will arrange for the top people from Suncorp to speak with me again tomorrow about this issue. Every possible solution of the problem has been considered.

In addition to that, the Government, through Cabinet, took a decision that people from the building section of the Local Government Department would go down to the Gold Coast and inspect all of the buildings with a view to ascertaining the exact extent of the damage. An undertaking has also been given to put a report in the hands of a working committee that will make a submission to Cabinet. I understand that that submission should be put to Cabinet within about a fortnight.

I gave an undertaking to the people concerned that I would fight continually to assist and with all the vigour that I have to try to bring the matter to fruition for their

benefit. I am in a terribly difficult situation because this is a matter that cannot be spoken about outside this House as it is likely to give rise to legal action being taken for my saying that the solicitors have not done their job properly. I am aware that the solicitors for the Barnetts, the firm of Collas Moro, were sacked. When the Legal Aid Office sent a number of letters to that firm demanding information in regard to Mrs Weeks' case, the firm refused to answer the letters. After a number of letters passed between the firm and the Legal Aid Office, the firm finally got the message.

The solicitors have charged an amount of money but they have not done any work for it. That is despicable. They have received their just deserts. They were sacked for not doing their job properly. This matter concerns not only retailers and others, but also some members of the legal profession who do not give the customer a fair go.

Many people in the legal profession have abused the trust placed in them by misusing trust fund moneys. Just recently a few such cases have appeared before the courts. The legal profession and the guys who have been sitting in this House and ranting and raving about crime and corruption involving politicians, police and public servants cannot escape unscathed.

The members of the legal profession have a responsibility to provide a service to their clients in a very professional way. Above all else, they hold a position of trust. They have abused the trust placed in them by utilising and filching funds that belong to other people. There have been plenty of examples of lawyers being struck from the roll because of malpractice. Yet Wayne Goss—that giggling goose of the Opposition—rises in this Chamber and tells us about how members—

Mr DEPUTY SPEAKER (Mr Booth): Order! The comments made by the honourable member relating to the Leader of the Opposition are certainly unparliamentary. I believe that they should be withdrawn.

Mr GATELY: I withdraw them.

Plenty of evidence is available of the manner in which he whinges and whines in this Parliament and then straight away runs out of the Chamber to appear on television. He would not even rate as an actor. The women of this State are beginning to say, "How the hell can you put up with him, with his whinging and whining in the House?"

As I said yesterday, nothing constructive has ever come from the Opposition at any time since I have been a member of this Parliament. All I hear from members of the Opposition is repeated knocking. Day after day the Leader of the Opposition has ranted and raved in this Parliament and pinned all his hopes on the Fitzgerald inquiry's projecting the ALP into Parliament as the Government of this State. His expectations will fall a long way short of that mark because the public is totally sick and tired of the attitude that he has adopted. Quite frankly, the public is not conned by the measures adopted by the Leader of the Opposition and his colleagues.

I have the greatest respect for the Minister's introduction of this legislation. I have had much pleasure in taking part in this debate.

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (8.24 p.m.), in reply: Now we will be able to get a bit more serious.

Honourable members interjected.

Mr LESTER: It is nice that everybody is in a good mood.

Mr Mackenroth: Every time you stand up, we laugh.

Mr LESTER: Not really. The Opposition did not laugh yesterday.

I thank the member for Ipswich, Mr Hamill, for the contribution he made to the debate. His comments were well researched. I believe that on this occasion, as on the previous occasion when consumer affairs matters were being debated, the honourable member tried to be constructive.

Among the many matters referred to by the honourable member was the subject of panel-beating. He made it clear that there are grounds for concern about the actions of insurance companies. I inform the honourable member that I have taken his comments on board. I intend to write to the honourable member when further information is to hand. I would also be prepared to further discuss the matter with him if he wishes to bring his constituents to see me.

The honourable member also expressed concerns about the right of entry of inspectors. Perhaps he may wish to comment further on this matter during the Committee stage. At this stage I simply inform the honourable member that my department will be keeping a very close eye on the exercise of rights of entry. I assure all honourable members that I am concerned about some inspectors who may act as though they are Gestapo officers, as indicated by the honourable member. I point out, however, that officers of the Consumer Affairs Bureau are very good people. Because the department tries to recruit the right type of people, I never receive complaints about them. I believe that those officers are good people and I have never received any complaints about their behaviour. Nevertheless, I take on board the comments made by the honourable member.

I thank the honourable member for South Coast, Mrs Gamin, who expressed her concerns about rip-off merchants who operate on the Gold Coast. Unfortunately, some con men try to make a few bob in other States and then settle on the Gold Coast. Having completed their apprenticeship in either New South Wales or Victoria, they travel to the Gold Coast after they have become hardened criminals and cause some problems there. The Consumer Affairs Bureau has dealt with some of them.

The member for Lytton, Mr Burns, took a fair amount of trouble with his contribution to the debate. He suggested that booklets on the purchase and building of homes ought to be circulated. The Consumer Affairs Bureau has produced some very good booklets and I would be happy to provide them for the honourable member in sufficient quantities to enable him to look after his constituents. I point out to the honourable member that subcontractors are covered by the Subcontractors' Charges Act.

Mr Burns: Not very well, though.

Mr LESTER: Not very well? The honourable member may have to talk to the responsible Minister. Those matters are the responsibility of the Minister for Justice, who is a very receptive young person. I am sure that the Minister would be very happy to listen to what the honourable member has to say.

Mr Lee: He has only been there for five minutes.

Mr LESTER: That is true, but he is a good fellow.

The member for Lytton referred to building contractors and contracts. There is no doubt that unconscionable contracts are covered at some length by the provisions of this Bill. The honourable member mentioned Mr Foster, who is a bit of a larrikin if ever there was one. I can inform the honourable member that Mr Foster was eventually chased out of Australia. I was engaged in a debate with Mr Foster on a television program presented by Jana Wendt.

Mr Davis: He won that one.

Mr LESTER: He did not, and everybody knows that he did not. A number of ALP members congratulated me for taking on Mr Foster. They told me that I was the first Consumer Affairs Minister in Australia who had been game enough to do so. The record shows that Mr Foster blames me for having chased him out of Australia because all his orders dried up. Prior to that, a few problems had arisen in respect of Bai Lin tea and other products.

Mr De Lacy interjected.

Mr LESTER: Pipe down.

This legislation makes it very difficult for him to act in the same way in the future. Anyone aiding and abetting him will have his business closed down forthwith. My department has gone to a lot of trouble to ensure that this man will be dealt with. The honourable member will be aware that this legislation will provide the bureau with injunctive powers, which was not possible before this legislation was introduced. In future, if there is a problem with characters such as Foster selling these products, the department will have the power to take out court injunctions and they can be stopped forthwith. This Government has taken pretty tough action.

I have asked the people in my department to make a note of the other comments made by the honourable member for Lytton. I am happy to write to the honourable member and for him to visit me. The last time this House debated consumer affairs legislation the honourable member had a problem with a constituent and, as a result of his raising the matter in the House, the two of us were able to sort it out.

I thank the honourable member for Nundah for his kind remarks about the activities of the Consumer Affairs Bureau and my department's efforts in bringing these matters to the attention of the public. That has not been easy. He was previously the Minister responsible for consumer affairs and I give him some credit for paving the way for the bureau's success. He hit a few bumps along the way and perhaps when I came along the officers of that department thought, "Not another one." I slowly got their defences down, but I do not want to take all the credit. I am sure that the honourable member for Nundah did a great deal of work in this area when he was the Minister. He received a bit of media attention and some of his advertisements were very good. I can recall one advertisement with a photograph of the former Minister and a large number of other people.

Mr Goss: What was the ad about?

Mr LESTER: The advertisement was about consumerism. It is not a bad effort on my part to remember an advertisement from seven years ago. I suggest that the Leader of the Opposition not be too critical, because I am led to believe that there are some things that happened seven years ago that he cannot remember, but I will not go into that.

The honourable member for Lytton commented on Mansard. Building work is included in the definition of "services" in this legislation, thereby providing protection for consumers against misleading, deceptive and unconscionable conduct. The Bill also provides consumers with certain orders for compensation, the refund of money and variation of contracts. A fair bit of work has been done in that area.

In addition, I wish to thank the honourable member for Currumbin, Mr Gately, for his contribution. Obviously he went to a great deal of trouble. He must have dealt with a few difficult characters in the Currumbin electorate. He has aired these matters here in this Parliament tonight and I have taken note of them.

The honourable member for Nundah raised concerns about the powers of inspectors contained in clause 89. This clause confers the same powers as those that existed under the Consumer Affairs Act during the time that he was Minister. It provides for inspectors to enter premises and, if necessary, requires that documentation be produced. If permission for access is denied, a warrant can be obtained under clause 89 (3). Initially an inspector has to try to do the right thing by entering a property by means of normal negotiations; then, if necessary, documentation must be obtained. If the person still will not permit the inspector to enter the property, under this legislation a warrant can be obtained. I hope that covers some of the honourable member's concerns about clause 89, but I am happy to discuss the matter further. My department has tried to deal with that problem and I thank the honourable member for bringing it to my attention.

I will be moving three amendments to this legislation and, if it is agreeable to all honourable members, as I introduce these amendments to clause 9, page 9, line 17, clause 66, page 34, line 15——

Mr DEPUTY SPEAKER (Mr Row): Order! The Minister must reserve discussion on the clauses to the Committee stage.

Mr LESTER: I was simply giving advance notice as to what the amendments would be. I will make some comment on them at the appropriate time.

Motion agreed to.

Committee

Hon. V. P. Lester (Peak Downs—Minister for Employment, Training and Industrial Affairs) in charge of the Bill.

Clauses 1 to 8, as read, agreed to.

Clause 9—

Mr LESTER (8.36 p.m.): I move the following amendment—

"At page 9, line 17, omit—

'one shall be a person registered in Queensland as a medical practitioner or other health professional'

and substitute—

'one shall be representative of persons engaged in the supply of professional services in Queensland'."

Representation from the Queensland Council of Professions has prompted a review of the categories of membership involving the medical profession. In recent times the Consumer Affairs Bureau has increased contact with the professions generally but has had far less involvement with the medical profession in particular. It is considered appropriate, therefore, that the legislation be amended so that the Consumer Affairs Council includes broader representation from the professions. That is basically what it is about.

Mr HAMILL: The Minister did not specify clearly the professions to which he is referring. One can only assume from his comments that he is referring not only to the medical profession but also to a range of paramedical and other services provided by, for instance, psychologists and occupational therapists.

An Opposition member interjected.

Mr HAMILL: I accept that interjection. The words are not very specific.

This clause gives the Minister a certain discretion as to who should form the Consumer Affairs Council. Subclause (1)(a) gives the Minister absolute discretion; it is only in the absence of the exercise of the Minister's discretion that the formula set out in subclause (1)(b) comes into effect. The specifications there are presumably the ones that the Minister would seek to have put in place for the composition of the council. I seek the Minister's guidance as to why the provision gives him such a broad discretion when the appointment of certain classes of persons is set out in subclause (1)(b).

Mr BURNS: Under clause 9, two representatives on the council shall be representative of consumers, of whom one shall be representative of women engaged in home duties. So there will be one housewife. Two of them shall be currently engaged in the manufacture of goods or the business of advertising. One of them shall be currently engaged in the supply of goods or services to the public. One of them shall be representative of consumers resident outside Brisbane. So there will be three representatives of consumers, one of whom shall be a housewife. The remainder will come from the unions, the medical profession, other professions, barristers-at-law, people engaged in primary production and a person engaged in the field of economics or finance. I would have thought that the council would be made up of consumers and the people with whom consumers deal—housewives, genuine consumers and people representing pensioners. The way I read clause 9(1)(b)(i) to (ix), the most consumer representation that can expected is one housewife, one representative from the city, one representative from the country and two trade-unionists. That does not seem to me to be giving the consumers

a fair go or even a majority. If it is a consumers' council, the consumers should be in the majority.

Mr LESTER: I thank the honourable member for Lytton. These councils must also have on them people who sell goods and people who provide services. There has been no problem to date. The Consumer Affairs Council has been extremely responsible in dealing with a large number of problems. I am not aware of any complaints coming to me about the members of the Consumer Affairs Council or its composition.

Mr Warburton: You wouldn't know it exists.

Mr LESTER: I do know that it exists.

Mr HAMILL: I asked the Minister a very direct question as to why the legislation contains the provision for his absolute discretion as well as a descriptive list of persons who can be appointed. I would appreciate the Minister's addressing himself to that.

Mr LESTER: I do not think that it is unreasonable for the Minister to have a discretion. The amendment has been introduced to cover the medical profession, which asked whether this could be done.

Mr Hamill: I am talking about clause 9(1)(a).

Mr LESTER: I do not see any problem with the Minister's having this discretion. I have discussed this matter with Ministers in other States and they feel similarly, as does the Federal Minister, Senator Bolkus. I have discussed the matter with him as well. All Ministers are quite happy. I am not trying to score politically here, but the Queensland Consumer Affairs Bureau is often used as a milestone in consumer affairs legislation. One of the roles of the council is to ensure that consumer education is available and that the bureau has done a good job.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 to 20, as read, agreed to.

Clause 21—

Mr BURNS (8.44 p.m.): Tonight, on television, Jana Wendt raised the matter of the people who, with the approval of the Government and the council, constructed homes on land at Palm Beach. However, after action by the council to put sewerage works in, the homes have sunk and are in very bad order.

Clause 21 relates to the functions of the bureau. Under clause 21(1)(g), would the Minister or the Consumer Affairs Bureau be able to investigate matters, or to arrange for the investigations of matters, on behalf of the council? Under clause 21(3)(d), would the Minister be able to receive and consider complaints concerning matters affecting the interests of consumers? Would he be able to order an investigation into those matters and report to the consumers on those bases? The consumers need some action and some written advice from experts. The people who had sewerage work carried out do not have the money to pay for it. As they are consumers, as the Minister has said that building and construction is covered by this legislation and as a contract in relation to the performance of work including building work and the work of a professional nature with or without the supply of goods is covered, the first thing that the Bill should do is enable the Consumer Affairs Bureau to investigate the problems that the people at Palm Beach are experiencing and to make a report so that those people can receive assistance from the Government to settle their claims against the council and against Hooker Corporation.

Mr LESTER: I have inspected those houses. I agree that it is a terrible shame. The Gold Coast City Council accepts absolutely no responsibility for the matter, yet it approved the construction. I see no reason why we cannot order an investigation. However, it is a matter of trying to obtain compensation for those people. The Hooker Corporation has gone broke and those people are not covered by insurance for that type of event.

Mr Burns: Will you have a look at it?

Mr LESTER: Yes, we will look at the matter.

Mr BURNS: On behalf of the people of Palm Beach, I thank the Minister. They will be pleased to hear that advice from the Minister.

Clause 21, as read, agreed to.

Clauses 22 to 65, as read, agreed to.

Clause 66—

Mr LESTER (8.47 p.m.): I move the following amendment—

"At page 34, line 15, after 'contract' insert—

';

or

(c) if the supplier or dealer commits an offence against section 62 in relation to the prescribed contract or a related contract or instrument—within 6 months of the date of the prescribed contract'."

The amendment means that the proposal to amend the door-to-door sales provisions will provide consumers with the right to rescind a contract within six months if money or other consideration is accepted by the dealer within the cooling-off period or if services are supplied during that time. The provisions of this amendment are currently being applied nationally. We are trying to bring Queensland into line with the other States of Australia.

Amendment agreed to.

Clause 66, as amended, agreed to.

Clauses 67 to 82, as read, agreed to.

Clause 83—

Sir WILLIAM KNOX (8.49 p.m.): This clause deals with safety standards and sets out regulations in respect of performance, testing of goods and prescribed safety standards for services and equipment to be supplied with goods.

I bring to the Minister's attention a matter that may have to be attended to in consultation with another Minister. It has come to my attention that one of the prescribed safety standards of this community requires that, when a tubeless tyre is retreaded, a tube should be placed inside the tyre. Unfortunately, many tyres that are retreaded are not being fitted with a tube. A number of accidents have occurred as a result of a tube not being placed inside the tyre.

I do not know whether it is desirable to make this a law of the land—I understand it is not—but it is a desirable practice, because a tubeless tyre does not constitute a safe unit; it is the tyre and the rim. If they are not compatible, one does not have an effective tubeless tyre. Once a tyre is lifted from its rim or if the rim is designed differently, a weakness is created that renders the tubeless tyre ineffective. I bring that matter to the Minister's attention. Perhaps he may care to address the problem.

Mr LESTER: I thank the former Minister for that information. He is quite right. At some time I would be happy to talk to him, with the Transport Minister.

Clause 83, as read, agreed to.

Clauses 84 to 88, as read, agreed to.

Clause 89—

Sir WILLIAM KNOX (8.51 p.m.): I brought this matter up in the second-reading debate. Because a warrant is desirable under clause 87, which relates to circumstances in which goods are seized, the Liberal Party believes that, where goods are seized under circumstances covered by clause 89, a warrant should also be required.

Clause 89 contains provision for a warrant where a dwellinghouse is entered or where there is forcible entry, which the Liberal Party supports. However, when there is a risk of taking away a person's livelihood, be it ever so temporary—and "temporary" could be a matter of weeks or months, depending on how long it takes to get the case to the proper jurisdiction—I believe there is a real danger of the abuse of power.

Although members of the Liberal Party have no objection to authorised inspectors inspecting books that by law have to be kept and that should be available for inspection during normal business hours—there are plenty of cases of that in all legislation—they foresee, as has already been admitted in the legislation in clause 87, the possibility of something going very wrong in relation to the seizing of goods and chattels and so on. In these circumstances, rather than try to dissect clause 89 with a clumsy amendment, the Liberal Party will just have to protest by opposing the clause.

Mr LESTER: I would be quite pleased to talk to the member for Nundah at any time. I will monitor it closely. If it is not working, as the honourable member fears, if necessary, at some future point I will certainly be very happy to amend the legislation.

Question—That clause 89, as read, stand part of the Bill—put; and the Committee divided—

AYES, 44	
Ahern	Lester
Alison	Littleproud
Austin	McCauley
Berghofer	McKechnie
Borbidge	McPhie
Burreket	Menzel
Chapman	Muntz
Clauson	Neal
Cooper	Nelson
Elliott	Newton
FitzGerald	Perrett
Fraser	Randell
Gamin	Row
Gately	Sherrin
Gibbs, I. J.	Simpson
Gilmore	Slack
Glasson	Stoneman
Gunn	Tenni
Harvey	Veivers
Henderson	
Hinton	*Tellers:*
Hobbs	Stephan
Katter	Hynd

NOES, 39	
Ardill	Milliner
Beanland	Palaszczuk
Beard	Prest
Braddy	Schuntner
Burns	Scott
Campbell	Sherlock
Casey	Smith
Comben	Smyth
D'Arcy	Vaughan
Davis	Warburton
De Lacy	Warner
Eaton	Wells
Gibbs, R. J.	White
Goss	Yewdale
Hamill	
Hayward	
Innes	
Knox	
Lee	
Lickiss	
McElligott	*Tellers:*
Mackenroth	Santoro
McLean	Gygar

Resolved in the affirmative.

Clause 90—

Mr HAMILL (9.04 p.m.): I wish to ask the Minister a question about clause 90 (4), which establishes an offence and which states—

"A person shall not—

(a) refuse or fail to furnish any information, records or a copy thereof as required of him under this section;".

Perhaps the Minister could confer with his advisers to establish whether this provision would exclude a proper claim of privilege by a person who sought, within his rights and in pursuance of a claim of privilege, to withhold information. For example, it may well be that a public servant or the Minister wishes to claim privilege.

Mr Lester: I could not hear you.

The TEMPORARY CHAIRMAN (Mr Booth): Order! It was very difficult to hear the honourable member when he began asking his question. I ask him to repeat his question to the Minister.

Mr HAMILL: I will repeat my inquiry. Will the Minister consult his advisers on this technical point? Clause 90 (4) provides—

"A person shall not—

(a) refuse or fail to furnish any information, records or a copy thereof as required of him under this section;".

I ask the Minister: will that provision prevent a person—for example, the Minister himself or a public servant—seeking to establish a claim of Crown privilege in respect of information being sought and effectively exclude a proper claim of privilege?

Mr Clauson: Are you going to divide the Committee on this?

Mr HAMILL: I am just asking for information from the Minister.

Mr Clauson: I can't stand to run down the stairs.

Mr LESTER: The Bill does not take away the common law right to privilege.

Mr HAMILL: I thank the Minister for that assurance. I also take note of the comments of the member for Redlands, who was very concerned that he could not run back up from the wine cellar, where he has been plotting and scheming already this evening. I thank the Minister for his information.

Clause 90, as read, agreed to.

Clauses 91 to 102, as read, agreed to.

Clause 103—

Mr LESTER (9.07 p.m.): I move the following amendments—

"At page 58, line 2, after 'and' insert—

', subject to the next following paragraph,' ";

"At page 58, after line 5, insert—

'An application for an order against a person under section 98 or 100 may be made in a District Court in the course of proceedings against the person pending in that court under section 99(1) or for an offence against this Act and, subject to the provisions of any other Act, may not otherwise be so made.' "

The amendment of clause 103 will ensure that the granting of injunctions and the making of orders are the jurisdiction of the Supreme Court. The District Court will be able to rely on those remedies only in circumstances in which proceedings have already commenced in that court.

Amendments agreed to.

Clause 103, as amended, agreed to.

Clauses 104 to 114 and first and second schedules, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

DAYLIGHT SAVING BILL

Remaining Stages; Abridgement of Time

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (9.11 p.m.), by leave, without notice: I move—

"That so much of the Standing Orders be suspended as would otherwise prevent the Daylight Saving Bill from passing through all its remaining stages at this day's sitting."

Motion agreed to.

Second Reading

Debate resumed (see p. 447).

Mr GOSS (Logan—Leader of the Opposition) (9.12 p.m.): The debate on this legislation is very much an anti-climax, given its troubled, erratic and dramatic history in finally making its way into this Parliament and this reform making its way into the daily lives of Queenslanders, particularly the Queensland business community.

The Opposition supports the notion of a trial period of daylight-saving and supports the legislation. It regrets the necessity to suspend Standing Orders but, because of the imminent approach of the commencement of daylight-saving, this is an occasion when the Opposition can and should co-operate to pass the legislation so that finally there can be some certainty in the community—particularly amongst the business community, which has to make arrangements of one kind or another—that the trial daylight-saving period will commence when due, on 29 October 1989.

The erratic process by which this Bill has arrived in this House has been the subject of much drama and publicity relating, firstly, to the controversy and debate over whether or not daylight-saving would be introduced. Then there was the leak and the suggestion from the Government that the reform would be introduced. As a consequence of a phone call from Sir Robert Sparkes to pull the party into line, the reform was rebuffed. Then there was a backflip on the basis of some market research that was carried out on the week-end prior to the Cabinet meeting at which the backflip occurred.

Because the Opposition sees clear benefits for some significant sections of the community, it takes a positive approach to the daylight-saving trial. It must be understood, however, that, although there will be benefits for some sections of the community, there will also be a cost or detriment to other sections of the community.

The Opposition sees clear benefits in terms of the recreational and social life of Queenslanders, particularly those who live in south-east Queensland. Particular benefits will accrue to the business community, especially to people who are involved in banking, the media, finance and tourism. Those benefits certainly more than justify the trial period.

On the debit side of the ledger, particularly for communities in the north and west of Queensland, there will be some practical and day-to-day consequences that are already the subject of legitimate concern amongst people who live in those communities. Children in western Queensland will go home from school much closer to the heat of the day and families will have their evening meal much closer to the heat of the early evening. Although those may seem to be minor matters to some people, they are significant to the people who live in those communities.

The significance of the detriment is not often appreciated by people who live in Brisbane and south-east Queensland. It will be very important to monitor the trial period to ensure that no sections of the community are unduly disadvantaged and to ascertain what measures can be introduced to ameliorate the consequences of daylight-saving, where those consequences are perceived by the local community to be negative.

In all things there is an up side and a down side. In the end, the benefits and the disadvantages have to be weighed up and compared and a decision has to be made that is in the overall interests of the community. This decision to undertake a trial period of daylight-saving and this legislation reflect that process.

The Government has seen it appropriate to appoint to the task force that will be established Mr Hauenschild, the president of the Trades and Labor Council. The Opposition also sees that as being appropriate. This Government adopts a cynical, schizophrenic and hypocritical attitude to the trade union movement, seeking when it is convenient, of course, to damn, criticise and accuse it of corruption, for cynical political motives designed to try to rescue the Government from the mire of imminent

defeat. On many other committees and task forces, many of which are under the jurisdiction of the Minister, Mr Lester, who now appears to have the carriage of this legislation, are prominent representatives of the trade unions who play a positive and worthwhile role. It is typical of the Government's hypocrisy that it wants to have things both ways; it wants to have the cake and eat it, too.

The Opposition supports the legislation, although obviously it regrets the tortured and incompetent process by which it arrived.

Mr GYGAR (Stafford) (9.17 p.m.): The Liberal Party joins in supporting the legislation that offers many benefits to Queensland. It allows for a trial to be considered openly and publicly by a committee that is broadly representative of Queenslanders, but hopefully not to strait-jacket the debate system, to allow all Queenslanders to have an input and to reach a rational conclusion on what is best for the majority of the State.

There can be no doubt that significant economic detriments are caused to this State by its not being involved in daylight-saving. Like all Queenslanders, I think, I am grateful to the Lord Mayor of Brisbane, Alderman Sallyanne Atkinson, for the pivotal role that she played in ensuring that this sensible measure was taken this year. At the meeting which she convened, which was also attended by my leader, the honourable member for Sherwood, everyone in Queensland saw and heard the broad range of views and opinions that called for the introduction of daylight-saving in this State.

One industry alone, the tourist industry, can be cited as an example of what happens if daylight-saving is not introduced. If Queensland sought to stand out by its parochial self when the rest of Australia introduced daylight-saving, it would be possible to see how millions upon millions of dollars would be wasted in this State. Time and again business-leaders have said that up to four hours of productive time a day can be lost if Queensland is out of synchronisation with its southern markets and its southern customers, and they have referred to the amount of damage that can do to Brisbane and all of Queensland's industries.

If Queensland is out of synchronisation with the southern States, workers in those States will commence work an hour before Queensland comes on stream, they will knock off an hour before workers in Queensland do and the lunch breaks will not coincide, as a result of which two hours will be lost during the day. In all, four hours a day will be lost to trade and commerce.

This might not have mattered all that much in 1945, probably not even in 1965. But in 1989, when communications not only within cities but also between States and even between nations are virtually instantaneous, a severe effect can occur if Queensland is out of synchronisation. Queensland is not an insular market-place; it is an integral part of Australia—even though it has taken a few people up here a few years to work that out. Queensland must participate fully in the Australian market with every advantage it can get, because if it loses that edge, jobs, prosperity and progress in this State will suffer as a result. Queensland cannot afford to have phones ringing in empty offices for an hour or for Queenslanders to have to virtually write off the last hour of their day for interstate trade.

One has to consider the amount of time that is wasted in offices through the confusion caused by the recalculation of time and by the number of people in a day who ask, "What time is it now in Melbourne?" Eliminating that would add thousands more productive hours to every day in Queensland. It was lunacy not to be involved in daylight-saving merely for that respect alone.

As I said, the tourist industry is a classic example. Our airlines, when they are working again, after the Federal Government has stopped abusing the pilots and has got down to the business of resolving the dispute, will also face massive costs if Queensland stands out of the system. I just hope that Queensland is not too late. Already the airlines will be committing massive amounts of money to introducing and publicising their new schedules. Airline schedules might sound like a petty thing, but tens of thousands of

them are published and calculated throughout Australia every time the summer daylight-saving season starts down south. I only hope that those schedules have not yet been published so that a few thousand tonnes of trees are saved from being pulped unnecessarily.

All of us who have had to travel interstate at times when the other States have had daylight-saving will remember the confusion created by airline schedules. In order to catch a plane to Sydney or Melbourne at the start of a business day, one had to rise at 4 a.m. Returning at the end of the day, one was back on the ground after midnight instead of at some sort of a respectable hour. The strain of that alone on our business community is a cost that cannot be borne in the intensely competitive environment that exists in Australian business at the moment. At least airline schedules will be right, even if the planes are not flying.

The tourist industry's view of this idea has already been made plain. The industry has an interesting phenomenon called island time that already operates in the Whitsunday group. Tourist operators in that region know the advantages of daylight-saving. It has been so apparent that they have even been prepared to implement it by themselves because of what it has to offer. Let us face it: in Queensland, the tourist industry depends upon sunshine and good temperatures outdoors. Queenslanders would be fools to waste an hour a day of such good income-producing tourist time throughout summer because of the lunacy of avoiding daylight-saving. Whether honourable members like it or not, if the Government says that 9 o'clock is 9 o'clock, people will work in with that arrangement.

The Bill provides an extra hour in which tourist attractions can offer a service to visitors to this State. For people who live in this State, there will be an extra hour in which they can see more of Queensland and contribute more to Queensland's economy. Together those groups can make Queensland tourism even more productive, profitable, efficient and effective. The market-place is competitive and Queensland needs everything it can muster to get tourism going for it. The tourism industry desperately needs daylight-saving. Thank heavens it will become a reality. I urge the committee that will be established by the Government to take careful note of the savings to be made in the tourism industry and to take note equally of the additional activity that can be generated during one hour's additional daylight.

Of course, not everything is rosy and there are some problems. However, the curtains do not fade and cows do not wear wrist-watches, so they are unlikely to be disturbed by this process. Having said that, I acknowledge that young children may have their routines disrupted. I can speak from personal experience when I say that it is difficult enough to get the kids to bed as it is. If it is still daylight outside at bed-time, I will have Buckley's chance of getting the kids to bed. That is a problem, but I am sure that people will be able to learn to live with it. If coping with that small hassle results in the generation of thousands of additional jobs by the introduction of daylight-saving, the provision of millions of dollars in commercial savings that will go into job and wealth creation, the building of this State, and the provision of employment that young people are after, I and most other Queenslanders would be prepared to make the sacrifice. The good side of daylight-saving for families is that at least after parents return from work, they will be able to enjoy sharing an additional hour of daylight leisure with their families. The introduction of daylight-saving cuts both ways. On the personal side, there are advantages and disadvantages.

There can be absolutely no doubt, however, that if Queensland stays out of step with the other States of Australia, a grave disservice will be done to industry and commerce. Tens of millions of dollars a year will be wasted by industry that could otherwise be spent on more productive endeavours. It is certainly the case that in terms of the tourism industry, if the Government did not introduce daylight-saving, it would be throwing away a magnificent opportunity to market this State as a tourist destination and keep the industry booming. Tourism is of great importance to this State and to the nation's economy. The tourist industry is Australia's number one foreign currency earner. That factor, if no other, ought to have caused the Government not to make the crazy

decision it made three weeks ago when it decided to oppose the introduction of daylight-saving.

Congratulations are in order for those businessmen and representatives of industry who were prepared to stand up and be counted. Over recent years it has been sad to hear people say that Queenslanders have been cowardly by not being game to stand up to the Government. At the meeting chaired by the Lord Mayor of Brisbane and the member for Sherwood, Mr Innes, those groups did; they said what Queensland needed, and now Queensland will be given a trial period of daylight-saving. I am sure that every member of this Parliament supports the measure, the trial period and a thorough analysis of the trial. Members of the Liberal Party are confident that the trial will reveal massive economic gains for Queensland, great contributions to the tourism industry and a better life-style for the people of this State.

Mr De LACY (Cairns) (9.27 p.m.): Daylight-saving has long been a vexed question in Queensland. I could not pass up this opportunity of expressing a point of view on behalf of the people of Cairns. The arguments presented by the member for Stafford represent the views of people who live in the south-east corner and those of the Liberal Party.

Mr Gygar: Don't you care about the tourist industry in Cairns?

Mr De LACY: The honourable member should just hang on a minute because I am coming to that.

I suppose that one of the reasons for the Liberal Party's united stand on this issue is that it is a south-east corner party. Members of the Liberal Party do not really know what happens in other parts of Queensland or how Queenslanders in those parts of the State feel.

I am ambivalent towards daylight-saving. I recognise the economic benefits. When I wear the hat of shadow Minister for Finance, I certainly acknowledge the need for daylight-saving because definite economic benefits will flow to Queensland industry and business, particularly the tourism industry throughout Queensland. To a certain extent, by not going along with the other eastern States, Queensland suffers all the disadvantages but obtains none of the advantages of daylight-saving. However, when the discussion turns to life-style benefits such as more recreation and additional hours of sunshine, it seems to me that those benefits are confined to the south-east corner of the State rather than extended throughout Queensland.

I state unequivocally that the life-style benefits of daylight-saving for people who live in Cairns and western Queensland simply do not exist. In 1972 when the previous trial was conducted, the experience of those people—particularly housewives—was virtually all negative. I have spoken to many of the people involved, each of whom explained his or her feelings in a different way. Basically, however, they said that life becomes more uncomfortable because of daylight-saving.

It would be no secret that during the hot, wet and humid tropical summer in Cairns, the climate is not always pleasant. Daylight-saving is designed to give people more sunshine and extend the hours of daylight. If one lived in Cairns in summer-time, the two things that one would not want would be more sunshine and more daylight. People try to dodge that. Housewives talk about their children coming home in the middle of a hot, sultry afternoon. The afternoon is too long and housewives have a lot of trouble feeding their children whilst it is still daylight and getting them into bed early enough. When the children are ready to get out of bed the next morning it is still dark, but they have to get up. It goes on and on. The summer is longer and hotter than it would otherwise be. The housewives are not making it up. Some of them do not explain it as well as others. Daylight-saving does not improve the life-style of people living in far-north Queensland, which the people in south-east Queensland ought to understand and appreciate.

To begin with it is often not understood that Brisbane is something like 300 miles east of Cairns. In addition, Brisbane is 1 000 miles south of Cairns, so that in Brisbane in the summer-time the days are longer and start earlier. As I have stated recently, Cairns is actually west of Charleville. When I visit Brisbane during the summer months the one thing that strikes me is how early in the morning it gets light. It barely gets light in Cairns before 6 a.m. When there is daylight-saving in the middle of summer the average person, and even the schoolchildren, will be getting out of bed when it is dark unless the school starting time is changed. Then there will be the long, hot, sultry afternoons.

There is no doubt in my mind that Brisbane, the Gold Coast and other similar places are ideally situated to benefit from daylight-saving. They will benefit right across the board; they will benefit economically and from all of the other reasons that are touted in favour of daylight-saving. However, the people in south-east Queensland must not believe that it is good for the people in northern and western Queensland in the sense of assisting them to have more recreation, sunshine or enjoyment of life. That definitely is not the case. The majority of people in Cairns do not favour daylight-saving and, after this trial is finished, they still will not favour daylight-saving.

Having said that, I believe that they will accept it to a greater extent than they did in 1972. Times have changed and people have learned to live with the heat better than they did 15 or 20 years ago. In 1972 it was uncommon for people to have ceiling fans in their houses. Nowadays it is very uncommon indeed for houses not to have ceiling fans, and many houses have air-conditioning. Certainly all the department stores and offices in the town have air-conditioning. Today people have adapted to the hot climate to a greater extent than they did 15 years ago. I believe that they will accept daylight-saving. As it is now, we experience most of the disadvantages without enjoying any of the advantages. I often travel interstate by aeroplane and must change to daylight-saving time. I have to get out of bed an hour earlier to catch the aeroplane whether or not daylight-saving is implemented in Queensland. From that point of view Queensland may as well move on with the rest of the world.

From a purely personal point of view, my one weakness is that I like to run. Last Wednesday afternoon in Cairns I ran with the road runners. I run only when I am in Cairns. At approximately 5.30 on Wednesday afternoons they go for a run. During a conversation they said that when daylight-saving comes in they will be running at the equivalent of 4.30 in the afternoon. Any honourable member who has tried to run at 4.30 on a hot summer's afternoon in Cairns will know what I am talking about. Someone suggested that they put off the run for an hour, but if they did that, instead of running at 5.30 p.m. daylight-saving time, they would be running at 6.30 p.m. What happens to those people who finish work at 5 o'clock to fit in their run? What time would they get home? After running for an hour, and adding an extra half an hour, they would get home at 8 o'clock. The kids would have gone to bed. If the kids are not in bed by that time of the night, they are probably getting a box around the ears. The road runners were universally against daylight-saving.

Having said all those negatives about daylight-saving, let me say that I have consistently supported the need to retrial daylight-saving. From a commercial or business point of view it is absolutely essential. People will learn to accommodate and adjust to daylight-saving to a much greater extent than they did in the past. Very often members of the Liberal Party do not understand what happens outside Brisbane and I get upset when I hear them and other people saying that the only reason people oppose daylight-saving is because they are stupid, do not understand, are backward, ignorant or whatever. That is not the case. People oppose it for very good and sound reasons, even though they may not articulate those reasons very well. The attitude of the people living in far-north Queensland will not change to any great extent, but their points of view should be put on record.

Mr BEARD (Mount Isa—Deputy Leader of the Liberal Party) (9.36 p.m.): I do not differ very much from the sentiments expressed by Mr De Lacy. It is a pity he had to

use terms such as "not understood by members of the Liberal Party" and other garbage. From what I have seen in the last two and a half years that I have been in this Parliament, if ever there was a subject that should be non-political, it is this. The whole argument is entirely non-political. It is to do with economics, life-style and comfort. On behalf of the people that I represent in the west of this State—and the people that Mr De Lacy represents in the north of the State—I believe that it is all about a fair bit of self-sacrifice for what might be termed the greater good of the State.

Like Mr De Lacy, I personally dislike daylight-saving and have grave misgivings about the second trial in this State. However, I accept it. In fact, I recommended and actively supported having a trial period of daylight-saving, because great economic benefits accrue to the State through its being in unison with other States. For example, airline schedules and businesses can be synchronised, computers can be in line with one another and contacts can be made. It is convenient for the general public at large and, for the sake of the overwhelming majority of the public, it has to be accepted. Some years ago I did not think that it was even arguable that we should not have daylight-saving in Queensland.

I will not take too much time on it now, but I should like to spend a little time later on the possibility of two time zones in Queensland because that possibility has to be addressed. Without regard to whether a person is National, Liberal, Labor, greenie, grey power, communist or whatever else, he must accept that, for the benefit of the overwhelming majority of the people in Queensland, daylight-saving is a good thing.

The honourable member for Cairns said correctly that anybody could win a bet—he did not put it this way, but I will—in any pub in Queensland by asking the people round the bar whether Cairns or Charleville is farther west. As the honourable member pointed out correctly, Cairns is west of Charleville by 60 kilometres. Townsville is due north, not of Brisbane, not of Toowoomba, not of Dalby, not of Roma, not of Mitchell, not of Morven, but of Augathella. Mount Isa is 960 kilometres west of Townsville, which means that it is 960 kilometres west of Augathella and that means that it is about 900 kilometres west of Charleville. If I can remember correctly what I was taught at school, a degree of longitude equals about 69.1 miles or about 100 kilometres and a difference of about four minutes in time so, as Mount Isa is 900 kilometres west of Charleville on "real" time, it is about 36 minutes ahead of Charleville or about 54 minutes ahead of Brisbane. Therefore, Mount Isa is already on daylight-saving by 54 minutes. It is already on daylight-saving 12 months a year.

The problem is further exacerbated by the fact that Mount Isa is so far north of the Tropic of Capricorn that it does not enjoy the comfortable and long twilights and dawns experienced in the more temperate latitudes. The discomfort factor in a place such as Mount Isa, with daylight-saving, is extreme.

I happen to prefer the climate of Mount Isa to that of a place such as Cairns or Townsville. The honourable member for Townsville East is listening and I have no doubt that, having lived in Townsville for so many years, he would much prefer the climate of Townsville to that of Mount Isa. People grow up and become acclimatised to where they live. A hot, dry climate is much more amenable to my nature than the humid, sticky, hot climate of Townsville and Cairns. But the people who live in those places prefer it.

I sympathise 100 per cent with the honourable member for Cairns when he speaks about the discomfort of running in Cairns on a summer afternoon when the "real" time or the "true" time, whatever it is called, is 4.30 p.m. Many people would find that to be absolutely unbearable; in fact, well nigh fatal in a climate such as that at Mount Isa with daylight-saving. When the people in Mount Isa move their clocks forward one hour, they will be in effect two hours ahead of the "real" time in south-east Queensland.

Like every other member, I get telephone calls, visits and letters from constituents on all sorts of matters, including problems with health care in remote areas, attracting teachers, doctors, nurses and policemen to remote areas, the expense of getting away for holidays, plane strikes, droughts, fires and so on. The issue that has aroused most

emotion and the largest number of telephone calls is daylight-saving. It is a very touchy issue in my part of the world. With very few exceptions, the people just do not want it. I have had telephone calls from people who said that it was great when we had daylight saving in 1971-72.

Mr Lee: You were inundated with calls.

Mr BEARD: I thank the honourable member. That means he had two phone calls. I can assure him that I had more than two phone calls.

Mr Davis: You had half a dozen.

Mr BEARD: More than half a dozen.

Mr Davis: Seven.

Mr BEARD: All right, seven.

Some families told me that they really enjoyed the trial in 1971-72 because their kids were teenagers and played tennis and did all sorts of other things together. We must face the fact that there are some people whose lifestyles would welcome daylight-saving, but as members of other political parties have said before me the overwhelming majority of people in Cairns—I will not speak for Townsville because possibly another member will, but a member has spoken for Cairns—and those in the western longitudes round Mount Isa, fear daylight-saving and hate it. If a referendum were conducted there about whether the people wanted daylight-saving again, there would be a resounding "No" in trumps. Most of the people in Mount Isa accept that the trial is necessary. So many people have said to me, "Okay, we will buy it." They accept the argument.

Mr Lee interjected.

Mr BEARD: That is right. Mount Isa is almost due north of Adelaide and really should be on South Australian time all the year round. It would be easy to win another bet in a pub by asking the name of the nearest capital city to Mount Isa. It is Adelaide, not Brisbane.

There is a special quality about people who choose to move from the more temperate climates to live and work in places such as Mount Isa, Weipa, Dampier, Gove, Hammersley, Kalgoorlie, Cobar or Broken Hill. They accept that they are going there deliberately for a purpose. Generally they earn very good wages and enjoy a good living, and they accept the disabilities of living in those areas. Most of the people I have spoken to accept daylight-saving as one more of the discomforts they have to put up with. Given the choice, they would not have it. On New Year's Day, the sun will set in Mount Isa at 8.46 p.m. and it will not be dark until 9 p.m. People in the south east may laugh but mothers have a real problem in calling the kids in, getting them bathed and getting them dressed for bed in such a hot climate.

Mr Davis interjected.

Mr BEARD: Half past 9 in Canberra? That is because Canberra has a long twilight or there is some sort of magic spell.

It is a real problem and it is not to be laughed at. I agree with the honourable member for Cairns that we resent some of the snide remarks made in the south east that we are worried about the curtains fading, the dew on the wheat, the cows not wanting to be milked or not being able to see the news on the television at the right time. That belittles the people who experience very real discomforts for very valid reasons. I reject it and resent it. There are problems other than discomfort and I have written to the Minister for Justice about them.

Sporting clubs such as bowling clubs and golf clubs have a sporting club liquor licence which enables them to trade between 10 a.m. and 8 p.m. At 8 p.m., with daylight-saving, there is still an hour of daylight left in Mount Isa and people are still playing on the golf-course and the bowling-green. Members of the golf club at Mount Isa have

asked me, through the Minister for Justice, to seek a variation in the hours to enable them to pick their 10 hours between any hours they choose. For example, while the daylight-saving trial is on, they might trade from 11 a.m. to 9 p.m. or perhaps from 12 noon to 10 p.m. I thought that was a good proposition. I have written to the Minister for Justice and hope that he will consider sympathetically their request. I do not blame anyone for not thinking about that simple matter. I did not think about it; it was drawn to my attention. I hope that the request will be treated sympathetically.

As the Minister would be aware, sporting clubs in Queensland do not need any further disadvantages. At the moment, they are experiencing enough problems. However, other adverse consequences accrue when a trial such as this is brought on which is designed for the business centres of Queensland and the tourist centres largely in the south east and on the eastern seaboard.

Mr Davis: It's also to do with economics.

Mr BEARD: I will buy what Mr Davis has said: it is to do with the economics of the whole State. However, the overwhelming majority of the call for daylight-saving comes from the south east. As I said, we will buy it because we are used to creating wealth in the west, and if this helps to increase the wealth of the State, we are quite happy to go along with it.

The feeling against daylight-saving in Mount Isa has been sufficiently strong that I had to acknowledge it last week in the local media in my home town. Although I stated that I was in favour of the trial for the benefit of the whole State, I have to confess that, as the pressure mounted against it through phone calls, letters to the editor and other contacts in the town, I was willing to draw up a petition and have people who wanted to petition for two time zones in the State come into my office and sign it. Later this year, I hope to present that petition in Parliament. At this stage, I have no idea how many people will sign it. However, from the amount of feedback I have had in Mount Isa, there will be a considerable number.

In his second-reading speech, the Premier stated that the second term of reference for the task force is to ensure that no section of the community in Queensland is unduly disadvantaged by the introduction of daylight-saving. I welcome that term of reference. I am certain that if the task force does its job properly—looking at the membership, I have no doubt it will—it will certainly receive from many of the people in the north and the west of the State strong feedback that indeed a significant section of the community is unduly disadvantaged by the introduction of daylight-saving.

That begs the question, "What are you going to do about it then, Beard?" I do not want to return to having no daylight-saving, because that takes the people of the north back to severe economic disadvantage. Do I want two time zones in Queensland? To be honest, I think that it is worth a try. However, I am the first to acknowledge that it would create further problems, and I am not sure that those further problems would be any better than just having one time zone. I have seen maps in the newspaper showing places to the east of the Great Dividing Range on one time zone and places to the west on another one. That creates problems, because that is a very fuzzy, furry, non-specific line. I suggested that perhaps the line of longitude running north-south through a place such as Bundaberg might be a good dividing line. To the east of that line of longitude could have daylight-saving; to the west would not. That line has the advantage over the previous one of being specific and quite clear-cut, but it would create its own problems for people who live near to the east and near to the west of it.

I float those ideas as options that have been spoken about and which, in all fairness, must be discussed, but I must confess that they may create more problems than they remove. I fear—I use that word advisedly—that the best solution of all may be that the whole State of Queensland adopt daylight-saving and that the people who live in the north and the west of the State accept the discomforts it brings. In return, those people should demand a measure of respect from those in the south and an acknowledgement that they are suffering one further disadvantage of living in a remote part of the State.

I will not tolerate snide comments about faded curtains, wanting to hear the news or the time that the sheep and the cows go to bed. That is tripe, it is rubbish, it is unworthy of the people who make those comments, and it is certainly not deserved by the people who live and work in the north and west of this State and create most of its wealth.

Mr McElligott: What is your final opinion?

Mr BEARD: That is a fair question. My final opinion is that I accept and welcome daylight-saving, which I have actively called for for many years. However, we must accept the discomfort factor. The honourable member and his constituents in Townsville will experience that discomfort factor as well.

Mr Davis: What's your view up at Mount Isa?

Mr BEARD: If Mr Davis can find the way, he should visit us up there one day. I will take him to the Irish Club and show him how people make wealth.

Mr SMITH (Townsville East) (9.50 p.m.): As a member of the alternative Government of this State, I have a clear responsibility to support the concept of daylight-saving. There is no doubt that the economic reality of business life in this State demands that course of action. To deny that would be denying economic realities.

Having said that, I have an obligation, as a member representing a northern city, to put the point of view of the people who will suffer the loss of some amenity because of the daylight-saving proposition. I do not doubt for one moment that, if a poll were taken after the trial, an affirmative vote would be carried because of the weight of numbers in the south-east corner where daylight-saving will provide a clear advantage. The overwhelming point of view in the south-east corner will obviously swamp the vote to the contrary that will occur in the north and the west.

Earlier, a member made a comment about time zones. It is nonsense to talk about time zones in the State of Queensland. We are in the unfortunate situation in which we have a sparsely populated State. In other countries such as the United States, the same area would be occupied by any number of States. There is a three-hour time difference between the east coast and the west coast of the United States and there are various time zones right across the country. However, because those time zones can be managed within State borders, there is no great problem with the administration or the understanding of that particular time differential.

That is not a possibility in Queensland. We are faced with either the lot or none at all, and I believe that the decision has to be the lot. The people who are going to be disadvantaged have to be considered. The point has been made by a couple of members that the people who live in the areas where much of the wealth that drives the economy of the State, the business of the State, which will benefit from daylight-saving, will suffer loss of amenity.

By and large, the people in the community who are better off are able to insulate themselves from the negative effect of daylight-saving much more effectively, much more ably, than the people in basic working-class situations and certainly those at the lower end of the economic totem-pole. It is all very well for someone who is interested in the tourist industry or someone who lives in another State or southern Queensland to say, "I went to north Queensland and it was delightful to have daylight-saving." However, for the people who have to live there throughout the summer, there are tremendous disadvantages.

I remember quite well the daylight-saving trial of 1972. I suspect that if a poll had been conducted in the Townsville region at the end of that trial, the Government would have been flat out getting 10 per cent of the people to support it. However, again, attitudes in the community have changed. I think there is a greater understanding in the community today of how people can insulate themselves from some of the difficulties. Perhaps more importantly, I hope there is in the community at large a greater flexibility

that will allow changes to work-times and even school-times so that the people who will be undoubtedly disadvantaged—and I emphasise that—can be protected to some extent.

I have considered the committee that the Premier is proposing to set up to carry out an evaluation of the trial. I am not totally satisfied that the people who live in what I would call the disadvantaged areas are as well represented as they might be. I will come back to this point. I am simply saying that daylight-saving is obviously a necessity, and I support it. However, I emphasise the point that the disadvantaged minority—and there will be a disadvantaged minority—must be looked after.

I referred briefly to the trial that took place in 1972. One of the characteristics of life in north Queensland is that there is a fairly high turn-over of population. Many people come and go, particularly in a city like Townsville, which has the army base, the CSIRO, the air force and a large public service sector. There is a huge turn-over of population in that city.

I find it interesting that people who did not live in the north when the previous trial took place are quite prepared to give it a go. Recently a newspaper poll was conducted and those people said, "Yes, we will give it a go, even though we cannot see any great advantage." However, if they were asked, the people who lived there in 1971-1972 would say that they have a very strong negative view. They remember the trial very well.

I suggest that if a poll is conducted at the end of this trial period, a large number of those people who have a flexible approach to daylight-saving now will have a negative approach. I foresee that it will be carried but that there will be a strongly disadvantaged section of the community who will recognise that they are disadvantaged, and it will be the responsibility of the Government of the day to do everything possible to mitigate those negative effects. Any Government that fails to do that will obviously find itself in a difficult position.

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (9.57), in reply: I do not intend to say a great deal because everyone knows what this is about. It is simply a trial. A task force has been set up to monitor this trial very, very carefully. That task force has already met, and it will be monitoring the situation from now on. A 008 telephone number has been established, and information will be given about that shortly. In addition, many other things will be done.

I concur very much with the comments of those members who are concerned about the effect that daylight-saving will have in country areas. I have to say that nobody is more anti-daylight-saving than I am. I can well remember the last trial. I was then running a bakery in Clermont. It seemed to me that I actually had to get up an hour earlier to go to work and that I went to bed an hour later. Our kiddies were young at that time. The whole place was in total disarray. There is no other way to describe it. Of course, attitudes have changed.

Mr Lee: Were you rolled in Cabinet on the decision?

Mr LESTER: No, I was not. I was the fellow who pursued it vigorously. If the honourable member listened for a moment, he would realise that I, more than anyone else, was the driving force behind this daylight-saving trial.

My travels around Brisbane and the Gold Coast and my discussions with the business community have demonstrated to me, as a Minister, very, very clearly that this trial has to be conducted. What I am trying to say is that the role of the Government is to look after all Queenslanders. This is an area in which we all have to try to accept everybody else's concerns. However, I thought that I should be honest about it and say that personally, being from the bush, I do not like the idea of daylight-saving. Nevertheless, I will make sure——

Mr McElligott: What will happen after the trial?

Mr LESTER: What I am trying to tell the honourable member is that——

Mr McElligott: The task force will be split the same as the rest of the State.

Mr LESTER: When one has a problem, one does not lie down in the gutter and pretend it is not there. Obviously, the Government has to try to solve the problem.

It is 17 years since Queensland's last daylight-saving trial. Times have changed and economic conditions must be considered. It must be remembered that, each day, four hours of contact are lost between business organisations. Facsimile machines are now used and communication systems have been improved. Airline services are very important. Queensland should not be disadvantaged. Irrespective of a member's personal views on daylight-saving, the time has come to trial it again. I supported very strongly the need for a trial. I have spoken at great length to people in my electorate who do not want daylight-saving. I believe that I have convinced them that there is a need for a trial and that other parts of Queensland must also be considered. A recent poll conducted in a central Queensland newspaper indicated that almost 100 per cent of the people in the electorate of Peak Downs are in favour of a trial. However, I would have to say that there are a few people who are not in favour of it. They are the ones who are creating a few problems.

I can assure honourable members that I have done my work in my electorate very carefully. When I take on a job, I make sure that it is done properly. I make it very clear that I will do it without fear or favour. During the trial, exemptions will not be granted to anybody. It will be a trial, and that is all there is about it. When that trial has been completed, evidence will be taken and the Government will make a decision on the future of daylight-saving. There will be no shilly-shallying. A trial will be conducted and a committee will monitor the different problems that are encountered. Obviously, school hours is one issue that will be considered; television news is another issue. With the aid of the committee, every endeavour will be made to accommodate those people who are affected by the trial. However, I make it abundantly clear that during the trial there will be no changing of times, the creation of zones or anything like that. The time to put forward suggestions to place an area in a separate zone or anything else is at the completion of the trial. That will not be considered until after the trial has been given a fair go.

Let us all get behind the trial and try to take the politics out of this issue. Daylight-saving affects everybody; it affects our State. Let us get behind the trial and make it work. Next week, I will be visiting major cities and towns in this State, such as Charleville, Longreach, Mount Isa, Cairns, Townsville, Mackay, Rockhampton, Biloela, Gladstone, Bundaberg and Maryborough. I will be taking evidence from everybody. I welcome constructive input from members opposite, as they have tried to provide tonight.

Motion agreed to.

Committee

Clauses 1 to 5, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

MACKAY AIRPORT BILL

Second Reading

Debate resumed from 10 August (see p. 295).

Mr McLEAN (Bulimba) (10.05 p.m.): The Bill gives authority to the Mackay Port Authority to manage and control the Mackay Airport, an objective that the Mackay Port

Authority has had for some years. From the inquiries I have made, the proposal seems quite acceptable on most grounds to everyone in Mackay. In the main, the Opposition will support the Bill, but it is concerned about a clause in it.

The member for Mackay, Mr Casey, will raise certain issues, such as the effect on services supplied by the Mackay City Council and particularly the effect on rates. As all honourable members would know, Mr Casey has represented the Mackay electorate for a long time and has an understanding of the problems in that area. He will refer to clause 17, which is headed "Exemption from rates".

I was a member of this House in 1981 when similar legislation was passed in relation to the Cairns Airport. The Cairns Port Authority has had plenty of time to judge whether or not its operation has been a success. I think that it has. Over those years, Cairns has experienced a dramatic growth in tourism. From all reports, the authority has handled that very well. If the Mackay Port Authority can do the same as the Cairns Port Authority, not only the local area but also tourism will benefit from it.

It is vital to Queensland's very important tourist industry that its airports are efficient and that they provide adequate and comfortable facilities for travellers. If Queensland is to attract tourists, it must provide facilities that are comparable to, and competitive with, other tourist destinations.

As all honourable members are aware, tourism is a big industry. Mackay is the centre of some of the most beautiful, scenic areas in Australia, if not the world. Its tourist potential is virtually untapped. Because of that area's potential, the growth figures that were quoted by the Minister in his second-reading speech could prove to be an underestimate.

It is very important that no effort is spared to ensure that visitors who use the Mackay Airport are left with long-lasting and pleasant memories so that they will pass on the message to others. I am sure that Mr Casey will take great pleasure in explaining some of the magnificent beauty that is within easy reach of the Mackay Airport.

It would be remiss of me not to mention the present airlines dispute, which will have disastrous effects on airports such as Mackay. Yesterday in this House honourable members debated the Premier's motion condemning the Opposition for not doing a great deal about the pilots dispute.

That pathetic motion and speech by the Premier exemplify the very serious position that this Government is in. The Premier's speech was negative and showed absolutely no leadership. One could say that it was the sort of speech made by an Opposition, not by a Government—and a very bad Opposition at that. Not once were any solutions offered, not once were the pilots criticised and not one positive suggestion came from it.

Although the tourist industry is going down the drain at an ever-increasing speed, this Government has not done one darned thing about solving the dispute. It is the role of the Government—not the Opposition—to formulate positive proposals and to take the necessary action. The Opposition can make suggestions and debate issues, but the Government has the numbers to do something about the dispute. This debate has not helped the tourist industry, the tourist operators, service industries or the thousands of workers who are either out of work or who will be out of work. It has not helped the tourist or the consumer one bit. In fact, it has only put one more nail in this Government's coffin.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member for Bulimba will deal with the provisions of the Bill, which really has nothing to do with the matter that the honourable member is talking about. He will return to the Mackay Airport Bill. The issue that the honourable member is addressing has already been the subject of debate in the House. Standing Orders provide that tedious repetition should not be tolerated. On the bases of irrelevance and tedious repetition, I will not allow the honourable member to continue in that vein.

Mr McLEAN: Thank you, Mr Deputy Speaker. That is quite a strange ruling.

I turn now to what the Opposition would do to help rectify a situation such as the pilots dispute and to help places such as the Mackay Airport and the people who work there.

Mr DEPUTY SPEAKER: Order! The honourable member is drawing the longbow.

Mr Gately: He might start talking about goats, too.

Mr McLEAN: That one would take a bit of beating.

The Leader of the Opposition and our spokesman on Tourism suggested the positive action that should have been taken. Three days after the stoppage began they said that they would support any positive and practical proposals and suggested to the Government that all taxes should be waived until the dispute is over; that none of the operators should pay pay-roll tax, electricity charges or land tax.

Mr DEPUTY SPEAKER: Order! I cannot allow the honourable member to continue in that vein. It is totally irrelevant. The honourable member will resume his seat. I call the member for Mackay.

Mr McLEAN: Mr Deputy Speaker, I find it very difficult to understand your ruling, because I am talking about the Mackay Airport.

Mr DEPUTY SPEAKER: Order! I cannot accept that. As far as I can tell, what the honourable member is saying is irrelevant. He has made his point and he will resume his seat. I call the member for Mackay.

Mr McLEAN (Bulimba) (10.13 p.m): I move—

"That the honourable member for Bulimba be further heard."

Mr Deputy Speaker, that was a disgraceful ruling and you know it. It was an absolutely disgraceful ruling.

Mr DEPUTY SPEAKER: Order! In accordance with the Standing Orders, I am entitled to make that ruling. The honourable member is now arguing with the Chair. I warn him under Standing Order 123A.

Hon. D. McC. NEAL (Balonne—Minister for Water Resources and Maritime Services) (10.14 p.m.): I move—

"That the debate be now adjourned."

Mr McLEAN: I rise to a point of order. Before the Minister rose in his seat, I moved a motion that the member for Bulimba be further heard.

Mr DEPUTY SPEAKER: Order! The question is, "That the member for Bulimba be further heard."

Question put; and the House divided—

AYES, 28		NOES, 54	
Ardill		Ahern	Knox
Braddy		Alison	Lee
Burns		Austin	Lester
Casey		Beanland	Littleproud
Comben		Beard	McCauley
D'Arcy		Berghofer	McKechnie
De Lacy		Booth	McPhie
Eaton		Borbidge	Menzel
Gibbs, R. J.		Burreket	Muntz
Goss		Chapman	Neal
Hamill		Clauson	Nelson
Hayward		Cooper	Newton
McElligott		Elliott	Perrett
Mackenroth		FitzGerald	Randell
McLean		Fraser	Santoro
Milliner		Gamin	Schuntner
Palaszczuk		Gatley	Sherlock
Prest		Gibbs, I. J.	Sherrin
Scott		Gilmore	Simpson
Smith		Glasson	Slack
Smyth		Gunn	Stoneman
Vaughan		Gygar	Tenni
Warburton		Harvey	Veivers
Warner		Henderson	White
Wells		Hinton	
Yewdale	*Tellers:*	Hobbs	*Tellers:*
	Davis	Innes	Stephan
	Campbell	Katter	Hynd

Resolved in the negative.

Mr CASEY (Mackay) (10.21 p.m.): As did the honourable member for Bulimba, on behalf of the Opposition I express general support for this Bill. However, the agreement that has been entered into between the Mackay Port Authority and the Commonwealth Government contains several flaws, and I want to draw them to the attention of the House.

The first relates to the design of the airport. The agreement that has been entered into has not allocated sufficient funding to provide for the strip to be upgraded to cater for wide-bodied jets. In the future, that will create a problem for the airport. Wide-bodied jets can land there on an intermittent, not regular, basis. Some upgrading of the airstrip will occur, but unfortunately it will be insufficient to solve that problem. The planning of the new terminal project is not sufficiently advanced. Many question marks hang over whether the financial agreement entered into between the Commonwealth and the Mackay Port Authority will be sufficient to cover the cost of that project.

The third problem—a very real problem—is that no provision has been made for an additional parallel taxi-way to the major airstrip. In the long-term future that will create a traffic problem for the airport. Mackay Airport is a substantial airport. In addition to its use by general aviation, it also has a heavy usage by planes that fly to the island resorts and also to the hinterland mines at the townships of Collinsville, Glenden, Goonyella, Dysart, Middlemount and Tieri. All of those places are serviced by Mackay. The important point is that it would be undesirable to have a 737 jet making a circular approach simply because a Cessna is arriving at the airport from the islands or from the mines. Planes that land on the major strip have to taxi back along that strip to get to the terminal.

The development of the Cairns Airport and the redevelopment of the Rockhampton Airport both included the provision of a taxi runway, which has been a great asset for those airports. The major problem not covered by the agreement between the Mackay Port Authority and the Commonwealth Government, involving a financial transaction worth $9.3m, is that at present the terminal facilities are located too close to the airstrip and to parked aircraft. The arrangement actually contravened the safety provisions of the Federal Department of Transport and air safety regulations. That meant that a new

terminal area had to be constructed on the other side of the main airstrip where there is sufficient space to provide taxi runways and aircraft parking facilities away from the major airstrip.

Redevelopment of the Mackay Airport will create an added problem because the Mackay City Council will have to pay approximately $1.4m to overcome drainage problems and construct new roadways. That type of construction will be necessary to provide access to and facilities for the new airport. After discussions were held between the Mackay Port Authority and the Mackay City Council, approaches were made to the State Government to assist in meeting the costs of the roadworks and drainage. Even if the estimates are cut back, the cost will still be $1m and will have to be met by the rate-payers of Mackay. The Mackay city area has a population of 24 000 people out of a regional and district population—as the member for Mirani would well know—of approximately 100 000 people who use the airport as a transport facility. A distinct problem arises for the Mackay City Council because it is a relatively small local authority area whereas the airport is beneficial to the entire region.

The Bill provides that no rates can be imposed by the Mackay City Council in relation to the airport. The Mackay City Council will not be able to obtain a return on the sums expended on roads and drainage in the redevelopment of the airport facility, which will ultimately benefit not only the citizens of Mackay but also the other 75 000 residents of the Mackay region. One-quarter of the population of the region will have to pay for the costs associated with relocation of the airport terminal in terms of the current agreement, in spite of the fact that the facility services the whole region. In anybody's language, that is not fair at all.

The development of the Cairns Airport was a different situation because, as part of the financial arrangements between the Cairns Port Authority and the Federal Government, the Cairns Port Authority obtained funds to construct roadways on land belonging to the port authority. When the Rockhampton City Council took over local ownership of the airport from the Commonwealth Government, there was no point in the council, as the recipient authority, imposing rates on council property.

The Mackay Airport will be a commercial enterprise. It therefore ought to be classified as rateable land. According to my reading of the Bill, rateability will apply to buildings or commercial enterprises constructed on the site. As you would know, Mr Deputy Speaker, that area would amount to only a very small portion of the overall site. Either the Bill will have to provide for rateability of the land or the State Government will have to provide finance to construct roads into the area. After all, the land is virtually being transferred from the Commonwealth Government to the Mackay Port Authority, which is a State Government enterprise. Irrespective of the language one uses to describe it, the Mackay Port Authority is a State Government enterprise.

The Minister in charge of this Bill, the Minister for Water Resources and Maritime Services, has the right to appoint the members of the authority, the right to approve its budget and the right to take some of its funds to pay back certain moneys to the Department of Harbours and Marine.

It is virtually a transfer of ownership from the Commonwealth Government to the State Government. It is not really local ownership, although it can be called that. There are local appointees on that port authority, but under the amending legislation that this Parliament passed last year or the year before, the appointments are made directly by the State Government. There are no local authority representatives. People who are members of local authorities in the Mackay region are also members of that port authority, but they are not selected on that basis. They are selected by the Minister.

There is no Queensland Government contribution to the Mackay Airport whatsoever. Either the State Government should contribute towards the cost of roads and drainage at a level that is over and above the normal subsidy given to a local authority, or the local authority should have the right to rate the land. I ask the Minister to deal with that matter when he replies. If necessary, the Opposition will move an amendment to that effect at the Committee stage.

It is about time recognition was given to local government. This afternoon the Premier introduced into this House another Bill that is designed to give constitutional recognition to local government. If the Government is fair dinkum about this matter, it will know that it is not only constitutional recognition but also financial recognition of local government that is important. If a project being carried out by a Government enterprise creates problems for a local authority, the State Government should be prepared to pick up the tab or allow that local authority to charge rates on that land.

Unfortunately, this agreement was negotiated under extreme emotional pressure in the local community. This evening I will not bore the House with the details, but the local people know that a great deal of emotional pressure was applied by certain sections to enter into this transfer agreement. I took part in a number of discussions, although many took place behind closed doors. In the end the Mackay Port Authority was happy with the discussions and, because that authority was to take over the airport, it was correct that it be given recognition.

A lot of pressure was applied by the tourist industry in the area. That industry must be prepared to support the airline industry by making a contribution to it. That could be achieved by imposing additional taxes on tickets. Ministers and members often talk in this House about the tourist industry being the greatest industry in this State. I accept that fact. That was said earlier this evening in the debate on the Daylight Saving Bill, but the tourist industry does not contribute its fair share to the other industries that assist it. In the area of research and development, the sugar industry pays a fee on every tonne of cane produced in this State. The fee is paid to the Sugar Experiment Stations Board and by way of a levy to the Sugar Research Institute and to the various cane pest and disease control boards throughout Queensland. The operators in the tourist industry believe that everyone should contribute to help them. It is about time the tourist industry opened its own pockets and paid a little more for its own development.

Mr Stephan: Other industries contribute, too.

Mr CASEY: Yes. Other industries contribute as well. The honourable member for Gympie is quite correct. In his electorate fruit-growers contribute quite substantially to research and development in that industry. I will guarantee that the tourist industry on the north coast and in the Gympie area does not contribute too much to research and development. In addition, the honourable member for Nerang, Mr Hynd, will recognise the fact that the tourist industry in his electorate on the Gold Coast does not contribute much at all. Yet the tourist industry rides on the back of every other industry in Queensland. It is about time that the operators in the tourist industry were told to get off their own backsides and pay a few dollars towards the research and development of their own industry in Queensland. They should be contributing in every region.

It is time that this Government stood up for the local authorities in this State. Constitutional amendments have been introduced into this House previously. The Rockhampton and Cairns developments are quite different. If the Mount Isa Airport—which is one of the other major airports in Queensland—goes over to local ownership, the authority involved will be the Mount Isa City Council.

Mr Vaughan: The Mount Isa port authority.

Mr CASEY: I do not think that Mount Isa has a port authority.

Mr Beard: They like a good, strong port.

Mr CASEY: Yes, the people of Mount Isa do like a good, strong port, and the honourable member for Mount Isa is evidence of that. The Mount Isa City Council would take over the airport and, because it is the authority in the area, it is unlikely to be rating itself in order to recoup its contributions and adjust its own financial arrangements and organisation.

Further down the track, Townsville becomes the only other major airport in Queensland that is likely to be affected by the Federal Government's scheme of local

ownership. Townsville has a different set-up all together. It has an international airport for which there were great hopes initially. However, the through trade has dropped off significantly since Townsville first became an international port of call. This is perhaps due to the greater success of Cairns and the rerouting of aircraft to that city. Also Townsville is an RAAF defence base and it is most important that Queensland maintains that major defence base in the north. It is highly unlikely that the Commonwealth will ever hand over its major RAAF defence base in north Queensland to any other authority.

The Mackay region contains not only the Mackay Airport but also the Proserpine Airport, which will be redeveloped by the Ansett organisation, provided certain of the great tourist enterprises such as the Aqua Del Ray project at Midge Point and the Woodwark Bay project, which have been foreshadowed, get off the ground. Keith Williams has developed the Hamilton Island airport to the extent that it can take Boeing 767 wide-bodied jets and is catering for the tourist industry by transferring tourists by boat from there to the Whitsunday islands. That trade certainly is not coming to Mackay; it will stay in that region, but Mackay is the service centre for all of those areas. Consequently, all three airports will continue to develop.

To some extent, their development depends on the success of the tourist industry. The Whitsundays are attracting more tourists, as will Mackay. Many people do not realise that the great success of tourism in that area comes from being able to get out in a boat and cruise through the wonderful island areas. There are more islands off the Queensland coast between 100 miles north and 100 miles south of Mackay than in any other part of Australia. So the Mackay, Proserpine and Hamilton airports will continue to develop.

While on the tourist industry, I must refer to the fiasco over the development of the mouth of the river project in Mackay, and the great debacle involving the Queensland Tourist and Travel Corporation. I am pleased to see in the Chamber a former Minister for Tourism, Mr Peter McKechnie, because he will well remember that, in 1986, with great political guffaw—it could not be called anything else—the then Premier endeavoured to use politically the mouth of the river project and the tourist development associated with it. He said it was one of the great things that the Government was doing to develop the tourist industry in the Mackay region. He said it would put more people through the airport, put more people through the town, and everything else.

At the time, I stood alone in saying that there was a need for proper sedimentation studies, engineering studies, drainage studies, flood studies, tidal studies and environmental studies. None of those studies was carried out by the Government. It was simply a political exercise and the Government fell flat on its face. At present, the Government, in trying to boost its stocks for the forthcoming election, is claiming that it was the developer's fault that it did not get going. The poor old developer was used politically in 1986 and an attempt is being made to use him again in 1989. I am speaking about an excellent site. It is only about half a kilometre from my home. I know it well—certainly better than any Minister who has ever spoken about it in this Chamber.

I do not want to develop further arguments on the tourist industry. However, they are related to this legislation because the future of the take-over of the Mackay Airport is dependent on the further development of the tourist industry and the tourist industry will only develop if it gets off its backside and does something for itself.

Debate, on motion of Mr Neal, adjourned.

The House adjourned at 10.43 p.m.