THURSDAY, 26 NOVEMBER 1992

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 10 a.m.

PETITIONS

The Clerk announced the receipt of the following petitions—

Royal Reef Proposal, Trinity Inlet

From **Dr Clark** (1 533 signatories) praying that the Trinity Inlet wetlands be preserved, that land be zoned for rural residential development and that the Royal Reef proposal be rejected.

Relief Centre, Kingaroy

From **Mr Perrett** (219 signatories) praying that a relief centre be set up in the Kingaroy district to provide all types of relief care needed by the carers.

Petitions received.

PAPERS

The following papers were laid upon the table of the House—

(a) Treasurer (Mr De Lacy)—

Queensland Treasury Holdings Pty Ltd—Report for 1991-92

(b) Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill)—

Reports for 1991-92—

Townsville Port Authority

Cairns Port Authority

Ordered to be printed

(c) Minister for Primary Industries (Mr Casey)—

Queensland Sugar Corporation Report for 1991-92

(d) Minister for Education (Mr Comben)—

(1) Queensland Tertiary Education Foundation Report for 1991-92

(2) Griffith University Report for 1991

(e) Leader of the House (Mr Mackenroth) for Deputy Premier, Minister for Administrative Services and Minister for Rural Communities (Mr Burns)—

Board of Professional Engineers Report for 1991-92

Ordered to be printed.

MINISTERIAL STATEMENT

Racing Industry Study

Hon. R. J. GIBBS (Bundamba—Minister for Tourism, Sport and Racing) (10.03 a.m.), by leave: Last year, the Conference of State Racing Ministers commissioned a study to quantify the contribution of the racing industry to the economies of the States and Territories and the nation. The study was undertaken by an economics, policy and strategy consultancy, ACIL Australia. Overviews for each mainland State and Territory were produced and a paper drawing on this information described the industry at the national level. The results demonstrate that racing is an industry of major significance throughout Australia, contributing 0.5 per cent of the nation's gross domestic product, or $2.4 billion in 1990-91. As well as being an integral and colourful part of our national heritage, racing afforded direct employment to about 132 000 people—an equivalent of 40 000 full-time positions. The industry is even more important in Queensland in relative terms, where it is responsible for generating 0.7 per cent of the State's GDP. To put this in perspective, the industry generates $407m, which is more than half that generated by the entire entertainment sector as defined by the Australian Bureau of Statistics.

Equally significant is the employment that the industry generates. More than 22 300 people found direct employment in racing, equating to 5 760 full-time jobs. The racing industry reforms introduced by this Government are ensuring the integrity, accountability and professional development vital to the continued health of the Queensland racing industry. Our policy of making the industry democratic and self-managing means that Queensland racing will continue to lead the nation. These are encouraging signs already apparent in sectors of the industry that had been struggling. The harness racing code across the nation is faced with declining participation and attendance figures. Queensland is not immune to these interstate trends but has fared better than most States. The greyhound racing industry has emerged from its problems and is now showing strong growth in TAB turnover. This Government will continue to ensure sound management and leadership for the entire racing industry. I table the Queensland and Australian reports.

MINISTERIAL STATEMENT

Blue-green Algae

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (10.05 a.m.), by leave: Honourable members would be aware of the recent reports concerning outbreaks of blue-green algae, particularly in the Murray/Darling Basin of New South Wales. During the spring and summer of 1991-92, a number of occurrences of blue-green algae blooms in south-east Queensland were reported. In response to the public concern arising from these reports, in May of this year, I moved to set up a high-level task force charged with responsibility for investigating these outbreaks and developing recommendations on how impacts could be minimised. The Queensland water quality task force is chaired by Dr Des Connell, Director of Government Chemical Laboratories and Associate Professor at Griffith University, and has members with expertise in catchment management, water supply, environmental health and water quality. In July, the task force presented me with an interim report, which was essentially an audit of the situation, and a final report was presented at the end of October.

I have now had an opportunity to examine and assess the report in detail and believe it is appropriate that it be tabled for the information of honourable members and Queensland taxpayers. I will table the report at the conclusion of this ministerial statement. I have already moved to ensure that the recommendations contained in the report are put into action. Briefly, the task force found that although blue-green algae blooms are a naturally occurring phenomenon throughout the world and have been recorded in Australia since the early 1800s, their frequency and intensity is increasing. This is believed to be heavily influenced by human activities such as disposal of nutrients into water courses from sewerage treatment plants, nutrient-rich urban run-off,

intensive agricultural industries such as cattle feedlots and piggeries, and extensive agricultural practices with associated fertiliser losses and effluent from stock.

The paramount concern of this Government is the safeguarding of public health and the protection of our animal industries. Accordingly, a high priority has been attached in the report to the monitoring of water storages so that any detection of bloom can be quickly assessed, the public being informed of the situation—which is always a must—and, if necessary, emergency measures being put into place. Such contingency plans are presently being adapted for use at water storages throughout the State. This is priority one, and will be in place by the end of this month. The second priority is to focus on what can be done in the longer term to reduce the occurrence of severe blooms. The key here is proper catchment management, based on targeted research into the processes involved in nutrient flows and balances. As honourable members would be aware, with its existing programs, the Queensland Government is leading the way in catchment management. The research recommendations set out in the task force report will be addressed in the context of integrated catchment management aimed at reducing nutrient flows into our waterways, and managing better, natural nutrient sources in catchments.

The task force report refers specifically to the impact of phosphorus in laundry detergents as a major contributor of nutrients. It is recommended that an upper limit of 5 per cent phosphorus in detergents be mandatory within 18 to 24 months, with a longer-term aim of reducing the level further. I will be taking up that matter with my interstate and Commonwealth ministerial colleagues at the ARMCANZ—Agricultural and Resource Management Council of Australia and New Zealand—meeting in February with a view to obtaining national agreement. It is unlikely that problems in Queensland will become as serious as those in the southern States, where intensive development in the Murray/Darling system is placing enormous pressure on water quality. However, continuing outbreaks are likely to occur in some storages, particularly in south-east Queensland as the summer progresses, and we need to be in a good position to respond.

I believe that the work of the task force has resulted in a good framework for the Government and community to address the problem of blue-green algae blooms in both the short term and the long term. The establishment and thorough work of the task force is yet another example of how the Government is able to be pro-active and to tackle complex environmental problems rather than to simply do as the previous string of conservative Governments did and ignore the natural resources of the State.

MINISTERIAL STATEMENT

Draft Building Units and Group Titles (Administration) Bill

Hon. G. N. SMITH (Townsville—Minister for Lands) (10.10 a.m.), by leave: For the information and consideration of members and the wider community, I table a draft Building Units and Group Titles (Administration) Bill 1992. The exposure Bill deals with some of the issues being addressed in a review of the Building Units and Group Titles Act 1980-1990. The Bill complements the information, and comments received through the Green Paper titled "Management Issues and Staged Developments 1991". It provides for the registration and licensing of body corporate managers and for the bringing together of bodies corporate under the one Act of Government administration. I want to emphasise that this exposure Bill does not necessarily reflect the Government's policy, and the Bill is tabled to facilitate further public comment. Copies of the Bill will be available to members later today.

MINISTERIAL STATEMENT

Absence of Deputy Premier during Question Time

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (10.11 a.m.): I have to inform the House that the Deputy Premier will be absent from question time today. He is inspecting storm damage in Hervey Bay.

QUESTIONS UPON NOTICE

1. Byfield National Park

Mr LESTER asked the Minister for Environment and Heritage—

"When is it anticipated that the proposed Stage 3 of the Byfield National Park (which has been greatly reduced compared to the original proposal) will be gazetted and access, management and development of gazetted Stages 1 and 2 of this park commenced, so the local residents, members of the Queensland public and tourists can use and enjoy this area, which will also provide a boost to the local economy?"

Ms ROBSON: Further additions to the Byfield National Park will occur following the resolution of the mining lease applications by RZM Pty Ltd and Bayfield Mineral Sands Pty Ltd. The guidelines for the environmental impact study for this mining proposal have recently been finalised and, following the completion of this study and the hearing of objections by the mining warden, a decision on whether or not to grant those leases will be made. Actions towards implementation of effective management of Byfield National Park are in train. As part of the Government's commitment to management of newly acquired national parks, two rangers will be appointed to Byfield in the near future. Priorities for the Byfield rangers will be to commence protection works for the natural features and popular sites which have been subject to unmanaged use in the past and to cooperate with the local communities in matters such as fire management.

A visitor information sheet is ready for production as a means of informing visitors and local people about the national park. Development of visitor facilities will be implemented following proper planning and consultation. Clearly, these coastal sand areas require sensitive management, and it is vital that future recreational and tourism use is planned with skill and care, so that public and community benefit can be optimised without detracting from the natural and cultural assets on which they are based. Preparation of a conservation plan over the next year will be a prerequisite to development of park facilities with several stages of public participation. Coordination with planning of adjoining areas, such as Byfield State Forest, will be considered. Planning for access to the park is a major consideration in this management process. in recent weeks, there have been discussions regarding access considerations between officers of the Departments of Environment and Heritage, Primary Industries, and Lands and the Livingstone Shire Council. Discussions with land-holders have also occurred. At present, the area is accessed mainly via unformed four-wheel-drive tracks, with considerable resultant damage such as multiple braiding of tracks on steep slopes, wet areas and beach access points. Future road requirements will need to provide access for a range of purposes. The planning process will be guided by public consultation in terms of what forms of road access should be provided, and where.

Mr LESTER: That was a very good answer.

2. Roma Street Railway Station

Mr LESTER asked the Minister for Transport and Minister Assisting the Premier on Economic and Trade Development—

"(1) Is he aware that the cloak room service at Roma Street Railway Station is not provided on weekends?

(2) As many people from Rockhampton, Gladstone and Bundaberg travel to Brisbane for seminars and cultural and sporting events on the Friday and go back on the Sunday overnight-train, will the weekend cloak room service be reintroduced, because many passengers' commitments conclude by midday Sunday and not having anywhere to stay their luggage cannot be stored; thus limiting their ability to visit Brisbane's tourist attractions?"

Mr HAMILL: (1 and 2) In answer to the honourable member's question regarding cloakrooms—the Roma Street cloakroom is open Monday to Friday from 6 a.m. to 5.45 p.m. and, contrary to the claims of the honourable member, cloakroom services are offered on Sundays and public holidays between 6 a.m. and 9.45 a.m. The cloakroom also accepts train luggage for Sydney XPT and Cairns Sunlander services on Saturdays. The main function of this facility is for checking in passenger luggage for people travelling on long-distance services. I would draw the honourable member's attention to the fact that the Roma Street transit centre offers other storage facilities for travellers' luggage on week days and weekends, and therefore I would respectfully suggest that the member ought not to spend his time at the weekends in the cloakroom but rather should also try out the lockers.

Mr LESTER: I rise to a point of order. I take strong offence at that. I am making representations on behalf of somebody. I do not spend my time in cloakrooms. I ask the Minister to withdraw it.

Mr SPEAKER: Order! The member for Keppel finds the last couple of comments offensive. I ask the Minister to withdraw.

Mr HAMILL: Mr Speaker, if he finds offence, I withdraw. But he should use the lockers.

Mr LESTER: I find that offensive. I ask that the Minister withdraw it.

Mr SPEAKER: Order! Honourable members, I know we have had some late nights. Let us start off with some good humour today. I ask the Minister to withdraw unequivocally.

Mr HAMILL: I withdraw the offensive statement.

Honourable members interjected.

Mr SPEAKER: Order! Come on! We are going to have a long day, I think. We are really going to have a long day.

3. Tropical Research Institute, Innisfail

Mr ROWELL asked the Minister for Primary Industries—

"As there is no mention in the Budget of the promised Tropical Research Institute in Innisfail emanating from the Cabinet Meeting on 10 August, when will the implementation of this facility occur?"

Mr CASEY: I hope that the member for Hinchinbrook is not as touchy. For the illumination of the honourable member, I point out that the Budget papers never spell out every intricate item of expenditure in any department. The honourable member ought to go back to those papers again in which he will find an item called Capital Works Program. The creation of the Wet Tropics Research Institute at South Johnstone was a result of a Cabinet decision taken at Innisfail on Monday, 10 August 1992, and announced by the Premier and myself following that meeting. Had the honourable member been showing sufficient interest at the time in what was to become a part of his electorate, he would have been well aware that I also stated that the immediate work included the acquisition of additional land, the commencement of a new building on the

existing South Johnstone Research Station site and the amalgamation onto that site of four separate facilities of the Department of Primary Industries in the Innisfail area.

In addition, the Goss Government will lift the status of the South Johnstone Research Station by transferring the remaining programs from the Kamerunga Research Station at Cairns onto this site to create the Wet Tropics Research Institute. Knowing of the honourable member's interest in tropical fruits, I am sure that he will be most pleased that our aim is to make the institute into a world-class facility for tropical horticultural research. I only hope that he will develop the same enthusiasm for this project as that displayed by the former member for Mourilyan, Mr Bill Eaton, who continually made strong and positive representations to me about such a facility, which contrasts to the negative ways of the honourable member. The design of the new facility is at an advanced stage and is expected to be completed by the end of next year. In the long term, it will increase the staffing of this area and the construction will create a considerable number of additional jobs in provincial Queensland, which meets another of the Goss Government's high priorities.

4. Gas Exploration by Enron, Galilee Basin

Mr DAVIES asked the Minister for Minerals and Energy—

"What is the significance of a gas exploration proposal in the Galilee Basin announced during the week ending 21 November by the American based energy company Enron?"

Mr McGRADY: I thank the honourable member for the question and for his interest in encouraging Enron to come to Queensland. I believe that this proposal will have immediate benefits for the entire State. Enron is one of the largest and most successful energy companies in the world. Queensland can only benefit from its interests in this State. This month, the company took up an offer by my department of an authority to prospect covering approximately 48 000 square kilometres in the Galilee Basin between Hughenden and Barcaldine. Enron will focus its investigations on the potential for coalbed methane recovery, and when work starts in the near future, it will bring immediate benefits to this State. Coalbed methane is the sleeping giant of Queensland's energy industry. I am proud that this Government's policies have encouraged one of the world's energy giants to help Queensland realise its potential.

Enron's entry to Queensland is a result of the recent release of a number of areas of land for petroleum exploration in central and western parts of this State. In addition to the area taken by Enron, the land release has attracted a further 22 applications from Australian companies and also from overseas companies. I believe that this is a pleasing endorsement of the Government's policy to carefully plan and manage land releases. The days of the ad hoc land releases are over. The Government now assesses and collates information about areas before releasing them for exploration. That policy is certainly paying dividends. Queensland is certainly the leading State.

QUESTIONS WITHOUT NOTICE

Daikyo Links with Yakuza

Mr BORBIDGE: In directing a question to the Premier, I refer him to the report received by the Government in March 1991 from the Australian Bureau of Criminal Intelligence on the infiltration of the Japanese organised crime group, Yakuza, into Queensland. I table edited sections of that report. I ask the Premier: how could the Government, in February 1992, place a bid involving Daikyo on the short list of applicants for the Brisbane Casino licence when it was aware, in March 1991, that the BCI had established links between that company and the Yakuza?

Mr W. K. GOSS: The first point that needs to be made is that, to the best of my knowledge, those links were not established. As usual, the Leader of the Opposition has built false factual premises into his question. Before dealing with the substance of the Leader of the Opposition's question, I have two comments to make about the report to which he referred. Firstly, apart from some hearsay references to that report, I am not aware of it. The report that I believe the Leader of the Opposition has in mind contains such hard-headed detective and intelligence work as the assertion that a particular Japanese visitor was believed to be a member of the Yakuza because he behaved in an arrogant fashion whilst in a certain shop.

Mr Borbidge interjected.

Mr SPEAKER: Order! I ask the Leader of the Opposition to cease interjecting. He has asked his question and he should now listen to the answer.

Mr W. K. GOSS: As I stated, I am not aware of that report. If that is the quality of the findings made by it, I would have substantial reservations about acting on such a report. The report referred to arrogant public behaviour. That is the sort of behaviour in which Opposition members would engage. I am not sure that too much emphasis should be placed on that report. Secondly, I am aware that, in terms of portfolio responsibility, the Leader of the Opposition was not involved in those matters when he was in Government. However, the clear advice that has been given to this Government——

Mr Mackenroth: For three weeks he was.

Mr W. K. GOSS: In that case, he must be a slow learner. Organisations such as the Police Service and the Criminal Justice Commission have requested the Government not to reveal criminal intelligence information, because to do so frustrates the work that the police and the CJC are carrying out——

An Opposition member interjected.

Mr W. K. GOSS: No. This is part of the continuing smear campaign——

Mr Hobbs interjected.

Mr SPEAKER: Order! The member for Warrego!

Mr W. K. GOSS: The Government has been requested by the authorities which operate in this area, including the Criminal Justice Commission, not to release, publish or talk about the details of any criminal intelligence. That advice was given for a number of reasons, but primarily because criminal intelligence is necessarily suspect in terms of its reliability. It is not hard evidence; it is not proof. It is often simply information—sometimes reliable; sometimes very unreliable—that is passed to the authorities and which is recorded by them.

Mr Borbidge: So you ignore it.

Mr W. K. GOSS: No, not at all. I was not aware of it. By making public the criminal intelligence details which have been leaked to him, the Leader of the Opposition is being most irresponsible and is in fact frustrating the work of organisations such as the CJC and the BCI. It would be very interesting to find out who leaked that information to the Leader of the Opposition. The Government has a fair idea of who was responsible, and it will deal with those people. That behaviour on the part of the Leader of the Opposition is irresponsible, improper and unethical, and it will frustrate the work of the CJC.

The most that I can say in relation to the substance of the Leader of the Opposition's question is that at no time has a report contained any hard evidence or proof of any matter that required action by the Government. However, just prior to the consideration of the casino tender issue, the Government sought—the Government sought from the committee, as part of the process——

Mr Cooper: "The Government sought—the Government sought"——

Mr W. K. GOSS: I have to say it twice for the benefit of the honourable member for Western Downs.

Mr Cooper: Three times.

Mr W. K. GOSS: Three times, he wants it? That honourable member was once the Minister for Education! The Government sought advice from the committee on a range of issues relating to the casino tender. Obviously, those matters related to the financial comparison between the bids, traffic matters and so on. Also included in that advice—and very high on this Government's list of priorities—was ensuring that Queensland's casinos remain corruption free. As part of the consideration of all relevant issues, the Government sought and received information from the Casino Control Division and from the Criminal Justice Commission. The Treasurer and I personally conferred with the Criminal Justice Commission Chairman, Sir Max Bingham, to assure ourselves that Cabinet was acting responsibly and properly and to the satisfaction of the CJC, in terms of any concerns that it may have in relation to those matters. In other words, the Government acted with absolute propriety and ensured the highest standards of probity. We did not take the matter to Cabinet until the Criminal Justice Commission was satisfied with the course of action that the Government was taking.

Lastly, I say that, as I understand it, the Criminal Justice Commission is continuing its investigation of the Yakuza, the Mafia and the Triads. Any reports or any proposals put forward by the Criminal Justice Commission will receive appropriate action by this Government, as occurred at the time of and prior to any decision made by Cabinet in respect of the casino tender.

Daikyo Links with Yakuza

Mr BORBIDGE: In directing a further question to the Premier, I refer him to his answer to a question from me on 7 May, in which he described suggestions of links between Daikyo and organised crime as "a disgraceful smear" and his subsequent strong defence of Daikyo, and I ask: as his Government as long ago as March 1991 was aware of intelligence reports linking Daikyo with the Yakuza, why did he protect it?

Mr W. K. GOSS: The statement that I protected an organised crime-associated body is untrue and personally offensive. I request that that remark be withdrawn.

Mr Borbidge: It is a question.

Mr SPEAKER: Under Standing Order 119, the Premier is entitled to ask for the offensive words to be withdrawn. As well, Standing Order 120 states that a member can request that any imputations be withdrawn. I ask the Leader of the Opposition to withdraw those remarks. He cannot say something in one place that he cannot say in another.

Mr BORBIDGE: I withdraw the comment that the Premier finds offensive. I ask him: why did he protect Daikyo?

Mr Lingard: It's a pity you didn't pay attention to Standing Order 70.

Mr SPEAKER: Order! I warn the member for Beaudesert under Standing Order 123A. I say to the member for Beaudesert that as the Speaker, I have the responsibility for the Standing Orders, and I find his remark offensive. However, I am not as thin-skinned as other people.

Mr W. K. GOSS: The members of the Opposition are led by a man without ethics, without integrity and who will say anything. He specialises in smear by association. As to the company to which he refers—I have not at any time extended any so-called protection to it or to any other company.

The Leader of the Opposition has made a number of references to circumstances from which he seeks to draw an inference of impropriety. It is absolutely unethical, and it demonstrates his lack of integrity. Last night, he strung together a series of allegations and, as proof of my association with this company, referred to the fact that I attended the launching of a vessel with which the company was associated. I attended that

function with Mrs Sheldon, the member for Caloundra. Does the Leader of the Opposition suggest an improper association——

Mr Borbidge interjected.

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

Mr W. K. GOSS: Is the Leader of the Opposition suggesting an improper association between the Deputy Leader of the Coalition and that company? Of course not, and nor do I. The Leader of the Opposition also referred to an Indy car race function which I attended, and at which the head of Daikyo was also present. Mr Borbidge was in the same box at the Indy car race with those people. Would it be legitimate or ethical to suggest that because Mr Borbidge attended that function, he mixes with Japanese organised crime figures? Of course it would not! The Leader of the Opposition is a man without ethics and without integrity. He will say anything. Two months ago——

Mr Littleproud interjected.

Mr SPEAKER: Order! The member for Western Downs will cease interjecting.

Mr W. K. GOSS: Two months ago, within an hour of receiving a letter from Sir Max Bingham refuting his allegations, the Leader of the Opposition stated that I had behaved corruptly in respect of another matter. During the election campaign, the Leader of the Opposition lied to the press gallery about a Townsville pay packet rort. It was untrue. He plays the press gallery and the public for mugs.

Mr BORBIDGE: I rise to a point of order. I understand that in this place the word "lied" is unparliamentary language. I ask the Premier to withdraw that word.

Mr SPEAKER: Yes. I ask the Premier to withdraw the word "lied".

Mr W. K. GOSS: The Leader of the Opposition knowingly told a deliberate untruth to the press gallery and to the public. The smears that he raises will not work, and he will be seen for the man that he is. As I said to the Leader of the Opposition two weeks ago, I am keeping a list of all the business people, and companies such as Jupiters, about which he is casting smears, and I will nail the muck to his lapels up and down the boardrooms of this State. When members of the Opposition visit various parts of the State, they will know that the Leader of the Opposition is also in that area because they will be able to smell him.

Queensland Film Corporation

Mr PITT: I ask the Premier: has his attention been drawn to a report in the *Courier-Mail* about the administration of the Queensland Film Corporation? What is the Auditor-General's report in respect of that corporation? Further, what action has been taken to correct any defects in the administration?

Mr W. K. GOSS: I read the report in the *Courier-Mail* that stated that there were serious problems in the Premier's Department in respect of assistance to the film industry and that $4m would be written off. This morning, I heard the comments of members of the Opposition who criticised the report. Indeed, the Leader of the Opposition called out, "The worst Auditor-General's report ever." Let me say that in respect of the Premier's Department, I am prepared to agree with the comment that was made by the Leader of the Opposition. I will tell the House the problems which were identified in the Auditor-General's report that was tabled yesterday, and which were drawn to my attention only this morning. It said that the affairs were poorly administered, contracts were loosely framed, and that some of the source financial and legal records were missing. The report said that ledger balances need to be reconstructed, and that it was not feasible to recover most of the advances due to the passage of time. It said also that significant write-offs totalling $4.146m of outstanding loans and advances had to be written off, and went on to detail a litany of problems.

What must be understood about the report, which the Leader of the Opposition has damned as the worst Auditor-General's report ever, is that it relates to the affairs of the Queensland Film Corporation between 1977 and 1987. The relevant Ministers who blew $4m of public money during the eighties were Mr Brian Austin, Mr Peter McKechnie and Mr Elliott—Mr Borbidge's colleague—who is still in this Parliament. Mr Borbidge has said, in respect of Mr Elliott's administration, that this is the worst Auditor-General's report ever. If Mr Elliott had something to stand down from, I am sure that Mr Borbidge would insist that he stand down.

Sugar Tariffs

Mr PITT: I ask the Minister for Primary Industries: is he aware of a recent visit by the Prime Minister to Queensland's sugar-growing regions? Can he inform the House of the Government's attitude to the $55 sugar tariff?

Mr Dollin interjected.

Mr SPEAKER: Order! The member for Maryborough!

Mr Veivers interjected.

Mr SPEAKER: Order! The member for Southport will settle down.

Mr CASEY: I am well aware of the visit by the Prime Minister, who was very well received, particularly in the Bundaberg district where he spent most of his time, by canegrowers and millers who understand exactly what is going on with the Federal and State Labor Governments in relation to sugar tariffs. I am also well aware that the coalition in this House, in common with the coalition in Canberra, is endeavouring to issue a series of misinformation statements in relation to where it is going. I do not believe that it really knows where it is going.

Let me make it quite clear once more to this House that the Goss Government in Queensland is totally committed to support the $55 per tonne sugar tariffs throughout Australia. Over a long period, our commitment has been made well known to the Federal Government. It is one of the reasons why Mr Crean determined that he would set up the Courtice committee to have a look at this matter. At the same time, it is also well known—particularly to canegrowers in Queensland—that honourable members opposite are totally committed to the Fightback package. Whatever they say about it—that it is only a 5 per cent margin, or whatever—putting it into real terms that are understood by the canegrowers of Queensland, it means that the Opposition's policy on sugar tariffs represents an average loss of income of $10,000 to all canegrowers and canefarmers in Queensland—$10,000 directly out of their pockets.

This Government's policy on the retention of sugar tariffs has been given directly to the Prime Minister, to Mr Crean—the responsible Federal Minister—and to Mr Courtice, who heads the committee set up by the Federal Government. I assure members that those people have the utmost confidence in the policy of the Goss Government in Queensland in that regard. I feel quite positive that when Mr Courtice brings down his findings, the $55 sugar tariff will be retained.

Brisbane Casino

Mrs SHELDON: I direct a question to the Treasurer. On 26 May this year, when Cabinet nominated Jupiters Limited as the preferred developer for the Brisbane Casino, the Treasurer said that the decision of Daikyo to sell its interest in the bid was based on the financial pressures associated with the problems of its parent company in Japan. He also said that Daikyo's divesting itself of its share in the bid was a condition of Jupiters Limited achieving preferred developer status. I ask: what is today's version?

Mr De LACY: There is no doubt about the Opposition. When it gets a strategy together to get stuck into this Government, it does a lot of hard work on it. Today's

version is the same as yesterday's version and every other day's version. The member should accept that version, because we tell it like it is.

Daikyo Links with Yakuza

Mrs SHELDON: I direct my second question to the Premier. In his communication to the Premier on 14 May this year concerning his monthly briefing for April, Sir Max Bingham referred to an intelligence report sent to the Premier concerning a sensitive organised crime issue. I ask: can the Premier confirm that that report was yet another warning to him in relation to the connections between Daikyo and the Yakuza? How many warnings did the Premier get that there was a danger of organised crime interests infiltrating casinos in Queensland?

Mr W. K. GOSS: I have already explained the limitations under which this Government is forced to operate in respect of criminal intelligence matters. The member for Caloundra is acting in the same unethical and improper way as does the Leader of the Opposition. The fact is that I have been asked by authorities such as the Criminal Justice Commission and Sir Max Bingham that, in the interests of ensuring that intelligence bodies and police authorities are able to carry out their work to maximum efficiency, the Government not publish details of any criminal intelligence work that they are doing. Lest the honourable member for Caloundra was not listening when I answered the question asked by the Leader of the Opposition, I repeat that earlier this year, prior to the casino issue going to Cabinet, the Treasurer and I met with the CJC—with Sir Max Bingham and the relevant officers whom he wanted to bring along—to discuss what we were doing in relation to the casino and other matters that the CJC had deemed to be of importance to it in the course of its cooperation with the police and the Casino Control Division. Only after we received the advice and comment from the Criminal Justice Commission did we proceed. We proceeded on the basis that we believed that we were acting in an absolutely proper way and that the CJC was satisfied with the course of action adopted by the Government.

Effect of High Court Decision on Members of Parliament

Mr LIVINGSTONE: I ask the Premier: has his attention been drawn to the High Court decision on the Wills by-election? What implications does that have for the Queensland Parliament?

Mr SPEAKER: Order! Honourable members should all listen to this.

Mr W. K. GOSS: Initial advice from the Crown Solicitor on the issue of an office of profit was to the effect that State employees in that position need not resign from their position because they were effectively vacating their office or their employment if elected. So there was no problem in that regard. However, more recent and more considered advice given by the Crown Solicitor to Mr Solomon, the Chairman of the Electoral and Administrative Review Commission, while still largely reaffirming that previous position, does raise certain questions and does suggest that the current state of the law in Queensland—no doubt in Australia now as a result of the decision yesterday—is probably somewhat satisfactory. That advice was provided by the Crown Solicitor in relation to potential recommendations or proposals for a Queensland Parliament Act. For the information of any members who are interested, I point out that that legal advice is contained in appendix M to the recent report tabled in this place as a result of the EARC report. As I said, it confirms the earlier report. There is a suggestion in there, amongst others, that it is not an automatic case of vacating the office of profit under the Crown, but there should be a formal resignation by the member concerned. That is not accepted by the Crown Solicitor, but it is argued by senior counsel.

In that regard, I draw members' attention to pages 8 and 9 of the relevant legal opinion where the Solicitor-General makes reference to the question of whether the holding of offices or places of profit or positions of the prescribed prescription might

disqualify members. He went on to say—I do it by way of summary—that, firstly, the concept of public servants and others not having to resign in order to contest an election is a good one and probably just needs tidying up. Secondly, the concept of a member of the Assembly not automatically forfeiting his or her office or place of profit under the Crown or appointment to a position is much more convenient than automatic forfeiture, and so on. That is my view, but we will await the parliamentary committee's report. It may be necessary for some action to be taken on the matter of the passing of a new Queensland Parliament Act, which has been suggested by EARC.

The other matter raised by the High Court is also a matter of concern—and for me, and many people in this place and many Australians, a matter of greater concern. We will obviously seek advice on the matter of dual citizenship to see what, if anything, can or should be done in Queensland to deal with any consequences there may be for Queenslanders who want to stand for Federal Parliament or Queenslanders who want to stand for State Parliament. There is reference to this issue in the same legal advice, but it is a more oblique reference to the issue of citizenship, because obviously the Crown Solicitor at that time was not specifically directing his attention to the matters of controversy which have now arisen as a consequence of the High Court decision. But there are references on pages 9 and 10 to the situation in Queensland in respect of citizenship, and in particular to section 7 of the Legislative Assembly Act 1867, which makes reference there, amongst other things, to—

> "If any member of the Assembly shall take any oath or make declaration or acknowledgment of allegiance obedience or adherence to any foreign prince or power or do or concur in or adopt any act whereby he may become a subject or citizen of any foreign state or power or become entitled to the rights privileges or immunities of a subject of any foreign state or power . . . his seat in such Assembly shall thereby become vacant."

It would appear—I do not know whether this applies to anybody in this place—that there is no immediate concern in the sense that a challenge should be undertaken within 40 days, but it is a matter of concern. I think that the High Court has served the country poorly in respect of that decision. It has effectively created two classes of citizens: people who can vote in this country, who can pay taxes in this country, who can raise an Australian family, who can fight for Australia but who cannot be elected to Parliament; and other people who can do all those things and be elected to Parliament. That is offensive to me, and it should be offensive to all Australians. Although it appears that one may retain one's British citizenship and not have a problem, there would be problems, I understand, with countries such as Greece, if that is of relevance to anyone. However, Mr Speaker, I understand that it may go further. Obviously, we must obtain advice.

Mr Gibbs: Italy.

Mr W. K. GOSS: I do not know about Italy. We may have to obtain advice on people who have come from what was known as the USSR where, when those countries were overrun by Russia, citizenship rights of people who were in this country or who came to this country from places such as the Ukraine were abolished. However, now, on the re-establishment of independent republics in those countries, I understand that a number of those countries have granted full citizenship rights to people who are in other places whether they wanted it or not. There are problems there.

Honourable members would have read press reports about your own position, Mr Speaker. This is a typical example of where that decision has gone off the tracks and demonstrates the need for action to be taken. As honourable members know, Mr Speaker is a person who has voted with his feet. He took out Australian citizenship at the age of 13 and he is proudly Australian, but he is also proud of his Greek heritage. That is something that nobody should be asked to deny, whether he be from Greece, Italy or wherever. I am pretty disappointed in the High Court decision that effectively creates two classes of citizens. I am disappointed that, when it interprets the

Constitution, the High Court can find or infer all sorts of scope when it comes to implying fundamental rights that were not there last year, but it seems to have taken a much more legalistic or black letter law approach in this particular matter.

In conclusion, the Government will be taking further advice on both matters, that is, the office of profit or position under the Crown and the citizenship matter. I do not know whether action will be necessary. It appears as though some legislative action will be necessary in this Parliament. I do not know whether all of those matters can be overcome by Queensland legislation, but we will look into the matter and advise the Parliament and the people as soon as we are able.

National Firearms Index

Mr LIVINGSTONE: I refer the Minister for Police and Emergency Services to a decision by the Australasian Police Ministers Council on a national firearms index, and I ask: what will be the impact of this decision on Queensland gun owners? Is there any truth in the suggestion that this proposal will result in further licence fees?

Mr BRADDY: I thank the honourable member for the question. There is, of course, no truth in the suggestion that there will be a further licence fee as a result of this proposal. I wish to put paid to the suggestion that the Ministers for Police are considering a national register of firearms—of the guns themselves. I remind honourable members that, at present, we have in Queensland a shooter's licence. An individual who has a firearm is required to obtain a licence, and that is recorded. So, effectively, we have a register in this State.

What is under consideration—and no decision has been made; it will come back to the next meeting of the Australasian Police Ministers Council—is the linking of that information. That would provide an index across the country incorporating names and identifying details of, firstly, people who had firearms licences; secondly, people who had adverse firearms licence histories; and, thirdly, people who had domestic violence orders taken out against them. The purpose of this is to obtain information. It is not a registration and no fee will be charged. Clearly, it is sensible. It would be very silly if someone who had had a domestic violence order taken out against him and whose firearms were removed from him in Queensland could then go to New South Wales and obtain firearms because the New South Wales authorities did not know about it. Honourable members would be aware of the fact that many of the unfortunate tragedies in this country involving firearms and resulting in murders have occurred in domestic violence situations.

The Government is considering—and I must indicate my support—a register of information. It would be an index of the names of people who are entitled to have firearms, people who have had problems with domestic violence and people who have adverse firearms licence histories. It is purely an information exchange, and I think it is appropriate.

Gold Coast Indy Car Grand Prix

Mrs WOODGATE: I refer the Treasurer to calls by the Leader of the Opposition for the Indy car event to be referred to the Public Works Committee, and I ask: does he believe that the National Party on the Gold Coast is systematically attempting to undermine the race for political reasons?

Mr De LACY: I do not know whether the National Party is doing that. There is a lot of evidence that it is. I must say that the Gold Coast is a bit of a funny place. I constantly receive phone calls and letters from one group of people alleging wrongdoing on the part of another group of people. I generally listen to what they have to say and, if I think there is any substance in it, I will do something about it. Mostly, I do not place too much credence in them.

There seems to be a lot of hatred on the Gold Coast. There are a lot of groups that dislike each other. From time to time, I hear allegations that the National Party is going to do this in respect of the Indy Car Grand Prix. In fact, a person who wrote to me—he did not just write to me; he was prepared to submit a statutory declaration—has made all sorts of allegations. I would not normally quote from a document such as that, but today the Leader of the Opposition introduced a new element into this place. He got hold of some sort of report that is not based on fact at all and then introduced it into the House. It creates a feeding frenzy for the media, but it is not conclusive proof; it is just based on rumour. In respect of that particular BCI report—if it did contain proof, would not the police have gone out and made arrests and subsequently obtained convictions? It is up to the police. The police, the BCI and others go around collecting intelligence. What is intelligence? Sometimes one wonders what it is. I will read some of the accusations that were made in that document, in relation to which the writer was prepared to sign a statutory declaration. The document states—

> "Mr Bolwell then indicated that Mr Veivers had advised him that the National Party were to raise in Parliament the Indy and it was their policy"——

Mr CONNOR: I rise to a point of order. The Treasurer is referring to a document. I ask him to table it.

Mr Hamill: If you insist.

Mr De LACY: I do not believe that all of this is fact, and I do not want to have to table it in this Parliament.

Mr W. K. Goss: But you've got to under Standing Orders.

Mr De LACY: I would prefer not to table it because it says things about the Opposition that I do not necessarily support.

Honourable members interjected.

Mr SPEAKER: Order! If it does not damage an honourable member's reputation, it can be tabled.

Honourable members interjected.

Mr SPEAKER: Order! I will deal with members shortly, and I mean it.

Mr De LACY: The document stated—

> "Mr Bolwell then indicated that Mr Veivers had advised him that the National Party were to raise in Parliament the Indy and it was their policy to question the Event as a whole. They were going to question the finances and suggest that the Event was being poorly managed."

That rings a bell. Did honourable members hear Mr Borbidge on the radio this morning? The document went on to state—

> "He went on to say that he had spoken to Mick Veivers (his personal friend) about Mr Dickson being 'on the take' and he had agreed with Mr Veivers that the personal allegations against Dickson would be raised after they had raised the general issue of Indy. He indicated that Mr Veivers thought that it would be best to make these allegations under the cover of Parliamentary privilege so they didn't have to be concerned about defamation laws."

Further on, the document states—

> "Mr Mayberry"—

do honourable members remember him—

> "seemed to me to be quite obsessed with attacking the credibility of Mr Dickson.

> 33. Greatorix raised on at least one occasion that Mayberry and he should get together with Bolwell to co-ordinate an attack in Dickson via the Conservative Parties (Liberal/National Parties) in Parliament.
>
> Their strategy was to have a politician use the cloak of parliamentary privilege to air corruption allegations with the purpose of inducing an inquiry and ensuring Mr Dickson stand aside."

Honourable members should listen to this one—

> "During the 1992 Indy Event I was approached by Mr Bolwell to employ the son of Mr Veivers as a security guard for the Event. I elected not to employ Mr Veiver's son as I have certain criteria for the employing of staff and Mr Veiver's son didn't fit that criteria."

Mr VEIVERS: I rise to a point of order. Actually, I really do not know anything about this. Mr Speaker, I would appreciate it if you could tell me who the guy is. I would like to go and see him.

Mr SPEAKER: Order! My problem is that I actually have to arrange to see it.

Mr De LACY: Mr Speaker, I will tell you what I will do. Under pressure from the Opposition, I will table this document so that people can read it at their leisure. Maybe the media will have a feeding frenzy on this. I simply make the point that just because somebody is prepared to write something and it is tabled in this Parliament, it is not necessarily fact.

Mr SPEAKER: Order! I think that is an adequate answer.

Mrs WOODGATE: I thank the Treasurer for that excellent, detailed reply.

Community Legal Centres

Mrs WOODGATE: I ask the Attorney-General: did he see the ABC's *7.30 Report* on Monday evening in which allegations were made that community legal centres were suffering from uncertainty of funding and that the Community of Inala Legal Service in particular was going to have to close its doors for a period of weeks as a result of this uncertainty of funding? Can he advise the House whether these claims are accurate?

Mr WELLS: As a matter of fact, I saw the program to which the honourable member refers. I also saw a very edited selection of the remarks I made on camera on that occasion, and I was very surprised that the story omitted some remarks that I made on camera which would have actually saved the *7.30 Report* the trouble of running the story that night. In the interview I outlined that this year the State Government had provided close to $250,000 in funding to community legal centres. This is the first time in history that a Queensland Government has ever provided funding to CLCs as a line item in the Budget; thus, for the first time, the Queensland Government is providing a regular, ongoing source of funding to those CLCs. At the time, I also indicated that these funds were not being paid quarterly but that the whole amount of the funds had been paid in total in advance. That will provide the CLCs with funding for this financial year so that they can plan for the whole of the financial year. This will enable community legal centres to plan their budgets without any funding uncertainty whatsoever, not only for future years but for future quarters within this year.

I also advise the House that on Friday afternoon, well before the *7.30 Report* went to air, the Community of Inala Legal Service actually went to the Legal Aid Commission where it made a submission. The Legal Aid Commission is an independent body which distributes funds to community legal centres in accordance with need. At the meeting, the Community of Inala Legal Service received from the Legal Aid Commission the additional top-up sum of $10,527 of State Government money. It appears that the Community of Inala Legal Service did not confess this fact to the *7.30 Report*. This is unfortunate, because it would have given the *7.30 Report* a unique opportunity to present a balanced story. Yet again, it erred on the side of bias. So what else is new.

Honourable members might also be interested to know that the funds provided by the State Government to community legal centres are top-up funds designed to ensure that no legal staff are lost from community legal centres. The Community of Inala Legal Service was funded this year, prior to State Government intervention, for two full-time employees. As a result of the additional State Government top-up funds, COILS can now employ 2.7 employees using the additional State Government funds provided. Obviously, an enterprise which employs more people than its advance budget stipulates is going to get into financial problems. If COILS has made this elementary mistake, it is hardly the fault of the State Government of Queensland or of any of the funding bodies. However, I notice that the shock-horror aspect of the *7.30 Report* story was that the Community of Inala Legal Service was going to close down. Yet another nice edit job. It was not until the very end that brief mention was made of the fact that the closure was only over Christmas. I point out that closing down over Christmas is an honoured Queensland custom, and I am sure all honourable members will join with me in wishing COILS a merry Christmas.

Small Business

Mr BUDD: I ask the Minister for Business, Industry and Regional Development: can he outline the current state of small business in Queensland and its prospects for future growth?

Mr ELDER: I thank the honourable member for the question. As a new member, he has an ongoing commitment to the small businesspeople in the Redlands area and I know that he will be a strong advocate for their cause during his first term in the Parliament. In this State, we have a strong small-business sector. If one looks at the growth in the small-business sector over the past 10 years, one sees that it has grown at some 5.6 per cent a year. Small business in other States across Australia has grown at about 4 per cent annually. A review conducted in September by the Queensland Small Business Corporation found that 75 per cent of the clientele that it polled expected to see an increase in their turnover in the next 6 to 12 months. Half expected to see their businesses growing—which was more important. A third expected that their businesses would remain basically the same. In the small-business sector, we see good reasons for optimism. Of those small businesses surveyed, 22 per cent said that, over the past six months, they had increased their staff levels.

Although I say that there are signs of optimism in the small-business sector in Queensland, those small businesspeople also see a dark cloud on the horizon. That dark cloud is Hewson and his Fightback package, with its goods and services tax. The small business award winner this year was Coral Princess Cruises Townsville. Its managing director, Mr Tony Briggs, made a very salient point about the effect of a GST on his business. He said that the GST would mean ongoing added costs for him of $750,000 annually. He also said that the compensation provided from the GST would be only $40,000. His overall costs would increase by $710,000. I will quote him directly. He said—

> "I am very worried about the effect of a G.S.T. on my business. I think it is going to take a lot of potential customers out of the market."

That market is the tourist sector.

Mr Santoro: Who was he?

Mr ELDER: I know that the honourable member has a problem, so I will tell him slowly. His name is Mr Briggs, from Coral Princess Cruises Townsville, winner of the Queensland small business award this year. He is a prominent small businessperson. If one wants to consider the impact of a GST on small business, one should consider the two countries that have already implemented a GST. Let us look at the effect on small business in Canada. In its survey of 25 000 small businesses, the Canadian Federation of Small Business found that an horrific 70 per cent said that the goods and services tax

in their country had a negative effect on their business. Only 8 per cent supported a goods and services tax in their country.

Closer to home, in New Zealand, a prominent chartered accountant writing for the *Australian Small Business and Investing Magazine* said that the GST in New Zealand was a confusing and little-understood tax component in virtually every transaction handled by small business. He said that the cost of compliance has meant a decline in taxable income, because resources must be taken away from income generation to ensure compliance with the tax. There is a 20 per cent dissipation of resources toward meeting the compliance requirements. That means that, in simple terms, small businesspeople will have to spend eight hours a week in meeting the compliance measures of the goods and services tax. Eight hours! In New Zealand, small businesspeople spend Sundays meeting the compliance measures for the tax. For Australian small businesses, the GST will be a "goodbye Sundays tax". Eight hours on a Sunday will be taken up complying with the tax. Members opposite must make up their minds. Do they support the GST, or do they not? Do they support a goodbye Sundays tax?

Safety Equipment for Volunteer Firefighters

Mr BUDD: I thank the Minister for the enlightening answer. I direct a question to the Minister for Police and Emergency Services. During my maiden speech, I referred to the lack of safety equipment provided to volunteer firefighters. I ask: can the Minister advise the House whether the Government has looked into the problem and, if so, what steps will be taken to rectify it?

Mr BRADDY: I thank the honourable member for his question and for his deep interest in what is an important part of Queensland's emergency services. It is true that, to date, rural firefighters have not only been asked to volunteer for the dangerous job of fighting fires but they are also required to purchase much of their own safety equipment. On the other hand, since 1975, the Queensland Government has been supplying the bright orange protective overalls worn by Queensland's SES volunteers. It is passing strange that the National Party, which prides itself on being the party of the bush, was not prepared to do the same for the rural firefighters. This Government will do so. I am pleased to advise that, this year, the Government will provide $440,000 in the Budget to supply protective clothing to rural firefighters. That will outfit 570 brigades with that safety equipment. Over the next two years, the remaining 1 030 brigades will be supplied similarly. I am pleased to advise the honourable member for Redlands that, next month, the rural fire brigade on Lamb Island will receive Proban-treated overalls, helmets, goggles, gloves and smoke respirators to protect them from the dangers associated with firefighting. It will be provided on a per-brigade basis.

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

MUTUAL RECOGNITION (QUEENSLAND) BILL

Second Reading

Debate resumed from 12 November (see p. 654).

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (11.15 a.m.): This legislation is one of the first products of what has become known as the new federalism. That term is a convenient tag for a series of Special Premiers Conferences over the past 18 months aimed at delivering a process of intergovernmental reform first mooted by the former Prime Minister, Mr Hawke. The current Prime Minister is inclined to indulge in the politics of diversion by raising issues which deflect public attention away from the perilous state of the economy. Mr Speaker, there appears to be a caucus meeting going on at the back of the Chamber. Mr Speaker?

Mr W. K. Goss: You make more noise than anybody in the place.

Mr BORBIDGE: Get used to it! The Prime Minister's various sorties on the flag, the republic, the British Army's World War II tactics and, lately, violence on TV are merely verbal smokescreens to hide Labor's absolute failure to manage the economy. However, I am prepared to accept that Bob Hawke's push for Australia to become a more unified nation in terms of its interstate trade was born from a genuine desire to overcome some of the anomalies of the current system.

As I recall, the new federalism was basically a Hawkism to give initial life and then ongoing impetus to this process which is now flowing through in the form of this legislation before the Parliament. I believe that it was born out of frustration over the nation's economic ills; but, unlike Prime Minister Keating's diversions, this proposal at least had some substance. The purpose of this Bill is to establish the legal framework for the mutual recognition by the States and Territories of each other's differing regulatory standards regarding goods and occupations. It acknowledges that in an increasingly competitive world we must become one nation, not six States. In my view, it fails to acknowledge that Queensland, as the leading State, should not reduce itself to the lowest common denominator.

This legislation involves the enactment of complementary Bills by each of the States and the Commonwealth. In this regard, we are led to believe that this is required to be finalised this year. Contrary to what the House has been advised, in researching this matter my office has had contact with other States as well as industry organisations, and it is clear that this legislative timetable will simply not be achieved. Tasmania, Victoria and Western Australia are unlikely to finalise their positions on the legislation until the first quarter of next year, which brings me to the first point that I wish to make. I accept that this is extremely important legislation, but why the need, on the second-last day of this parliamentary sitting, to push this legislation through when it has been on the table of the House for the minimum statutory period required by Standing Orders?

I must say that, despite the process of consultation outlined by the Premier and the expressions of support for such legislation from all different political persuasions, the coalition is opposing this Bill because it does have serious concerns with it, which I will outline shortly. I would suggest that if the legislation were left on the table of the House, if we could receive adequate assurances in regard to a number of grey areas, then next year when the Parliament resumes and with this legislation being debated in concert with its sister legislation in other States—in fact in most other Parliaments of the Commonwealth—we may well then be in a position to review our attitude. To support my contention that more time is needed to study the full impact of this legislation, I would like to point out that even key industry groups most likely to be affected by this Bill have not had sufficient time to study it fully. There are massive dangers in proceeding headlong into an ideologically pure and sound position that could disadvantage Queensland, Queenslanders and Queensland industry. Generally speaking, industry organisations are aware of it, but in most cases these organisations are still in the process of adopting a firm response. I am referring to industry groups such as the Egg Marketing Board, which is probably the most advanced of all, and others such as the Cattlemen's Union, the United Graziers Association and the Dairy Industry Authority. I am also aware that occupational organisations such as the Queensland Law Society are examining its implications and have some very basic concerns.

It is difficult to stand here and give ringing endorsement to a Bill when key industry groups it is likely to affect are still trying to ascertain their positions. This legislation should not be rushed. The Opposition has no problem with the principle of mutual recognition, but there are simply too many grey areas. For this reason, the Opposition is asking the Premier to leave this legislation on the table on the House over the forthcoming break so that there can be further consideration and consultation in respect to it, and our timetable for debate can then largely match the timetable that admittedly was not agreed to by the Premiers but in reality is the timetable that is being imposed by

the Parliaments of the nation. There are genuine concerns about some of the specific implications of the Bill. More importantly, I believe they need more time than has been available to achieve this, and I suggest to the Premier that, because other States will not finalise their positions until early next year, we do not proceed with putting the legislation through all stages today or tomorrow.

The prime thrust of this Bill is to allow goods manufactured or grown under the statutory requirements in a particular State to be sold in any other State. Likewise, occupational licences or qualifications gained in any State are to be recognised across all borders. That is fine in theory, but there are some inherent problems because it is simply not possible to achieve a simple fix on such an issue. The Opposition's first point of concern was raised when the Premier indicated in his second-reading speech—

> "The States and Territories have agreed to request and empower the Commonwealth to pass a single Act which, once enacted by the Commonwealth, will override any State or Territory Acts or regulations that are inconsistent with the mutual recognition principles as defined in the Bill."

At first glance, this appears to be a significant erosion of States' rights, and I understand that Western Australia still has some concerns in this regard. Even though this represents an extremely limited reference, there is still scope for States' rights to be usurped, as I will outline shortly. It basically means that States and Territories are effectively using the Commonwealth as a vehicle to cede powers to each other. To some degree, concerns have been tempered by the recognition that the Commonwealth legislation can be amended only by the unanimous concurrence of all other States and Territories which are participating in the scheme.

The reference is also limited in time—a five-year sunset clause applies—and is subject to a unilateral ability by any State to withdraw at the end of each term by proclamation of the Governor. Coupled with those requirements is the ability of States or Territories to challenge the standards of another State or Territory in relation to a particular good by declaring it to be exempt from mutual recognition for a period of up to 12 months if genuine health, safety or environmental pollution grounds exist. That process will trigger consideration of the standard applying to that item by the relevant ministerial council. At the end of 12 months, the result will either be a uniform standard, a permanent exemption or the full operation of mutual recognition.

I digress for a moment to cite an example of how this could impact on a Queensland industry, namely, the egg industry. Since deregulation of the New South Wales egg industry occurred, no quality standards apply to eggs in that State, unlike the grading requirements that apply in Queensland and in other States. If this legislation proceeds as planned, from 1 March next year substandard eggs can be lobbed onto the Queensland market. I am assured that any perceived price advantage in that regard will soon evaporate as consumers experience the difference between a quality-controlled article and one without such safeguards. There is scope for a substantial adverse impact on Queensland's egg market because of the likelihood that such a market influx will comprise surplus eggs which have been in storage for some time. The Queensland egg industry is concerned, because it views the consumer as the potential loser in that regard. Certainly, both the consumer and the egg industry stand to lose confidence if substandard eggs suddenly start appearing on the Queensland market.

Attempts by the industry to have the National Food Authority establish a national grading standard for eggs were basically declined. Faced with this mutual recognition legislation proceeding, the Queensland egg industry has approached the Government, through the Minister for Primary Industries, with a view to having a 12-month exemption imposed so that the matter of standards can be put before a ministerial council. I believe that this is a good example of how the legislation can impact on an industry and why honourable members should be guarded in their approach to it. Certainly, the Opposition would support a 12-month exemption being sought so that egg industry standards can be placed under the microscope of a ministerial council.

I note the Premier's comment that all parties will be bound by a two-thirds majority vote of Ministers in support of a new standard. It could be that New South Wales will be forced to readopt a quality grading system in the interests of national uniformity, which is the aim of this legislation. I also understand that it may be to that State's advantage to do so, because forays by the Queensland egg industry into that market have shown an increasing preference for the quality-guaranteed article, as against a system which allows the proverbial rotten egg through.

As members of the Queensland Legislature, our first obligation is to Queensland. Too often, cooperative agreements with other States have left Queensland at a disadvantage. On many occasions over the years, when cooperative arrangements have been entered into with other States and the Commonwealth with the support of all political parties, at the end of the day Queensland has copped the crud. That scenario occurred also when the National Party was in Government. At the end of the day, Queensland suffered, because the standards that were sought to be imposed in this State were lowered to the standards of the lowest common denominator. Honourable members have to approach such arrangements with their eyes fully open. There should be no doubt that, via this legislation, the capacity exists for a State's rights to be overruled by the majority, even if those rights relate only to a particular regulatory standard. Although that may appear to work to Queensland's favour in the egg industry, there are undoubtedly areas in other industries in which the outcome is less clear.

For example, I am aware that the United Graziers Association has some concerns about the inflow of kangaroo meat to Queensland from South Australia. Those concerns stem from the association's views on the production hygiene standards practised in the South Australian roo meat industry. The concern is not so much with the principle of mutual recognition, but with the administration of it. That is the fundamental concern of the Opposition and the basic reason for its belief that this legislation should lie on the table of the House over the Christmas break. In common with the Queensland Egg Marketing Board, the United Graziers Association seeks clarification as to whether the 12-month exemption can be applied from the outset, or whether it can be applied only after initial entry has occurred.

Indeed, this is another example whereby legislation is being pushed through this Parliament without an explanation being offered of how it will work in practice. If the Government and the Premier have their way, Queensland will be forced to sign a blank cheque and agree to such an arrangement because it is in the national interests. Even though a few grey areas may exist and the effect of those grey areas on industries and livelihoods is unknown, this State must agree to such issues being resolved at a later date. Queensland will have to trust the other States and everyone else to do the right thing by it. Obviously, it would be desirable that the State have in place the exemptions that it needs from the start of such arrangements. That is typical of the grey area that needs to be and must be clarified.

As I understand it, the Dairy Industry Authority is still examining the legislation and will further consider its position at a meeting next month. On the agenda set by the Premier, that consideration will be too late. Victoria has a highly productive milk industry. Under this legislation, that State could sell cheap milk in metropolitan Sydney or Brisbane. I return to my earlier point that more time is needed to consider this Bill to gauge the full assessment of its impact. It could be that Queensland should be seeking 12-month exemptions in relation to goods or services that are not apparent at this stage.

I turn now to the other aspect of this mutual recognition legislation, namely the occupational service area. The principles of mutual recognition for occupations are as follows: all jurisdictions are to rely on the place of first registration to assess properly the fitness of a person to practice; once a person is registered in a State, that person has to merely notify the registration authorities in other States to be permitted to practise interstate; and, a person will be registered if his or her occupation is substantially equivalent in the other States. Other features of the scheme applicable to occupations involve no additional testing being required provided that registration in the

first State can be proven and that the person concerned is not subject to any restrictions or disciplinary action. Mutual recognition also involves recognition by all jurisdictions of disciplinary action, restrictions and conditions of practice. Thus a person will not be able to avoid disciplinary action simply by moving interstate. Although a registering body may refuse registration if the occupations are not generally equivalent, no particular occupations are exempted from the scheme. In that regard, I raise the issue of South Australian land agents. Under this mutual recognition legislation, they would be capable of being registered in Queensland to carry out conveyancing. Is it to be understood that because no equivalent occupational group exists, such a group would be excluded from Queensland? Perhaps the Premier can expand on that issue in his reply.

As I understand it, a person who is refused registration on the grounds of non-equivalence has the right to appeal to the Commonwealth Administrative Appeals Tribunal. If that tribunal determines that the occupations are not equivalent, the matter is referred to the relevant ministerial council which then follows a similar process that it carries out in relation to goods. Obviously, there are justified concerns that people such as South Australian land agents could eventually extend their practices into States such as Queensland. There may be concerns with other occupational groups, such as dental technicians and teachers. In some States, optometrists can prescribe drugs. However, in Queensland they cannot. In some States land agents can undertake conveyancing; in Queensland they cannot. As a sovereign State, Queensland should never have to pay a price for insisting on a range of higher standards.

I also understand that the legislation has provoked concerns in the legal fraternity, in which people who have different levels of training from other States could be automatically granted professional status to which they might not otherwise be entitled without further study. This mutual recognition legislation means that lawyers will not appeal to the High Court against a registration decision by the State Supreme Court, which is the local registering authority, as is presently the case. Instead, along with all other occupations, lawyers will appeal through the Administrative Appeals Tribunal. The Queensland Law Society is anxious to ensure that nationally set standards are not lower than those standards that apply in Queensland already. The society is concerned that the admission of solicitors will become an almost bureaucratic exercise rather than one which, because of their role as officers of the court, is tied to the court. Their concerns are typical of the fears inherent in this Bill and again underscore the need to subject this legislation to closer examination.

I now wish to make some general observations about this legislation. The first is in relation to the creation of a national market for some goods, which is neither desirable nor appropriate. Such goods include firearms, gaming machines and pornographic material. Every time I hear the Prime Minister talking about violence on TV and the need to protect children from scenes of sexual violence, I am reminded of one of the greatest political ironies, and that is that Canberra—much to its shame—has become the porn and X-rated video capital of Australia. If the Federal Government wanted to play its part in lifting Australian standards, it could take the step which a Federal coalition Government would take, and ban the export of X-rated videos from and the production of such videos in the ACT. I do not believe that Queenslanders, including Government members, would want to see this legislation allow pornographic videos made in the ACT to be mutually recognised by other States. I would also sound a warning note in respect of firearms, which are excluded from this Bill. As we all know, firearms are subject to national initiatives through the Australian Police Ministers Council. Members may have noted that recent reports following a meeting of this council have indicated that moves are afoot to assess the practicality of registration of all firearms on a national scale, including an indication of support from the Police Minister. In this regard, I would offer the following advice: the registration of firearms as proposed will not achieve anything. The Government has only to look at its present shooter's licence scheme to realise that tens of thousands of gun owners have effectively thumbed their noses at the licensing system because they realise it is unworkable. What other areas of proper and

appropriate aid in the recognised jurisdiction of this Parliament may be undermined by this Bill?

Queensland is better than the other States. It has led the federation in many areas of Government administration. It must never lose its ability to lead and to be better. Queensland must not lower itself to the lowest common denominator, that is, to the standard of South Australia, Western Australia and the other States that have been discredited. I reiterate that the coalition opposes this Bill, principally because there are currently too many unknowns associated with major Queensland industries which flow from it. The Opposition does not oppose the principle. However, it opposes the rushing through of this legislation when there are too many grey areas and too many implications for Queensland jobs. I remind the House again that, in most other jurisdictions, this legislation would not be dealt with until the new year. I suggest to the Premier that Queensland has nothing to lose by allowing this legislation to lie on the table so that such concerns can be clarified before it proceeds further. Its failure to do so will leave the Opposition with no option but to oppose the Bill.

Mr PERRETT (Barambah) (11.37 a.m.): The Mutual Recognition (Queensland) Bill is one of the most important to come before this House. It involves basic principles about which we should all think very carefully. Of course, we know that it will be passed, because the nature of modern Parliaments is that the Premier gets his way. Nevertheless, I intend to put on record what I regard as the important issues involved here. Mutual recognition is one of the children of Bob Hawke's short-lived new federalism. It was high on the agenda for the first Special Premiers Conference held here in 1990, when Hawke's rhetoric still held sway. Much was reported at the time about the need to make our Federal arrangements more efficient, to realign responsibilities more sensibly, and to make administrative arrangements match the realities of how modern Australia really worked. They were fine words; and an uncritical media lapped them up.

Of course, some of what Hawke and his disciples said made good sense. Australia does have problems arising from overlapping jurisdictions and the resulting tangle of red tape. There is good reason to sit back and take careful stock of the way our systems have evolved since federation. On the other hand, little was said about Hawke's main point when he raised the idea of the Special Premiers Conference in 1989. His principal argument was that Canberra had to be able to take full control of the Australian economy. The former Prime Minister's exact words were these—

> "Australia must have one central level of effective economic management."

Paul Keating made no attempt to hide his thoughts on the direction of federalism when he relaunched the Hawke political assassination at the National Press Club in Canberra. He made it very clear that his idea of new federal arrangements was to make the States subservient to Canberra's economic direction. He even told his audience that constitutional recognition of the Commonwealth's monopoly on customs and excise was an endorsement of total central domination. Keating has given no sign of shifting away from the ruthless adherence to the vertical fiscal imbalance which is so important to centralising power in Australia.

There are two important principles at stake in this legislation. The first is the absolute necessity to get government at every level off the back of business. It is hard enough to make a decent return on investment in Labor's depression. It is made twice as hard when business must cope with red tape that is tied by separate levels of government around one set of dealings. An answer must be found there. The other principle is important, too, and it may be the most important of all. I refer to the increasing encroachment of central authority in Australia. I remind members of the absolute refusal of the Commonwealth to give ground on tax sharing—the decision which effectively ended real progress in new federalism. I also remind members that, in his speech at the press club, Mr Keating's contempt for the States was not disguised. As far as he was concerned, the traffic had to be one way: all in the direction of Canberra.

Today, members must think hard about those competing principles. Do we accept the push to take decision making away from the States? Is more centralisation too high a price to pay for relieving the burden of bureaucracy on business? Is there another way to achieve that? I accept the need to relieve some of the crushing burden of Government regulation on business in this State and in the rest of Australia. I also believe that there is an underlying danger in handing more and more effective power to bodies with their loyalties outside Queensland. It is a fact of life in Australia that the constitutionally possible role of the Commonwealth has expanded far beyond what was envisaged by the founding fathers. Today, our Federal system is far different from the one that we adopted over 90 years ago. Some of that change has come about by means of referendum—the only really democratic means. Most changes have resulted from the combination of strongly centralist politicians—and I must include some members on our side of politics—and a High Court that is more and more willing to expand Commonwealth power.

Expansive interpretation of the Commonwealth's powers under section 51 of the Australian Constitution has found great favour with the High Court. That trend will no doubt continue, and we must ask ourselves how far we will let growing Commonwealth power go unchallenged. We should all remember that Australians wrote and adopted a Federal Constitution—not a unitary one. Powers were defined to ensure that the Commonwealth would have only what was necessary to do what it had to do. As the High Court has been able to find, those powers were not defined carefully enough. We must accept that the spirit of that original federalism was that the Commonwealth should not acquire too much power at the expense of the States. We should be as suspicious of Commonwealth power today as were the constitutional conventions and the colonial Assemblies less than 100 years ago.

The pendulum of power is swinging too fast in the direction of Canberra. This may or may not be the issue on which we should be making a stand in defence of the legitimate rights of States to decide their own destiny. We should consider that very carefully; but, some day, we will have to stand and fight. We must always remember whom we represent. We are each elected to represent the people of a particular part of Queensland. I am confident that members on the Government side of the House realise that, and I know that many of them put that into practice. We should also remember that whereas Queensland has good and hardworking members on both sides in Canberra, they are swamped by the numbers from other States. The real power in the House of Representatives rests with the most populous States, namely, New South Wales and Victoria. With the best of intentions, the people representing those States in Canberra will ensure that things are done to suit the interests of their constituents. For proof, I invite members to look at the distribution of Commonwealth spending. The bulk of it goes into the Sydney/Canberra/Melbourne triangle. Any major functions that we hand over to the Commonwealth will be treated in the very same way. Of course, we are not handing off power directly to the Commonwealth—as the Minister for Primary Industries did recently with agricultural chemicals. We are allowing the power over important issues to go out of Queensland. Ultimately, that power will end up in Canberra, and there are serious implications for Queenslanders and Queensland industries. When I say that, I am thinking of not only the Bill before us but also the agreement signed between Prime Minister Keating and the then State Premiers. The two documents must be read together to get a full understanding of what is intended. Centralisation is the clear intention, particularly when we look at such things as food standards. Honourable members will be aware that Queensland maintains very high standards on the production and packaging of food both for export and for home consumption. We have some of the highest standards to be found anywhere, and that is the way it should be. That is also not the way it will be. Initially, all Australian States will have to accept the lowest common denominator. The legislation makes it plain that a product acceptable for sale in one State will be acceptable in all States. Imports able to be sold in one State will be able to be sold in all States.

A problem in the wake of egg industry deregulation in New South Wales has been seasonal gross oversupply. Much of this product finds its way to Queensland once it is too old to find a premium market in New South Wales. Because of substandard storage conditions on farms, some product is substandard. It is able to get into this State with the connivance of the Queensland Government through the supply to New South Wales interests of Queensland grading stamps. Queensland has the option to clean that up and make New South Wales suppliers compete on the same basis as Queenslanders. In future, that option will disappear. If New South Wales is happy for those eggs to go on sale, there will be no legal way to keep them out of Queensland.

We have heard a lot about the difficulties posed by differing State standards for packaged products. The argument over margarine in round tubs or square ones has whiskers. Of course, it needs to be sorted out somehow. That argument is ridiculous, and I am sure that it could be settled by sensible negotiations. Some others might be a little more difficult. A State that allows the sale of kangaroo meat for human consumption can easily allow the same meat to be used in smallgoods. Do Queenslanders want such a product in their supermarkets, especially when one considers that we cannot get the Commonwealth interested in honest labelling laws? What happens if a particular State decides that feral pork is suitable for human consumption? Producers and consumers might be fooled by the provision in the Bill for a temporary exclusion of an item from the application of the new law. They should look at the agreement on which the measure is based. Part IV, beginning on page 8 of the agreement, applies. It has been agreed that goods subject to temporary exclusion from provisions of the Act will be referred to a ministerial council of all participating parties for determination of standards. That decision on standards will need the support of only two-thirds of the ministerial council. Every State, including Queensland, would have to abide by that standard—even in the event that the standard was a lower one than we would wish, or even if it meant some detriment to Queensland products and their producers. Later in that same section, we find that a participating party can refer the goods produced in another State—or acceptable, in the case of imports—for the same consideration of a standard. In considering standards, the ministerial council is instructed, wherever possible, to align such standards with standards commonly accepted in international trade. Let us consider that for a moment.

Australia's pig meat industry is being driven to bankruptcy by the unimpeded importation of subsidised Canadian pork. That pork originates on farms which have no obligation to comply with such standards as a ban on swill feeding—a sensible ban which has applied here for many years. North America also harbours the devastating mystery swine disease, with potential to finish off the Australian industry if it is introduced through uncooked or partly cooked imported pork. Ministers with any sense of duty to Australian industries would use current standards to ban that product. Under the new law, they will not have the option. Even if the State containing the port of entry decided to apply Australian standards, that could be overruled by a standard set by the ministerial council, and reliance could be placed on Canada's export standard.

The chicken meat industry is also rife with allegations of large-scale importation of chicken meat produced from Australian chicks raised and processed in Asian countries which have appalling food health standards. Consumers deserve better, and so do producers whose flocks are put at risk of Newcastle disease. I am sure that honourable members could come up with plenty of other instances in which local products and their producers could be disadvantaged by manipulation of standards. With a constant flow of referrals to the ministerial council, it will not take long for a uniform set of Australian standards set and administered in Canberra to apply to everything we buy. It will no longer be possible for any Australian State to nurture or protect any industry that it feels is worthy of special consideration.

In his second-reading speech, the Premier put some store on the fact that the legislation had cross-party support. Indeed, the agreement was signed by a couple of conservative Premiers. We can readily understand why a Premier of New South Wales, for instance, would find the agreement attractive. As one of the largest States, New

South Wales is one of the largest markets, and it is also a major producer of many categories of goods. The attraction of a national market would be very great indeed. Added to that is the fact that New South Wales has a far greater voice in the national Parliament than does a State such as Queensland. For Labor States, I am afraid the attraction probably lies in the opportunities offered for even greater centralisation of power in Australia. Before we vote on this Bill, I ask all honourable members to think very carefully about the implications.

Mr BEANLAND (Indooroopilly) (11.52 a.m.): I wish to address my major concerns to the effect that the legislation could have on the various professional groups, particularly on the standards of those groups. Because of the significance of the legislation, it is disappointing to see that it is being pushed through after having lain on the table of this Chamber for the minimum period. A number of other State Governments have not yet presented this legislation to their Parliaments, and will probably not do so until next year. This legislation reminds me of the corporations legislation that was brought into this Chamber some time ago. Members said how wonderful that legislation was; that there was agreement across all the States about how effective it was going to be and how it would resolve a number of major issues and concerns. Since that time, there has been nothing but problems with corporations law. Numerous changes had to be made to the legislation because certain matters were not properly considered in the first instance, although honourable members were assured at that time that all of those matters had been thoroughly canvassed and the problems resolved.

There is a great deal of concern about the effect that this legislation may have. It is suggested that it could lower the standards in this State to the level of the lowest standards in the States. That could certainly happen through the implementation process. In the area of the law, both the Queensland Law Society and the New South Wales Law Society pride themselves on the high standards of practical training that they provide. They believe that the standards are still not high enough. In some of the other States, the standards are much lower. If the floodgates are opened by this legislation, the genuine fear is that the level of service will slip as a result of the lowering of standards and an oversupply of solicitors to the public at a time when the public expects higher standards of service. It is fair to say that, with the great oversupply of solicitors in the community at present, the public should expect a better standard of service, not a lower standard of service. Currently, the oversupply of solicitors in Australia is enormous. There are some 25 000 solicitors in Australia, and between 19 000 and 20 000 students are currently studying law. An article in the *Courier-Mail* of 12 November referred to the grave concerns of the President of the Queensland Law Society. It stated that he—

> ". . . criticised universities for being part of a 'huge con job' on the state's law students."

The article continued—

> ". . . the rush by universities to all have their own law school had created a huge glut of graduates, many of whom had little hope of finding a job.
>
> . . .
>
> He said there were as many law students in Queensland (about 3500) as there were practising lawyers."

That is quite an oversupply. The article continues—

> "Mr Fox said: 'We now have five law schools, another university offering a law degree and rumors of other new law schools . . ."

It is clear that there is a need for concern in this area. Currently, 23 law schools operate in Australia. There are rumours in other States that more law schools will be established. That is certainly the situation in Queensland. Queensland now has more law schools than Victoria. It is high time that the Government ceased devoting scarce natural resources to increasing the number of lawyers. Instead, perhaps it should consider

means of improving the quality of the legal services provided and the quality of practical training.

The suggestion has been made that students who propose to study law in the future should first complete an undergraduate degree in another discipline before commencing a law degree. Recently, that occurred in the area of medicine. In future, students undertaking study in medicine will first have to complete a degree in another area. The need for such an initiative would seem to be even more apparent in relation to law, if one considers the heavy reliance that members of the community place on solicitors and the maturity of their judgment. I think that it is necessary to look at that situation today more than ever before. Therefore, it is imperative that the standards are not lowered, as could very well happen under the legislation that we are considering.

I have indicated the fears and concerns of the legal profession, but what I have said also applies to other professions. Physiotherapists in Queensland have the highest standards of physiotherapists in any Australian State, and they are concerned about the effect that this legislation will have on their profession, as are dentists and other professional people. Members of those professions have concerns and fears that this legislation will lower their current standards. For example, the Law Society of New South Wales is concerned that registration will prevent it from imposing its current post-admission requirements on any new interstate applicant who holds an unregistered practising certificate in his or her original State of registration. We should consider the problems that would occur in that case, and the effect that it would have on lowering the standards in that State. That effect could easily flow on to Queensland. There are grave concerns with regard to the standards that apply in the States, and particularly in this State.

I note in the legislation on mutual recognition—in Part 4, I think—that there are provisions for national uniform standards, including national competency standards to be determined by the appropriate ministerial council. The fact that this process will be of vital importance goes without saying; nevertheless, the fears exist. If we consider other legislation that has been brought in with the concurrence of all the States and passed, of course, we realise that problems can arise. Although on the surface this appears to be legislation about which one should not have concerns, if history is a teacher, we should learn from history that this legislation could have grave effects on the standards of the professions as they currently operate in this State.

Miss SIMPSON (Maroochydore) (11.59 a.m.): The very fact that Government members are sitting so meekly during this debate is enough to heighten my suspicion about this legislation. When the Legislature debates such an important Bill containing so many grey areas and so many unknowns, I believe it is important to give further consideration to the full impact of this type of legislation. When I take into account that the Queensland Government is committed to the philosophy of federalism and the eventual abolition of States, my suspicions are heightened even further about the closet agendas of members opposite. I believe that there is a necessity for a greater uniformity of services and goods and definitely a need to take those factors into account. However, the means of achieving those aims must be chosen in such a way as not to take away the fundamental rights of this State. Queenslanders have a right to expect that they can choose a higher standard of services and goods without having that preference negated by the majority wishes of other States that may not take the same level of care.

The thin end of the wedge is that this Bill will provide greater power to other States and eventually the Commonwealth Government. Considering that Ministers of the Crown are already on the record stating that they do not even believe in States let alone States' rights, I think it should be put on the record that there is grave concern that the full ramifications of the Bill in its present condition have not been fully recognised. The Minister has said that the States and Territories will effectively cede power to one another through the mechanism of Commonwealth legislation. Although there is a need for greater uniformity, I believe that the States' ability to legislate and

regulate should not be subverted. There is also an important issue that I believe should be clarified relating to minimum standards. Are we lowering our standards to fit in with the rest of the States, merely for the convenience of having uniform standards? There is also the grave question to be considered of what happens when this State needs to set new standards.

Mr J. H. Sullivan interjected.

Madam DEPUTY SPEAKER (Ms Power): Order! The member for Caboolture will cease interjecting.

Miss SIMPSON: I believe that in order to opt out of legislation or amendments, there needs to be greater clarification of the grounds that are available to this State. Why should the States give away rights when they have fought to win them? Why give away rights when they will be difficult to regain? The centralist philosophy of the Queensland Government makes the grey areas of this legislation highly suspicious. I believe that the Bill will create greater problems for this State than the Government purportedly wants to solve. The so-called consultation process has not achieved a level of public debate that I believe is in the interests of Queenslanders. Interest groups may have taken part in the consultation process, but it would be in the best interests of the public if they had a greater input to debate on the Bill as it presently stands. Why should this legislation be hurried through the Parliament when it has such a large potential impact? While I accept that Australia needs greater uniformity, why should we subject Queensland's standards to the lesser standards of other States and give away this State's rights?

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (12. 03 p.m.), in reply: I thank all members for their contributions because it has certainly been an enlightening and enjoyable debate. Firstly, I will make a few general points. It is quite inappropriate and a bit juvenile and uncharitable of the Leader of the Opposition to criticise the Special Premiers Conference agenda as something of a diversion and to make reference to the flag debate, and so on. In this country, there are significant problems and challenges for Governments to confront, and a large part of the problem is a fairly creaky and dated Constitution. In terms of development, Australia is impeded by the difficulty of changing that Constitution.

Mr FitzGerald: Why do it by the Constitution? Are you doing the lot?

Mr W. K. GOSS: No matter which Government wants to change the Constitution—whether it is a conservative Government or a Labor Government—that Government is restricted because of the traditional reluctance of Australians to pass referendums. If the structure of Government and society cannot be modernised by referendums, another way of doing that has to be found. Together, the Commonwealth and the States have said, "Let us see if we can make federalism work on a cooperative basis when we cannot achieve these things by way of referendums." A number of speakers made reference to the fact that Queensland should not reduce itself to the lowest common denominator. We do not propose to do that. We propose to seek appropriate national standards. There have been complaints about the legislative timetable. The Leader of the Opposition said that he accepted that this is important legislation, but was concerned about the timetable, and a number of speakers reflected this concern.

It is really quite pathetic and reveals a dereliction of duty for members to say that this legislation has been around for only two weeks when the issue has been debated for over a year. Discussion papers have been produced and there have been seminars on the topic, so anyone who had a genuine interest could have brought himself or herself up to speed on it. All States have agreed that legislation would be introduced and passed by the end of this year. Some States will do that, and some will not. Queensland will not be the last State in Australia to do it but, essentially, that is the argument put forward by members of the Opposition—"Let's be the last State." That really is a second-best effort and it reflects the attitude of second-rate politicians. It is consistent with the general approach of stepping back and saying, "Oh, look, we think it

is a positive reform"—that is what the Leader of the Opposition has said—"Let's be good; let's have reform; let's have change, but not now—later." Throughout the three years we have been in Government, that has been our experience. People will say, "Oh, yes, I believe in the reform process—but not for me." When the knock comes to their door and someone says, "Good morning. The reform process is here", they say, "Oh, please go next door." That is exactly what this Opposition is like, and that is why the State Government had been in such a mess for so long. Members of the Opposition have never been interested in reform. They have always wanted to put it off until later, and that is what the Leader of the Opposition wants to do again. He refers to "massive dangers", but he did not go on to outline what those massive dangers are. Nevertheless, he says, there are massive dangers.

Let me make a few more general points before I get to some of the specific concerns that have been raised by people. There is a range of general safeguards, firstly, in respect of goods, where the focus of Government responsibility has obviously been on public health and safety. A 12-month exemption period can be enforced by any State of its own initiative in relation to health, safety and, indeed, environment pollution matters. Standards are subsequently nationally enforceable following agreement by a two-thirds majority of Ministers. I believe that this is an adequate safeguard. It covers the concerns about the lowest common denominator, particularly about those specific issues. Amendments to the legislation can be achieved by the unanimous approval of the States. Once again, that is a very strong safeguard.

In respect of centralisation—which was raised, I think, by the member for Barambah—the Commonwealth has no powers. The legislation is a vehicle for the States to cede powers to each other. The suggestion that mutual recognition will somehow open up, of itself, interstate trade ignores the impact of section 92 of the Constitution on the States and ignores the impact of section 92 of the Constitution on industries such as the egg industry. It is time that some members in this place and people right around the country who oppose this sort of reform not only pulled their heads out of the sand and had a look at the problems that are occurring in terms of the establishment of a national market for labour and for goods and services but also, in States such as Queensland, faced up to the reality of section 92 of the Constitution and the impact that it is already having and will continue inexorably to have on various industries in this State. The best thing that people can do is to face up to what is coming, because it is coming, anyway, irrespective of mutual recognition. Mutual recognition gives Governments the capacity to promote uniformity of standards within Australia, and that is a good thing.

In relation to some of the other general points made, in particular, those made by the member for Barambah about centralism—that dreadful disease called centralism—three points need to be made. Firstly, the mutual recognition concept has not been imposed on the States by the Commonwealth; it has been developed by the States in consultation with each other. Secondly, mutual recognition is essentially a question of giving reality to the concept of a national market. That is supposed to be guaranteed by section 92 of the Constitution, which is having an independent and separate impact. It is about time that people faced up to that. We cannot keep the walls up. We cannot keep the Berlin Wall up around some of those industries. Section 92 is coming through the wall. The mutual recognition concept faces up to that. Thirdly, what the members opposite, who are supposed to be the champions of free enterprise and the business community, do not realise is that it is business more than any other group that wants mutual recognition, because business is sick and tired of having six different markets for labour and six different markets for goods and services. In a country of 17 million people or so, how absurd to have six separate markets. It is a real impediment to the development of this country and to economic efficiency.

Once again, the Federal Labor Government and, in Queensland, the State Labor Government are making the decisions that are necessary to achieve those sorts of reforms in terms of economic efficiency of the Australian market. Queensland industries should have nothing to fear from competition. Queensland has shown in any number of

fields that it can compete with the best, so we should have nothing to fear. I remind members again that it is the business community that seeks economic efficiency in respect of national markets, and the Bill is designed to achieve a national market. The legislation will give us a process to establish national standards. It will force various industries and various professions to get together and to do what they should have done in the national interest years ago, that is, to set some national standards. Of course, that will remove the lowest common denominator States' operations, because they will have to move up to the new national standard.

The other point that needs to be made is this, that there will be problems along the way with the implementation of mutual recognition, but to take the coward's way out, to take the second-rater's way out, is to wait until we have solved all of the problems—and that will be never. We will never have a national market if we do not have the guts to do it now and to do the best we can to initiate the process and to clean up the problems on the way. So many small-minded, inefficient vested interests out there will try to keep the walls up forever, impeding the economic development of this country. It is time that we had the guts to have a go and to clean up any of the problems as we go along. I think that the Leader of the Opposition was one of the honourable members who complained about eggs. I am not sure exactly what his point was. There may be some problems there.

Mr Borbidge: Can't you answer it? It's the view of the industry.

Mr W. K. GOSS: The Leader of the Opposition is one of those people who stick their head in the sand and think that they can avoid section 92 of the Constitution. I say again—and he cannot hear because he is talking all the time—that section 92 of the Constitution is going to run right over the egg industry, in any event. We must face up to those things in a positive and constructive way. I said before and I say again—the Leader of the Opposition was not here at the time—that the States can employ provisions in the concept to unilaterally enact health and safety regulations. The other thing that needs to be acknowledged is that, as I understand the situation at the present time, it is not the dreaded New South Wales egg industry that is selling eggs into Queensland; we are selling Queensland eggs into New South Wales. Furthermore, there is a reasonable body of market opinion that says that there will be a market in New South Wales for so-called quality products—quality eggs. Those matters can be addressed, and they must be addressed. Section 92 is going to bring the national market, anyway, in respect of eggs. It is time that people faced up to it. It is time that we brought about this increase in efficiency in terms of the national market.

In relation to the legal profession—Mr Beanland referred to an oversupply of lawyers, and so on. The legal profession should now get together and establish some appropriate standards. I believe that the profession now accepts that. I have met personally with the Bar Association and the Queensland Law Society to outline to them the process. I believe that they will be able to face up to it. The other safeguard that should be mentioned in relation to bodies such as the legal profession is that it has the capacity to set continuing admission requirements to ensure that there is quality control, if you like, to ensure that there is continuing legal education, to ensure that there is a maintenance of appropriate standards and that people keep up to date. There is no restriction at all on the legal profession doing that. I believe that they will do that and that the problems will be overcome.

As I said, there is no reason why the legal profession should be exempted from a national market when everybody else is moving to it. The national market must come; it will come. There may be problems along the way. We should have the wit and the courage to deal with those as they arise. I have dealt with the comments made by the member for Barambah and the member for Indooroopilly. The member for Maroochydore made some interesting comments. I thank her for her contribution to the debate. I was interested in her argument that we were committed to federalism and the abolition of the States. I was always taught that federalism actually reinforced the position of the States within the Federation. That is obviously an area on which I will

have to do a bit more research if I am to understand that interesting concept of a commitment to federalism concurrent with a commitment to the abolition of the States.

Question—That the Bill be now read a second time—put; and the House divided—

AYES, 49		NOES, 34	
Ardill	McElligott	Beanland	Slack
Barton	McGrady	Borbidge	Stephan
Beattie	Milliner	Connor	Stoneman
Bennett	Nuttall	Cooper	Turner
Bird	Palaszczuk	Davidson	Veivers
Braddy	Pearce	Elliott	Watson
Bredhauer	Purcell	FitzGerald	
Briskey	Pyke	Gamin	
Budd	Robertson	Gilmore	
Campbell	Robson	Goss J. N.	
Casey	Rose	Grice	
Clark	Smith	Healy	
Comben	Spence	Hobbs	
D'Arcy	Sullivan J. H.	Horan	
Davies	Sullivan T. B.	Johnson	
Dollin	Szczerbanik	Lingard	
Edmond	Vaughan	Littleproud	
Elder	Warner	McCauley	
Fenlon	Welford	Mitchell	
Foley	Wells	Perrett	
Gibbs	Woodgate	Quinn	
Goss W. K.		Randell	
Hamill		Rowell	
Hayward	*Tellers:*	Santoro	*Tellers:*
Hollis	Pitt	Sheldon	Springborg
Mackenroth	Livingstone	Simpson	Laming

Resolved in the affirmative.

Committee

Hon. W. K. Goss (Logan—Premier and Minister for Economics and Trade Development) in charge of the Bill.

Clauses 1 to 6, as read, agreed to.

Clause 7—

Mr BORBIDGE (12.24 p.m.): I wish to raise a procedural matter. I take it that regulations under clause 7 will be subject to tabling and disallowance in this place.

Mr W. K. Goss: What was that?

Mr BORBIDGE: Clause 7 states—

> "Without limiting any other power to make regulations under any other Act, the Governor may make regulations for the purposes mentioned in section 15 of the Commonwealth Act."

Will those regulations be tabled in this Parliament, and will they be subject to debate or disallowance?

Mr W. K. GOSS: I assume that they are regulations under the Commonwealth Act. The clause states—

> ". . . the Governor may make regulations for the purposes mentioned in section 15 of the Commonwealth Act."

The clause would be referring to the State Governor. I will have to clarify it for the honourable member, but I presume that they would have to be tabled in this place.

Mr Borbidge: And subject to disallowance.

Mr W. K. GOSS: Of course they would be, if they are tabled in this place.

Mr Borbidge; Tabled in the House and subject to disallowance.

Mr W. K. GOSS: I stated that, if they are tabled here, of course they would be subject to disallowance.

Clause 7, as read, agreed to.

Schedule—

Mr HORAN (12.26 p.m.): I refer the Premier to the professions of speech therapy and occupational therapy. During the Premier's reply, he stated that through the relevant organisations, various professions will have to set the standards that they wish to achieve. Speech therapy is registered as a profession only in Queensland and the Northern Territory. Occupational therapy is registered in Queensland and, with the exception of perhaps one other State, I do not believe that it is registered in any other States. Recently, both of those professions have embarked on a strenuous campaign in response to the possibility that they may lose their registration. Their concern stems from the recommendation by a working party established at the direction of the Australian Health Ministers Advisory Council that, in conjunction with similar professions, speech therapy and occupational therapy be deregistered.

Mr W. K. Goss: What did you say—"be deregistered"?

Mr HORAN: Yes, that the professions be deregistered. If that were to occur, the professions would no longer have a registration board. The responsibility for the standards to be met within those professions would fall to such bodies as the Speech Therapists Association. Both of those professions disagree strongly with the draft recommendation of the working party. If it is determined that both of those professions be deregistered, can State rights overrule a decision taken under the provisions of mutual recognition? I understand that the Queensland Minister for Health has supported those two professions—their need to be registered and the need for legislation that sets in place their registration. I understand also that, through a Cabinet decision, State rights can overrule decisions taken under the provisions of mutual recognition. If a professional body in Queensland vehemently opposed deregistration, could a State decision overrule such a policy?

Mr W. K. GOSS: This Bill has nothing to do with speech therapists or occupational therapists. A separate initiative is being discussed between the States in relation to the deregulation of partially regulated professions. That is a completely separate matter. The professions to which the honourable member referred are not affected by this legislation.

Mr Borbidge: Where is the exemption in the Bill?

Mr W. K. GOSS: This Bill deals with mutual recognition. The honourable member for Toowoomba South referred to a quite separate issue that is yet to be considered by Governments relating to partially regulated professions. In the course of the next year, the Government will be considering a range of those professions and will make its own decisions on whether partially regulated professions should be regulated or not. In this country, there is too much red tape and regulation and, where that can be removed, the Government should remove it. The preliminary view that was expressed by the Minister for Health to Cabinet is that those occupations or professions should not be deregistered. However, those matters are not dealt with by this Bill.

Mr BORBIDGE: I have one further point of clarification on the queries that have been raised by the honourable member for Toowoomba South and the Premier's response to them. I take it the Premier is saying that there is no way that any subsequent decision which may be made by the Queensland Government in relation to this matter can be overridden or dealt with by the provisions of this legislation at some future time.

Mr W. K. GOSS: I can only refer the honourable member to what I have just said, that is, that this legislation does not deal with the professions that were raised by——

Mr Borbidge: Can't it be used?

Mr W. K. GOSS: No, it cannot—no, no, no. I have said it three times, and I say it again—no.

Mr HORAN: I understood from my briefing that this Bill is linked very much to a Bill which is yet to be debated—the Health Legislation Amendment Bill—and that mutual recognition will be a very important theme in setting the standard of various professional organisations so that people can work in States other than their own State, whether or not their particular profession is registered in their own State. Although registration in Queensland is laid down in legislation, it sets particular standards which people must achieve or which they must be trained to adopt in order to be registered and to be able to practise in this State. I felt pretty sure that this legislation was umbrella legislation, that it covered the examples that I gave, and that various organisations were moving towards a standardised practice of either registration, or not. If that is so, and if professions require that they maintain a certain standard and that that standard be contained within legislation, will Cabinet and this State give that serious consideration? Will State rights overrule if this State feels that they should overrule?

Mr W. K. GOSS: I can only say again what I have said twice already. The Bill that we are debating now does not deal with those professions. No decision can be made pursuant to this Bill to deregulate those professions. A separate initiative is being discussed by the States in respect of partially deregulated professions. Over the coming year or years, this State and other States will consider the position of partially regulated professions or occupations, and the State will make its own decision—I repeat, its own decision—in relation to the regulation, registration or deregistration of those professions. I have outlined already the attitude of the Minister for Health in relation to the professions to which the honourable member has referred.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr W. K. Goss, by leave, read a third time.

DISTINGUISHED VISITORS

Mr J. Korsgaard-Pedersen and Mrs M. Korsgaard-Pedersen

Madam DEPUTY SPEAKER (Ms Power): I would like to acknowledge the presence in the Speaker's Gallery this afternoon of the Ambassador for Denmark, Mr Jorgen Korsgaard-Pedersen, and his wife, Mrs Mette Korsgaard-Pedersen.

Honourable members: Hear, hear!

LIQUOR AMENDMENT BILL

Second Reading

Debate resumed from 11 November (see p. 480).

Mr VEIVERS (Southport) (12.35 p.m.): I have some real problems with this legislation.

Honourable members interjected.

Mr VEIVERS: This is a good start. I have had a lot of trouble with what I heard last night, as have other people. This Bill is comprised of two distinct and totally

unrelated parts, that is, drinking in public places and the arrangements between landlords and tenants regarding licensed premises. The first part of the legislation deals with the delegation of power and political responsibility to local government in respect of the regulation of drinking in public places. We must be very careful how we approach this change to the legislation. The new Liquor Act that was forced through Parliament made it possible for people to drink in public places without committing an offence. That provision was not thought out properly in the first place and should never have been pushed through this House. It is understandable that there has been public uproar over it. The Minister now wants to get off the hook by making local councils responsible for declaring public areas in which people can drink.

The Minister argues that local authorities are the best judge, because problems involving the irresponsible consumption of liquor affect the local community. Of course, everybody knows that. The shift in responsibility should be seen as nothing more than a shift of political responsibility for a potential problem area to somewhere else. Councils will now be subject to pressures from a number of sources, such as people who want to drink in picnic areas; people who want to drink on beaches or areas adjacent to them; people who will blame local councils for allowing drinking at tables on the footpath outside restaurants; and people who will blame councils for people drinking outside hotels. Everybody would be able to think of examples in which councils will be put under undue pressure. Some councils may be able to handle that pressure better than others. However, no council should have to handle it.

Licensing is a State matter, and the State should have to shoulder its responsibilities. I should make the point that the State is not giving up the attractive side of liquor regulation, that is, the ability to collect and spend licence fees. If local government was given the revenue associated with controlling the liquor industry, then it could reasonably be given every control, and councils would have a lot less reason to complain that the Minister is ducking a hard issue. If the Minister is truly interested in allowing civilised drinking in public places, he can accomplish that so very easily with State regulation.

At some stage, probably most people like the opportunity of having a drink with a meal—but not me at present, because I am on a diet. The practice can be especially pleasant at a barbecue or a picnic outdoors. I am sure that most members would agree that this has always been a bit of a grey area—strictly against the law, but mostly ignored if no nuisance is caused. In the past, police have used their discretion, and there were really very few problems. The Minister is now forcing councils to designate where drinking by anyone at all is legal, and making drinking illegal everywhere else. This is sure to cause problems. Because of the way in which the Minister is handling this, the problems will not be for the Government but for the local authorities. I believe that the Minister is putting local authorities in a very difficult position. I believe also that the Minister would have done everyone a favour by retaining a situation in which the police had some discretion. They have a great deal of discretion when it comes to taking action for public drunkenness. They must make a judgment about whether a person is a danger to himself or others. The very same system could apply in the case of public drinking. A family picnic is obviously a lot different from a bunch of hoons who are making a public nuisance of themselves with a couple of cartons of beer.

Mr Gibbs: Why don't you tell that to the police?

Mr VEIVERS: It is a bit hard to find police on the Gold Coast; they are a bit overworked. Surely, what we are trying to get rid of here is the irresponsible consumption of alcohol in public. We do not want people wandering around the streets drinking, and we do not want gangs of louts terrorising people in areas that families visit on outings. Surely, the Minister could formulate a proper set of guidelines to allow socially acceptable drinking in places such as parks, foreshores and other picnic areas and still keep out the nuisance element. I include national parks in that. I believe that the Minister is lumping everyone together. Under this legislation, a man and his wife could be charged for having a glass of wine with lunch in a park, simply because the local

council has not got around to giving that the go-ahead. Many councils will not give that go-ahead, because the dispensation would also cover the louts. In his reply, I hope that the Minister will address some of these points. I know that there are a lot of worried people out there. That is why this legislation is being amended.

Mr Bredhauer: Rest assured he will address your issues.

Mr VEIVERS: The member has had his chance. I ask him to allow me to speak to this Bill uninterrupted. Some people like to have a quiet drink while their kids play, or while they watch a neighbourhood sporting event. There is no doubt that most members have done that at some stage. Many people in local government are also worried about the best way to tackle this problem and be fair to everyone. The second part of the Bill restores the ability of a licensee to recoup part of a licensing fee from the owner of the building in which the licensee conducts his business. I propose to support the restoration of an ability that should never have been taken away in the first place. It was removed against the wishes of the industry. That was expressed very vehemently to the Minister when the new Bill was being prepared, but the Minister and his advisers refused to listen and have caused a great deal of confusion, hardship and dispute between landlords and tenants of licensed premises. The time of the Parliament is being taken up with that particular matter, which should never have arisen. The Opposition supports the passage of this part of the Bill. On the issue of drinking in public places—the Opposition believes that the Minister should withdraw this section from the Bill and retain drinking in public places as the responsibility of the State. Local government authorities do not want the responsibility of adjudicating on that matter; and, quite frankly, they should not have to.

Mr WELFORD (Everton) (12.42 p.m.): I rise to speak in support of the amendment introduced by the Minister and I shall make a couple of brief points in relation to it.

Mr FitzGerald: You were wrong last time, weren't you?

Mr WELFORD: Firstly, it is regrettable that we must make this amendment. I supported the Bill in its original form. Contrary to the gratuitous interjection from the member for Lockyer, the Government was not wrong on that occasion; it was right. The 1992 Liquor Act treats the people of Queensland as mature, civilised human beings. This Government has accorded members of the community the respect that they deserve and is saying to them, "Look, it is ridiculous that a family gathering cannot occur in a park or recreational area if people are having a few drinks with a barbecue or something like that." This Government has done nothing other than treat the community with respect, and in a way that one would expect mature adults to be treated. There was no mistake about that.

I will tell members why I am supporting the proposed amendment. Firstly, it is very clear that some people in the community do not have that maturity. It is also very clear that there are some elements in the community upon whom we cannot rely to act in that mature way, but that alone would not be a sufficient reason to make this amendment if other elements of the law were properly enforced. When the previous Bill—now the Liquor Act—was introduced, we understood that if there were circumstances in which people did not behave responsibly in the consumption of liquor in public places, that matter could be dealt with adequately by the police. Specific examples of this have occurred in my electorate when complaints have been made to the police about the consumption of alcohol on a road or in a neighbourhood park. I have been told that the police have indicated to residents in that area that they cannot do anything because the Government has abolished Regulation 47 under the old Liquor Act. That is absolute nonsense! It is a matter of grave concern to me that police officers should start to purvey the view that they have no power to act against people who are misbehaving or disturbing the peace in the community simply because they do not have this particular head of authority that they previously had under the dubious regulation under the old Act. The fact is that there is ample authority under the Traffic Act and the Vagrants, Gaming, and Other Offences Act—matters which are currently being reviewed in the comprehensive review of police powers by this Government—which will retain for

police the power to act against people who are disturbing the peace or misbehaving in public. There is ample authority for police to act and control those events. It seems that some police relied on the view that, because the previous prohibition on drinking in public was removed, they could not do anything at all. It is unfortunate that we have been put in the position of having to reimpose a prohibition when in fact the police, if they had acted responsibly, could have controlled the situation as we had contemplated.

Contrary to what the member for Southport said, there is no public uproar about these amendments. There is simply a hiatus which seems to prevent the police, at least in their opinion, from acting to control the situation under the circumstances that we propose. So we are reintroducing the prohibition. No special onus or obligation is being imposed upon councils. If councils want to, they can do nothing. They are not obliged to designate any places as places where alcohol can be consumed. They can do nothing. If they do not designate any places, that practice remains prohibited in all public places. In that respect, the State is exercising its authority. The State has exercised its power to control drinking in public places. So there is no onus, no obligation and no special pressure on councils to designate any particular places if they do not want to. They can simply lie silent on the matter and the prohibition will be maintained, except if a liquor licence is granted by the licensing division of the Minister's department.

On those two points, the question of how the community responded to the way in which we accorded special rights and privileges under the Liquor Act and also to the way in which the police responded to the situation as they saw it with these amendments—we have been put in the position of having to reimpose the prohibition. But we have done that in a way which still leaves the option open—either through a liquor permit, a licence or the authority of a designated place under a local authority power—for people to be able to consume alcohol in a responsible way in public places as part of community and family recreation. I support the Minister in his responsible and responsive action in the circumstances in which the Government has found itself and I support the amending Bill.

Mr LAMING (Mooloolah) (12.48 p.m.): I am certainly not against some liberalisation of the laws regarding the consumption of liquor in public places. Others on this side of the Chamber have indicated that a drink of beer or wine at a picnic or a barbecue is most enjoyable. However, I am not convinced that this responsibility should be yet another one of the many that are being dumped in the lap of local government. A continuous array of legislation—particularly those responsibilities that are not very pleasant—is being dumped onto local authorities whether or not they agree with it and whether or not they are best fitted to oversee it. My first question is: has there been any consultation? I have spoken with the Local Government Association, and I believe that that body was consulted. That association felt that the amendment presently before the House is an improvement on the previous amendment, which was not very satisfactory to anybody. At least that consultation did take place. However, I believe that the time frame of that consultation was not adequate to get the process out to the people who ought to have had the most input into this legislation, that is, the local authorities.

Dr Clark: We spoke to the Local Government Association.

Mr LAMING: I accept the interjection. I have said that the Government consulted with that association, which is commendable. It would have been reprehensible if the Local Government Association had not been involved.

Dr Clark interjected.

Mr LAMING: If the honourable member makes her interjection clear, I will be able to answer it. Now that I know what she means, I point out that the time frame was not adequate to enable the Local Government Association to communicate with local authorities and get some sensible feedback. Therefore, it had to make its feelings on the Bill known to the Minister without the courtesy of being able to contact the local authorities.

This morning, I spoke with a mayor and his clerk. I found that they are very annoyed about the Bill. They believe that there has been no consultation—apart from the consultation that I was able to have with them, which was not the best because of time constraints. They have been in touch with the local police, and the police are not very happy about this amending Bill.

Mr Welford interjected.

Mr LAMING: I will tell the honourable member what the mayor's comment was. He said that the amending Bill was a disaster for his council and that it seems that this Government is hell-bent on dumping its problems onto local authorities. In the past couple of days the subject of prostitution has been discussed at length. It is a difficult area, and one which has been partially dumped in the lap of local government. But I will not discuss legislation that has already been debated. I want to discuss some of the reasons why I believe that local authorities will not be very happy with this legislation. There will be confusion in relation to tourist areas. One local authority might be quite happy to designate many areas within its control for the drinking of liquor and, for whatever reason, an adjacent local authority may not. I suggest that there are two reasons why this could be the case. Firstly, a very conservative bunch of councillors or aldermen might prefer not to have that responsibility and, secondly, they may not want to be involved in the policing of this Act and therefore choose not to designate areas. Tourists may visit a place—the Sunshine Coast, with three local authority areas, is a good example—where they can have a drink while picnicking in the park. While they are in that area, they may move across a boundary. They may not realise that they have moved from Caloundra to Maroochy, or from Maroochy to Noosa. Tourists could find that if they do the same thing tomorrow as they did today, they could get booked. So there is confusion.

Dr Clark: They can use their discretion as they have always used their discretion.

Mr LAMING: I will take that interjection. People do use their discretion. People using their discretion could find that they are enjoying the facilities that one shire provides for them on one day, and they are breaking the law the next day. That creates confusion. I believe that responsibility for designating areas for the consumption of liquor should rest quite firmly in the hands of the State Government, which can legislate for the whole State so that there is no confusion.

I would like the Minister to answer this reasonable question: if a local authority decides that it does not want to designate any areas within its control or area of responsibility where liquor can be consumed, will pressure be applied for uniformity? I think that that is a reasonable question and I would like it answered. Is there any likelihood that the police, who would normally be looking after this sort of thing, would say that a local authority has designated an area and leave it to the local government officer, be it the ranger or the dog inspector or whoever, to tell those people who are causing a problem to move on? I know it is human nature that if one arm of Government is responsible for changing or implementing laws, the other arm of Government does not want to police them. As I say, it is human nature, and I feel that that is what would happen. I would like the Minister to comment on that.

On the other hand, is it fair to expect police officers to control situations that could get out of hand because of the unwise designation of areas by local authorities? On considering the other side of the coin, the local government people might say, "Well, let's have this area a designated area and let's have this area a designated area." It is the police who are responsible to the State Government and who have to fetch and carry to make sure that their job is done. A large group of people who have been enjoying a drink up until midnight at a particular place might have to move on after that time. What about the people who want to have a quiet picnic or barbecue and who do not want to be confronted with people in the same public area who are drinking and gradually getting more and more intoxicated? Do they have to move away from the park if it happens to be a designated area? One could well find that the locals as well as the tourists do not have anywhere to go to enjoy outdoor recreation time. That is a problem

that should be considered. Will these designated areas merely provide an outdoor extension of hotel drinking areas? Will we see people falling out of hotels with a carton of beer, moving into the park—a designated area—and quite legally carrying on their activities, thereby driving away people who might otherwise have been enjoying that public area?

Dr Clark: The council in that case can address that situation. It is the council that can decide whether it will be a designated area. That does not have to occur. At the moment it is banned.

Mr LAMING: The honourable member says that the council will address that situation. I will take up the suggestion that the council would take this issue on board and address it. I am sure that the honourable member has had some local government experience. She should know who people will ring when they face this inconvenience. They will ring their poor, hapless alderman at 1 o'clock in the morning and say, "The park is full of drunks. Come down and move them on." Trying to find rangers at that time of night is very difficult.

Mr J. H. Sullivan: You haven't been in Parliament very long. It is you they will ring, not the local alderman. You will find out.

Mr LAMING: That is an even better reason why this legislation should be opposed. I think that I have raised some quite valid questions. Will the legislation really have the effect of requiring local authorities to put up "no drinking" signs at all the non-designated areas? There is a little bit of hubbub in the Chamber and I am nearly running out of time, but I would like the Minister to answer that question. Would it be the council's responsibility to have such signs erected and to bear the costs associated with that? A lot of signs would be needed, which I believe makes a nice park unsightly. The signs would have to be re-erected after continually being pulled down. That is a further cost and inconvenience to councils. What provision is made for under-age drinkers at parks at night? Are 16-year-old children who go to the park with their family allowed to have a drink with their family or not? From reading the legislation, I do not know whether they can.

Mrs Edmond: No, they are under age.

Mr LAMING: I take the interjection that they are under age. They would be considered under age on licensed premises. But we are talking about designated areas. Are these designated areas licensed premises or not?

Mrs Edmond: You are not allowed to provide alcohol to an under-age person.

Mr LAMING: I do not think that the interjector at the back of the Chamber has read the legislation, because it is not clear. I want the Minister to answer that question. What about 16 or 17-year-olds drinking in the park? Is that going to be illegal? They would not be able to drink on licensed premises. Will they be able to drink in designated areas?

Mr Gibbs: There has never been, in the history of this State, laws or legislation that prohibits under-age persons drinking away from licensed premises.

Mr LAMING: I thank the Minister for that answer. That is one of the other questions that I had. With that, I conclude my speech.

Sitting suspended from 1 to 2.30 p.m.

Mr BREDHAUER (Cook) (2.30 p.m.): I make it clear at the outset that I support the Bill before the House through which the Government seeks to address the concerns expressed by numerous people, especially local authority representatives, in respect of the earlier changes to the Liquor Act dealing with the consumption of alcohol in public places, and that is the issue on which I will be concentrating during my speech. By introducing the amendments that are before the House today, the Government has shown that it is prepared to listen to the concerns of the community. I think that response epitomises the difference between this Government and the previous

Government under the administration by the two opposition parties, which were never prepared to give appropriate consideration to concerns that had been aired publicly.

Mr FitzGerald: You might not believe it, but we did all that, too, and we had heaps of problems.

Mr BREDHAUER: That is right. The Opposition had to eat crow over Lindeman Island and a few other issues, but there were also a few problems that were solved by members such as the member for Lockyer who put their heads down and barged through like bulls at a gate. It did not matter how right or wrong they were; they just kept pressing ahead. I feel obliged, as the member for Everton did, to state my support for the original amendments that were passed by this Parliament. It is interesting that members of the Opposition shake their heads and say that they warned us, because my recollection of the previous debate is that members of the Opposition supported the changes that were being put through by the Government at the time. It is interesting that now, being somewhat wise after the event, they are acting so piously.

It is ironic that drinking alcohol in public places has become an important issue. I refer to an article that appeared in the *Courier-Mail* under the heading "Councils will decide public drinking rule". Evidently, at that stage State Cabinet had reversed a decision on legalising the consumption of alcohol in public places, but the headline may well have applied to the legislation that was passed by this Parliament some months ago. I have argued the whole time that local authorities have always had the capacity to decide on public drinking policy and that they have had the capacity to prohibit drinking in public places. I find it interesting that the shadow Minister, the member for Southport, can stand up in this Chamber and talk about legislation having been pushed through the House with indecent haste and now requiring amendment. I will be interested to hear the Minister's reply because, according to my recollection of the debate on the original Bill, the legislation was around for at least a couple of years in draft form before it was introduced. During that time, there was ample opportunity for members of the Opposition and interest groups throughout the community to provide feedback before the Bill was introduced.

The member for Southport referred to the problem of making local authorities responsible and shifting more responsibility onto local government in terms of making decisions on these matters, and his comments were echoed by the member for Mooloolah, Mr Laming. To be quite honest, I think there is some inconsistency in their arguments because local authorities have been asking the State Government to give them the capacity to designate areas in which the consumption of alcohol should be allowed or not allowed. I do not think the member for Southport can come into this Parliament and have two bob each way by saying that the State Government should accept the responsibility when local authorities have been asking to be empowered to control drinking in public places. The member for Mooloolah referred to the problem of one local authority authorising the consumption of alcohol in public places and another more conservative local authority not authorising it. I think that it is entirely consistent with democratic rights. If people who live in a particular area want to elect a council that has a particular view on that issue, the local authority should make its own decisions rather than have decisions imposed on it by the State Government. If the State Government made the decision, I am sure it would be accused of being centralist.

Another inconsistent statement made by the member for Mooloolah was that people could go to a particular park in a particular shire or part of a shire or local authority on one day and quite legally partake of a quiet drink of wine or beer but the next day find themselves acting illegally by doing the very same thing in another park in another local authority area. All I can say is that if the member has a problem with that type of inconsistency, he should go back to the changes made to the original Liquor Act that are being amended today. The way to resolve the problem he has described is by legalising drinking in public places and then prohibiting the consumption of alcohol in specific areas, which is what the State Government said should have been happening in the first instance. Generally, that would bring about a consistent principle that

responsible drinking in public places is acceptable. If a particular local authority wanted to prevent people from drinking alcohol in a particular public place, it could prohibit it and put up signs, etc., and people would then know quite clearly when they are in a public place whether or not they can drink alcohol. Thus the general principle would be that the consumption of alcohol is allowed unless a sign erected by the local authority states that it is not.

I now wish to discuss some of the concerns which have been expressed by local authorities and by some police officers. Unquestionably, some police officers have acted irresponsibly in terms of this debate. The article published by the *Courier-Mail* on 29 October, to which I referred earlier, stated that the Police Minister, Mr Braddy, and the Police Commissioner, Jim O'Sullivan, travelled around the State and heard some complaints by police officers that relate to these specific amendments to the Liquor Act. The police officers said that there were many instances of people littering, becoming a nuisance, urinating in shopfronts and letterboxes, or publicly in parks.

Mr Gibbs interjected.

Mr BREDHAUER: That was stated later on in the article, but I was not going to cite that part. Nevertheless, as the Minister has pointed out, this legislation will not do anything to change the behaviour of people who are littering, becoming a nuisance, urinating in shopfronts or letterboxes, and fornicating in hospital grounds, because those offences are not subject to the Liquor Act. Those matters are controlled by offence provisions under the Vagrants, Gaming, and Other Offences Act and offences under the Traffic Act. The amendments to the Liquor Act did not alter police powers to deal with those matters.

Mr FitzGerald: No, but it would lead to a higher number of incidents.

Mr BREDHAUER: I am glad that the honourable member mentioned that. He has a chance to join in the debate. I would like him to give me some statistical evidence that there has been a higher incidence of people behaving in a disorderly manner since the changes were made to the Act. It is a total furphy that has been perpetrated. People behave in a disorderly manner. The police have some discretionary power, as they have always had, to deal with operational matters, such as who they pick up and who they do not pick up for drunkenness. If the honourable member is telling me that, when the Government amended the Liquor Act, it suddenly turned on a tap and people started falling over in public places, making a nuisance of themselves and urinating in letterboxes, he is kidding himself.

I turn briefly to the role that some local authorities have taken in this issue, which I regard as shamelessly grandstanding on the issue. In particular, I mention the efforts of the Mayor of Cairns. Claims by the mayor that the incidence of public drunkenness spiralled after the new Liquor Act was passed—and this is what the member for Lockyer would have us believe—are just false. Claims by the Mayor of Cairns that the police have been rendered powerless to act on matters related to public drunkenness are false, and he knows it. Those and other claims amount to little more than a deliberate beat-up in an attempt to generate a political campaign against the State Government. So shallow was the mayor's campaign that he refused even to acknowledge that many of the police powers to control drunkenness, nuisance, obscene language and endangering the safety of oneself or others in public are not within the jurisdiction of this Act but are found in other legislation, such as the Vagrants, Gaming, and Other Offences Act and the Traffic Act.

The other simple, straightforward fact that the Mayor of Cairns was incapable of grasping or perhaps deliberately chose to ignore was that local authorities could easily have addressed any of the concerns about drinking in certain public places by using existing powers under the Local Government Act to prohibit drinking in those places. I alluded to that point earlier. The Minister advised the mayor time and time again how to deal with his reputed concerns, but the mayor chose to ignore that information. In an extraordinary twist, the mayor then discovered much to his embarrassment not only that the Minister was correct, not only that the council had the power under the Local

Government Act to prohibit drinking in public places, but also that the Cairns City Council already had a by-law which prohibited drinking in the city place, the main area of concern.

It gets better than that. Not only did the council have a by-law in place, but that by-law was passed by the Cairns City Council in 1984. For eight years, the Cairns City Council had a by-law which enabled it to prohibit drinking in a public place. However, that did not stop the Mayor of Cairns pushing a barrow on the front page of the paper or in the local news when he knew that he was absolutely incorrect in making those statements. The mayor's campaign has been exposed for the sham that it was—a blatant political attack against the State Government. That is all it was. The mayor claims to be politically independent, but he is no more politically independent than the shadow Minister, the member for Southport, or the Leader of the Opposition.

Mr Gilmore: Or you.

Mr BREDHAUER: Or me. The member for Tablelands is correct. He is no more politically independent than me. The difference between him and me is that I stand up here and say that I am proud to be a member of the Labor Party. He is a coward. He hides behind that facade of political independence that he keeps throwing up because he likes to try to assure the people of Queensland that his party keeps politics out of local government. In local government, the difference between members opposite and members of the Government is that the Labor Party runs endorsed teams proudly as Labor candidates. Members of the National Party do it surreptitiously. They stand up and hide behind the progress association or the ratepayers association. Those people are all paid-up members of the National Party, but members opposite say that they keep politics out of local government. They say that they do not run political candidates, that they are all independent.

I turn to a matter that really concerns me. Further, and not for the first time, the mayor's campaign has had more sinister and insidious undertones as a thinly veiled attack against underprivileged classes in our society around Cairns. In Cairns, as in other places, the unemployed, the homeless and others who draw little comfort from the social structures of the establishment are readily identified and made easy targets. I refer particularly to the Aboriginal and Torres Strait Islander people of Cairns. Condemning the casualties or those who do not comply with certain norms does nothing to address the underlying causes or recognise the differences. We cannot solve issues by driving them underground. I make a plea to the community of Cairns, to the mayor, to the council and particularly to certain sections of the media that they resist the temptation to sensationalise such issues and to marginalise people in our relatively small community around Cairns.

We have a responsibility to destigmatise the debate and to establish mechanisms to negotiate mutual areas of concern. The politics of cooperation and constructive reform are not simply more palatable than the politics of confrontation and debasing others, as we are finding in Victoria. It is not simply more palatable, but it is increasingly what is demanded of a better educated, more discerning and more aware community consciousness.

Mr Gilmore interjected.

Mr BREDHAUER: I take the interjection from the member for Tablelands. The polls in Victoria today are irrelevant. The sorts of protests——

Mr Gilmore: You know what the polls are and what the people are saying.

Mr BREDHAUER: I took the honourable member's interjection. I am telling him that it is irrelevant. The type of confrontation that is occurring in Victoria today should not be occurring. We should be encouraging the politics of cooperation and constructive reform, not the politics of confrontation, which epitomises the Government in Victoria and which epitomised the National Party's 30 years of shameful Government in this State.

Mr ROWELL (Hinchinbrook) (2.43 p.m.): In rising to speak to the Liquor Amendment Bill, I must say that I believe there is a close relationship between the tourism side of this portfolio and the liquor requirements. That is probably the principal reason why we saw the previous amendment to the Liquor Act and now the change back as a consequence of problems that have occurred with the Act. In the analysis that I make of what happened, a number of people in the Minister's department who were directly involved with the legislation were trying to replicate or emulate what happens overseas in places such as France and Italy where people can go to cafes on footpaths, have a glass of wine and generally partake of liquor without any interference. The problem is that there is a basic difference between the Australian society—particularly the Queensland society—and the European society, which is the type of society that this Bill seeks to cater for. Initially, people were not completely aware of what this Bill was all about. However, as time went on, it became apparent that there was some abuse of the existing legislation. I am not trying to denigrate the Minister; I am simply trying to say that perhaps some people were misguided about the existing legislation.

I would like to expand a little on the relationship between the QTTC and my area in the north. I think it has some relevance to this legislation. Tourism is directly related to the concept that this Bill embraces. I am concerned about the effort that the QTTC is putting into the north. There seems to be a degree of polarisation between major centres such as Townsville and Cairns. Although I come from an area that has some marvellous tourism attributes, it does not receive the level of support that it should. I ask the Minister to take that on board, because it is important. As time passes and people look further afield than Townsville and Cairns, the Hinchinbrook electorate will command some great interest. At present, that area faces problems from the conservation movement. I am speaking more of the radical conservation movement, because it has a "lock it up and throw away the key" attitude. If that attitude prevails, many of the benefits that flow from tourism, which will earn dollars for this State, will cease to flow. I do not know for how long we will go along this track. It seems that the pendulum probably will start to swing, and it appears to be going that way at present. In the Minister's role as Minister for Tourism, he also has responsibility for liquor licensing. It is worthy of note that many areas in this State have great value as tourist destinations, but there is a conflict between the conservation movement and tourism.

The Minister started to tinker with the previous legislation. If something needed to be fixed, he had to keep on fixing it. That concept did not work particularly well. In the old legislation, police had a fair degree of discretion. I think the unwritten law was that if people were enjoying themselves by having a beer in a park or on a beach and not causing any problems, the police would not apprehend them, irrespective of what the law of the day was. I think we have moved away from giving the police those discretionary powers and tried to nail things down too tightly. If the system does not have latitude to allow discretion, it is inevitable that draconian laws will be made. It is possible that people will abuse those laws. However, if the police have a discretion and the power to apprehend somebody who is not adhering to conduct that is reasonable and fair, people will not abuse the laws. We seem to be getting deeper and deeper into the mire in trying to legislate our way out of every problem that exists.

Consumption of liquor is prohibited on roads and in malls, urban parks, doorways and vestibules. Included in that would be beaches. I think that provision is very commendable because we certainly would not want to see beaches littered with bottles and tins. For an offence against that section, the penalty is one penalty unit, which is a fine of $60. That is a barely adequate penalty, although I realise it depends on the nature of the offence. There seems to be a bit of inconsistency in the legislation because national parks and other reserves are areas in which it will not be an offence to consume liquor. I understand that if the consumption of liquor is allowed in those areas, a considerable amount of littering may occur, and that would not be desirable.

It seems that a tremendous onus has been transferred to the 134 councils throughout the State in designating defined areas. The councils will have to pay for advertisements containing a description of the area in which alcohol may be consumed

and the times when that area will be used. Quite a cost will have to be borne by the councils. I do not know how such a provision will be enforced. Once an area has been defined, will there have to be a dotted line along the ground? How will a park area be defined so that people can go there, sit down and enjoy a beer or a glass of wine and have a picnic lunch with their family. I think that the costs that the councils have to pay and the problems associated with trying to administer that provision could be quite considerable. Signs also have to be erected advising people of the designation of the area. Who pays for the signs? I expect that the councils would. What will be the system for collecting fines? Who administers that? I expect that the councils will. These are the sorts of things that the Minister may be able to respond to.

When an offence is committed, who actually collects the fines? The Queensland Government collects the liquor licences. Does it also collect the rewards, I suppose they could be called, when an offence is committed and someone is fined? Yet the councils are really the ones that are directly involved in administering the areas and erecting the signs. In the event that the designation for a certain area has been repealed, the councils have a requirement to advertise that fact to ensure that people are not caught out simply because the designation of an area has changed.

Families who are travelling around this State may not be able to locate the designated areas in which they can enjoy a drink together. During school holiday periods, enjoying a drink together is quite a common practice. Families who are travelling around the State will seek out such places so that mum and dad can spread a blanket on the grass and enjoy a bottle of wine, and the kids can have their soft drink. Does the Minister propose that a map will be drawn up which sets out the designated areas around the State? If such a map were provided, tourists would know in which areas they can enjoy a beer or a glass of wine.

A Government member interjected.

Mr ROWELL: Signs will only appear in certain areas. If tourists do not happen to come across those signs, they will not be able to locate the designated areas. Who will pay for those great big signs? Will local authorities have to pay for such signs?

Mr Beattie: In your area, they will be bigger than most.

Mr ROWELL: Bigger than most? Who will pay for those signs? Local authorities will probably have to foot the bill. I am trying to be practical. If areas are to be designated in this manner, perhaps a brochure should be published which shows the designated areas in which people are able to enjoy a beer.

The police will face some difficulty when attempting to administer designated areas. They will have to watch such areas very closely. On a regular basis, parties will occur in those areas. They will become a congregation centre for some of the local hoons; a location in which they will sit down with a couple of cartons and spread rubbish all round the place. Local authorities will have to include litter provisions in their by-laws. Because of those designated areas, local authorities will face extra costs. A nuisance officer or a police officer will have to patrol those areas on a regular basis. Who will actually administer those areas? In that regard, the Government has abrogated its responsibility.

Mr Stephan: It is passing it on to the local authorities.

Mr ROWELL: I agree; the Government has passed those responsibilities on to the local authorities.

Mr WELFORD: I rise to a point of order. This is tedious repetition. The honourable member is merely repeating himself.

Mr DEPUTY SPEAKER (Mr Briskey): Order! I call the honourable member for Hinchinbrook.

Mr ROWELL: I thank you for your protection, Mr Deputy Speaker. The Government's abrogation of its responsibilities certainly must be taken into account. The Government has a responsibility to inform the relevant local authorities as to whether

they are required to share in the costs of administering the designated areas. Does the Government intend that the police will carry out that role? Is the local authority required to provide a special inspector, or will a dog inspector or a nuisance inspector round up people who are making a nuisance of themselves? Is that a possible future scenario?

I turn now to the licensing fees provision. One of my constituents who is a hotelier was experiencing some financial difficulty and was unable to pay his licensing fee. He approached the Licensing Commission. As a result of the provisions that were introduced under the previous Liquor Bill——

Mr Gibbs: He never went to the Licensing Commission at all. There is no such thing as a Licensing Commission. It has gone.

Mr ROWELL: That fellow spoke to someone in the Minister's department. The trouble is that the Government changes the names of the departments so often that it is difficult to keep track of them. This Government constantly creates new positions and staff are always being transferred from one section to another. Opposition members have great difficulty in reaching the appropriate departmental officers. I try to do my level best for my constituents.

Mr Veivers interjected.

Mr ROWELL: The honourable member really did not need to bring that up, but that did occur. He was a very decent chap, I might add. We are very good friends. I place on record my concerns in relation to the licensing fees. I hope that the difficulties experienced by my constituent will not be repeated. I am not absolutely sure what is the effect of these amendments. The fact remains that the constituent to whom I referred certainly experienced a great deal of distress because he could not pay his licensing fee. He had put his heart and soul into saving enough money to purchase a hotel licence.

Mr Beattie: You're not saying he shouldn't pay his fees, are you?

Mr ROWELL: No, I am not saying that. I believe that some compassion should be shown in extenuating circumstances. From time to time, rural electorates such as the one I represent experience difficulties. People have to work seven days a week or 13-day fortnights to harvest their crops. A hotelier in such an electorate will find that, during such times, people do not go to hotels because they have very little time in which to have a beer and enjoy themselves. As a consequence, the hotelier does not do much trade, which severely impairs his ability to pay the fee. In future, I hope that, irrespective of the laws that may be passed, the Government exercises some discretion——

Mr Beattie: Compassion.

Mr ROWELL: "Compassion" could be another word for it. Discretion is also an appropriate word. The Government should show some discretion and compassion—let us put the two of them together—so that people who are experiencing great difficulties in rural areas because of drought——

Mr Welford: I think you're trying to waste the time of the House.

Mr ROWELL: I will take that interjection. The honourable member is telling me that talking about my constituents, who are experiencing hard times, is wasting the time of the House. Is that what the honourable member is saying to me?

Mr Welford: You are just wasting the time of the House.

Mr ROWELL: The member's presence in this House is a waste of time. I wish to conclude my speech on that note.

Mrs ROSE (Currumbin) (3 p.m.): I rise in support of the Liquor Amendment Bill 1992. It represents the Government's sensible and consultative approach to liquor legislation. In the electorate of Currumbin and, indeed, on the Gold Coast as a whole, in some cases, the consumption of alcohol is an integral part of the hospitality and tourism industries. The challenge for this Government has been to repeal legislation which was

cumbersome and lacking in relevance, and to create a new Act which is based on the interests and concerns of all sectors of the community.

This legislation signals the achievement of a sensible and balanced medium. I wish to commend the insertion, by this legislation, of the new Division 4 into the Act. That part of the Act relates to the consumption of liquor in certain public places, which is of great importance to the community, in particular, the people of the Currumbin electorate. Public drinking is a continuing concern for the residents and authorities in the southern area of the Gold Coast. The Gold Coast is a holiday destination for many thousands of visitors. Consequently, and particularly at this time of the year, the potential exists for drunken revellers in the streets. Recent articles in Gold Coast newspapers have labelled Surfers Paradise as "Slurpers Paradise". That reflects the emphasis that is placed on alcohol in recreational activities in the area. Traditionally, at this time of the year, the Gold Coast has been a place for young school leavers to go to celebrate the completion of their studies. Drunken and irresponsible behaviour in public places on the Gold Coast is often the result of the influx of people into the area and an atmosphere of relaxation and recreation.

This legislation is the result of the Government's continued emphasis on community consultation. Since the introduction of the Liquor Act 1992, the Government has consulted with interested groups, such as police, local councils and licensees. Those consultations revealed the concerns that those groups had about the amount of drinking that takes place in public areas. There was a particular fear that the amount of drinking that is taking place on the Gold Coast may drive families and holiday-makers away and that it would lead to an increase in the incidence of antisocial behaviour. Those concerns have been recognised, and they have been addressed by the Government in this Bill. This legislation prohibits the drinking of alcohol on roads and in public places without a permit or licence. The most significant provision within the legislation is that which gives the power to local councils to decide in which public areas drinking will be permitted. That means that the granting of permits to allow the consumption of alcohol in a public place will be based on the wishes of local people.

To ensure that consultation occurs, local authorities will be required to advertise in newspapers the places in which public drinking will be permitted, if that public drinking is to be for more than one day. In addition to that consultative process, the local authorities must also affix signs to identify areas for which permits have been granted and must advertise again if the permits are repealed, and the signs subsequently removed. In granting a permit, the local authority may also designate the hours between which the consumption of alcohol may take place. It must be emphasised that individuals will have recourse through the local authority which has granted or repealed a permit to voice their opinion about the consumption of alcohol in certain public areas, which they believe may have an adverse effect on the community.

Prior to the introduction of this legislation, drinking in public places was prohibited. This legislation reflects the concern that civilised drinking should be allowed to take place at family picnics and other such gatherings. As I have said, the Government entered into a process of consultation with the community on the ramifications of the new provisions, and it sought to engender a medium. This legislation represents that medium and it also represents the Government's success in achieving legislation that is truly a product of the concerns of the people. It will see liberty granted to legitimate occasions for the sensible and appropriate consumption of alcohol to take place. However, it will stop the uncontrolled consumption of alcohol in public places, which leads to drunken and antisocial behaviour and may endanger members of the community.

In light of this legislation, it is disappointing to read the recent comments that were made by the member for Broadwater in the *Gold Coast Bulletin*, which reflect the campaign of smear and scaremongering that was undertaken by the National Party-led coalition during the lead-up to the September election. The member for Broadwater and other members of the National Party do not understand what community consultation in

legislating means. They also do not understand the difference between sensible and balanced policy, and draconian and cumbersome policy.

Before the Goss Labor victory in 1989, cumbersome policy was the trademark of the National Party Government. Essentially, this Government has acted in a responsible manner. The Opposition should take note of this Government's successful record of acting with accountability and consultation with the community in order to create relevant legislation. This amending legislation marks the completion of a process undertaken by the State Government this year to formulate sensible and balanced liquor legislation.

I will reinforce my point by citing a recent article in the *Courier-Mail* about the new liquor legislation, which stated—

". . . to give credit to where credit is due, Tourism Minister Bob Gibbs has done a fine job of keeping the new legislation on track . . ."

The insertion of new section 249A through this legislation recognises and preserves the rights of the licensee. Under this amendment, section 18B of the repealed Act will continue to apply in every case to which it applied before 1 July 1992. This amendment allows a licensee who rents or leases licensed premises to obtain relief on the amount of rent that has been paid. Again, this represents the completion of a process of community consultation in legislating.

The Government appreciates that there is a potential for licensees who lease or rent the licensed premises to be severely disadvantaged. This Bill will protect those licensees from such a difficulty. Licensees around this State were consulted about the introduction of the provisions of section 18B into the Liquor Act, and will now benefit from having voiced their concerns and having been listened to by the Government. Licensees now have an Act that has been made relevant, and not only addresses the concerns of the community with regard to the consumption of alcohol but also addresses the commercial viability of licensees.

The tourism industry plays an important role in the continued viability of areas such as the Gold Coast and, of course, the Currumbin electorate. A key industry such as tourism can only benefit from reforms and amendments to liquor legislation. On the Gold Coast, these amendments will not allow uncontrolled drinking to take place in public, and thus cause a decline in the area's attractiveness to tourists, but will continue to recognise the financial plight of licensees. As I said earlier, at this time of the year the Gold Coast is particularly attractive to school leavers from all over the State who wish to celebrate. Unfortunately, the consumption of alcohol is a temptation to the many minors among the ranks of Year 12 graduates. Fortunately, our legislation is making it increasingly difficult for minors to obtain and consume alcohol. These amendments serve to strengthen the Goss Labor Government's tough stand against under-age drinking by taking away the opportunity for minors to consume alcohol in places where procedures of age identification may not be in place. I commend the Minister for introducing this Bill to the House.

Hon. V. P. LESTER (Keppel) (3.08 p.m.): Although other members have spoken at length, I shall make my comments brief. Concerns have been expressed to me about these particular amendments as they relate to the Rockhampton Mall. There are also potential concerns on the Capricorn Coast. Indeed, I took the opportunity to visit the Gold Coast, because I was told that a great number of problems have been experienced there. I found that problems do exist in the Cavill Avenue Mall and in some parts of Coolangatta. That demonstrated to me the sorts of problems that could arise on the Capricorn Coast. In fact, during "schoolies week", a problem did arise in that area. This morning, I received a phone call from Mr Cummings of the Emu Park Hotel/Motel. He told me that some schoolies, to whom he had refused accommodation because of what they might do to his motel rooms and the hotel in general, had thrown bottles into his swimming pool. As a result, there was broken glass in the pool, and that had created all sorts of trouble. Those schoolies had thumbed their noses at Mr Cummings and pointed out that they could drink wherever and however they wished to.

Many representations have been made about this legislation as it relates to the Rockhampton area. This issue arose prior to the last State election. Certainly, it cost the Labor Party votes and helped it to lose the seat of Keppel. I can understand how this situation has come about. To be fair, I must point out that the Government tried to create a situation in which a person who was not an inconvenience to the public could have a glass of wine on a beach or in a park without breaking the law. In the past, law enforcement authorities turned a blind eye to this sort of activity. However, since this legislation was first introduced, all sorts of difficulties have arisen. The Government has now moved to make the policing of this legislation the responsibility of local authorities. I believe that the Government is abdicating its responsibilities. It will cost local authorities a lot of money to police this legislation. It will create all sorts of difficulties for the administration of local authorities and, indeed, for aldermen, councillors and others. They will wear the flak, because the Government has not had the guts to do something about this itself. It does not have the guts to admit that it has made a mistake; so it wants to give to local authorities the responsibility of policing this legislation. This Government will let them wear the flak. Because this exercise will cost money, there will be more trouble.

The Government cannot claim that this change will cost local authorities nothing. For example, because of bashings and whatever in the Rockhampton Mall, the local authority has had to employ bodyguards and guard dogs. This issue has irked the people of Rockhampton, who realise that the Government should be doing something about this problem. Why should local authorities have to do the job of the police? That is really what it amounts to. This Government has a responsibility. I realise that the problem is difficult of resolution. I do not run away from that. However, I believe that the Government has gone the wrong way about resolving it by throwing the responsibilities onto local government. I would like the Government to reconsider this issue and let local authorities get on with the job of fixing up streets, collecting rubbish, erecting buildings and whatever—not doing the jobs of the policemen and policewomen of the State of Queensland. Under this legislation, people will not know what the law is from one local authority to another. Innocent people who are doing the right thing will be caught up by this legislation and will find that they are in trouble because they have had a wine in a park and did not know what the law was. One member mentioned signs. Who will pay for all those signs? They will cost a lot of money. Once again, the ratepayers will be imposed upon. I am simply saying to the Government, "Have another look at this legislation. We have a problem. Let's try to sort it out. But don't throw it back onto the local authorities."

Mrs BIRD (Whitsunday) (3.14 p.m.): It gives me pleasure to take part in the debate on the Liquor Amendment Bill. As honourable members would be aware, twice before I have been pleased to see this Act amended. On the first occasion, I was quite satisfied with the Act. After the review, it was amended, and I was again pleased by that change. I am also pleased with this amending legislation which, though simple in nature, is none the less significant in its content and effect. In essence, the amending legislation hands control of permits and consents for drinking in public places to the local authorities. On a number of occasions in this place, the Premier has said that Queenslanders like a cold beer on a hot day. Because of climatic conditions in this State, the culture of outdoor recreation—the barbecue and the picnic—is fairly high. Our hot, humid climate lends itself to that lifestyle. Of course, the further north one goes, the longer the beer and the more frequent.

In an electorate such as Whitsunday, with its diversity in occupations and industries, there is an equally diverse opinion on the benefits or otherwise of the previous amendments to the Liquor Act that made it no longer illegal to carry or consume alcohol in public places. In the residential area of North Mackay, for instance, the opinion may be that outdoor sport, recreation and barbecues ought to be free from bans on public drinking. In the Whitsundays—especially the islands and the village of Airlie Beach—the demand would be for a free go on footpaths, beachfronts and picnic spots. I understand that some commercial sectors of Airlie Beach expressed great

delight at, and celebrated in the street, the amendments that were made to the legislation in June/July.

In the mining community of Collinsville, where shift work is hot, dry, heavy and dirty, it is certainly a case of having a drink wherever and whenever possible, and as much and as often as is necessary. On the one hand, everybody was tremendously relieved by the previous adjustments to the Liquor Act. Finally, what we had been doing for 20 or 30 years was suddenly legit. We were able to drink anywhere and everywhere, and whenever we wanted to, and we were quite relieved by that. On the other hand, now that the new legislation had received so much publicity, we were a little concerned and nervous about the possibility of overdrinking, violence and public boisterousness. Three Airlie Beach operators have publicly expressed concern at increased public misbehaviour. Local authorities became so concerned that they investigated the possibility of introducing their own by-laws to deal with any problems, including loutish and drunken behaviour. In common with other councils throughout Queensland, my local council was aware that drunkenness was still an offence. The local authorities also recognised that they are in the best position to control the situation. The Government has agreed with that position, and these amendments to the Liquor Act will make it easier for councils to control drinking in public places.

The amending legislation will mean that it will be illegal to consume liquor in a public place unless the area is designated by the local authority. Local authorities in my electorate have welcomed the changes to the Act that will empower them to stop people roaming the streets with alcoholic drinks in their hands. They welcome the opportunity to target problem areas. There can be no opposition to local authorities being given power to decide whether or not drinking is allowed in public places under their control. Local authorities, with cooperation from the community, with their knowledge of local culture, practices and attitudes and the concentration of population, are best suited to take a broad-based approach to control and regulate local public drinking locations. Only a local authority has the opportunity to assess anticipated populations and the potential for nuisance, violence or negative environmental factors.

For the interest of members, I point out that one council—the Ipswich City Council—has targeted drinking motorists and passengers by introducing a new by-law banning drinking in vehicles. That council has a problem similar to the one experienced by local authorities in my electorate, that is, young people parking and consuming alcohol in a public place. We must not assume that the previous review of the Act stimulated the problem, nor that this amending legislation will overcome the problem. However, it may help to contain it. As well as allowing consents or permits for drinking in a wide range of public places, local authorities are showing that they wish to have the responsibility to restrict, deny or designate places for liquor consumption and abuse within their own boundaries.

I congratulate the Government on this amending legislation. I express also some pride at the fact that the Minister heeded the expressed concerns of local authorities, police and organisations and responded with this amendment to the Liquor Act.

Hon. R. J. GIBBS (Bundamba—Minister for Tourism, Sport and Racing) (3.20 p.m.), in reply: I thank honourable members for their contributions to the debate. Some of the contributions were constructive. However, as usual, the contributions of some members revealed that they were poorly informed. I will deal initially with comments made by the Opposition spokesman, the member for Southport, Mr Veivers. Some of these matters have been mentioned before, but it is worth while repeating them. Firstly, to have said that the legislation in its original form was forced through the Parliament is utter nonsense. It was passed by this Parliament after a program of consultation which took three and a half years and involved numerous discussions with local authorities, police, other law enforcement agencies, social welfare organisations, the liquor industry, and religious bodies. When the legislation came before the Parliament, it reflected what those people wanted.

One matter that was taken into consideration when we introduced the legislation was that the Royal Commission into Aboriginal Deaths in Custody had recommended that the offence of public drunkenness be decriminalised. We did not adopt that recommendation simply because we did not believe that adequate programs or safeguards were in place at that time to allow that to happen. However, the Government put a sunset clause into the legislation which basically meant that by June or July of next year, when a further review of this Act is carried out, that offence would be decriminalised, provided that adequate provisions are in place. Some of my ministerial colleagues are currently working on programs such as that. Let me give this assurance to the House and to the public: unless there are adequate programs in place to deal with that issue, and until such time as I am satisfied that we are well placed to ensure that it will not cause a problem, we will not be proceeding down that track. However, as a result of the recommendations and the direction, generally, we believed that a response was warranted by the Government. It was with that issue in mind that we decided to go down the track of ensuring that reference to consumption of liquor in a public place was taken out of the Liquor Act so that it would be a much more manageable system—and, quite frankly, a much more civilised system for our community generally.

Somebody made the comment before that it is a shame that we even have to come back to the Parliament with this amendment today. I totally share that point of view because I, too, find it disappointing. If I genuinely believed that the legislation was wrong, I would say that it was wrong, but it is not wrong. I will tell honourable members what went wrong with the previous legislation. I will not get into an exercise of bashing local authorities or police throughout Queensland. However, I make the necessary point that the ignorance and the total lack of responsibility displayed in relation to this issue by some members of the Queensland Police Service could only be described as appalling and disgraceful. Throughout this State, we have had cases of police officers who did not even know what the previous Act was. They attended public meetings, picked up the old Liquor Act that had operated in this State for almost 45 years, and read it verbatim to the public meetings. They were not even aware that this Parliament had made significant changes to the Liquor Act. They were out there blaming the Government of the day for people supposedly running amok in the streets, being drunk and sick, etc. One woman on the north coast wrote a letter to me complaining about the fact that this has led to a sudden offshoot of an incident that she said had happened two years in a row. She said that during "schoolies week" last year, four drunken, naked youths ran through her yard in a state of intoxication. However, because we had changed the Act, this year the number of naked youths running through her yard in an intoxicated state had doubled to eight. This was before "schoolies week" had even started! I will tell honourable members what happened as a result of that. In a typical and expected reaction from the Liberal Party and, particularly, from the Leader of the Liberal Party—the Deputy Leader of the Coalition—Mrs Sheldon raced out and made a public statement. The editorial of the *Sunshine Coast Daily*, which was headed "Just the facts please", stated—

> "The Sunshine Coast may not be the most peaceful, law-abiding community in the world, but it is far from the frightening, lawless place that Liberal leader Joan Sheldon painted yesterday."

The article continued—

> ". . . Mrs Sheldon portrays a quite inaccurate picture of the Sunshine Coast, and does potential harm to the local tourism industry.
>
> While there have naturally been incidences of crime and intimidation on the Coast, North Coast regional police inspector Bob Atkinson gives a much more accurate picture when he reports that his region—of which the Sunshine Coast is a part—recorded the second-lowest rate of personal violence offences in the latest police statistics."

The article continued further—

"But we must not lose sight of the fact that we live in one of the safest tourist destinations in Australia."

The Leader of the Liberal Party made these inane public comments because she thought that she could beat this up into a public issue. Obviously, the local media did not agree with her.

We have had numerous occasions when the police have been, in my opinion, irresponsible in this regard. As one of his final acts as the Commissioner of Police in Queensland, Noel Newnham—just before he left that position—issued a press statement and wrote to his officers, saying that it was an absolute inaccuracy on their part that they did not have adequate laws under which they could act if there was a perceived problem publicly. The simple fact is that under that previous legislation and under this Bill that we are debating today, if there is a problem in relation to minors drinking in a public place, the police have more than adequate powers to take action under the Children's Services Act. I repeat that under the Children's Services Act the police have adequate provision to take necessary action against minors drinking in a public place. In relation to adults who are in a public place and who are drunk—the offence of public drunkenness is still in the Act. The police have adequate measures now to be able to look after that. As a backup to that—even if we took it out—the police still have adequate powers to act under the Vagrants, Gaming, and Other Offences Act. That Act states quite specifically that if one is in a public place, exhibiting offensive behaviour, unruly behaviour, or behaviour that can be damaging to oneself or damaging to another person, then the police can act. It has been a total fallacy of those members of the Queensland Police Service who claim that they have not been able to take adequate action.

I believe that the second issue arises from a very deliberate campaign by a handful—and I emphasise "a handful"—of local authorities throughout Queensland which have seen this as a political issue that will enable them to jump on the bandwagon and score some points. There is no worse or more dishonest practitioner of that shabby exercise than the Mayor of Cairns, Kevin Byrne. His reaction has been totally repugnant. For any person in public office to have conducted himself publicly the way that he has is a disgrace and does very little to reflect credit on the generally good performance of people in local authorities throughout this State. I will say more about the Mayor of Cairns. Officers from the Liquor Licensing Division travelled throughout the length and breadth of this State talking to police officers, community organisations, clubs, hoteliers and any person in the community who wished to come along to public seminars that were intended to make all those organisations au fait with the provisions of the Liquor Act. The reaction to those seminars was excellent, and throughout many areas of Queensland, many local aldermen, local council officers and mayors attended those gatherings. However, when my officers went to the City of Cairns, the mayor would not make himself available to sit down with them and have explained to him what it was about.

Mr Bredhauer: Because he didn't want to know.

Mr GIBBS: I take that interjection. The honourable member is absolutely right. He did not want to know because he wanted to be scoring cheap, political points and making a prime fool of himself while he was doing it. In fact, I am advised by officers of my department that they met with the Deputy Mayor of Cairns who sat down, gave them some time and, as I understand from what has been reported to me, basically asked hardly a question about the Act or anything else. Although the offer was made, the mayor chose not to be involved.

Mr FitzGerald: And you had to bring it up again.

Mr GIBBS: Has the member for Lockyer been taking his little fox terrier pills again? The big problem for the little barking dog opposite will be that one morning he will mistake the Leader of the Opposition for a tree. The member for Southport referred to section 18B but, again, I have to say that he got it wrong. Section 18B was taken out of the new Liquor Act at the specific request of the Queensland Hotels Association. No

oversight in the drafting occurred and there was nothing wrong with the Bill. The QHA made that recommendation. As the honourable member would well know, having put that legislation through the Parliament, I came back with an amendment and discussed it with him just prior to the last State election. I brought forward the amendment, and I sought his permission. He agreed, as did the Liberal Party, that the legislation would be passed through all stages to remove an anomaly, which the QHA later also discovered, which the Government was prepared to remove. The member for Southport has said that the Government removed the section because it did not know what it was doing, but that is totally incorrect. We should get that straight in the first place.

The member for Mooloolah, Mr Laming, raised a number of points which he has asked me to clarify, and I will do that within the time available. He referred to a lack of consultation, but that is incorrect. There was extensive consultation before this amending legislation was brought before the Parliament. The amendments were drafted in consultation with not only the Local Government Association but also the police force and numerous local authorities throughout the State. I simply make the point that if the Government cannot consult with the Local Government Association and then take what that organisation is saying as representative of the overall views of local authorities, I do not know where Governments should go to consult. I will say here and now that I am not going to waste my time sending officers of my department to 132 local authorities in Queensland to find out what they think.

Mr Veivers: There are 134.

Mr GIBBS: All right, 134. Let us get some rational thinking and common sense into this debate. The reason why the Government needed to pass this legislation as quickly as possible is very simply explained. It has been done at the request of two organisations, namely the Local Government Association and the Queensland Police Service. If it could have been done sooner, I would have done so, because this week is "schoolies week". I would have liked to have had the legislation in place earlier, but that was not possible. However, the other reason why the legislation had to be finalised this week is so that it is in place prior to the Christmas break to give local authorities the opportunity of putting its provisions into effect. The honourable member also expressed his concern about a lack of uniformity. He wanted to know what would happen if one local authority decided to signpost various areas in which people can drink alcohol in a public place and a local authority in some other region decides to be very conservative and not allow that to happen. The member is concerned about uniformity, but if there is no uniformity in the policy, that is simply not the fault of this Government.

Mr Veivers: But you are putting the onus on them.

Mr GIBBS: There is one thing that the member for Southport must realise: the process that is being undertaken in this Parliament today has come about specifically because of the actions on and reactions to this issue by local authorities throughout Queensland. Local authority representatives are no different from the honourable member or me except in relation to jurisdiction. They are elected people; they have a responsibility, and they must carry it out. The Government is saying, "Here it is. You wanted to control this matter. You are the people who want designated areas in local authorities in which people can drink in a public place." There can be no better group of grassroots representatives who are in a better position to determine that matter than those in local authorities. Why should the State Government have a decision of that nature made by the bureaucracy? What am I supposed to do—have officers of my Liquor Licensing Division sitting around handling requests from 134 local authorities in Queensland who want to designate nine or ten sites in the local authority area in which people can have a drink in a public place? My response to that is, "No thanks. We don't need the paperwork." The local authorities wanted to be able to make the decisions, and they have been given the capability.

I do not know what was raised by the member for Hinchinbrook, Mr Rowell. I was as confused as anybody else. At best, his speech could be described as a rambling diatribe. He referred to a lack of proper promotional exercises by the Queensland

Tourist and Travel Corporation in his electorate. I assume that is a reference to a problem about an unsealed road that he raised with me some time ago. Not enough people were going down that road to see a waterfall. I do not know what the QTTC is supposed to do about that. The honourable member raised the issue of licence fees. He will be delighted to know, as I am sure that all members of this Parliament will be delighted to know, that the collection for the last round of liquor licences for hotels in Queensland finished on Monday of this week and, for the first time in 35 years in this State, with the exception of one licensee, all licences have been paid on time. That money will now be able to be used for its proper purposes, that is, providing services for the public throughout the State instead of allowing that minority group within the hotel industry, who bludged off the backs of their own colleagues in the industry for so long, to put me in the embarrassing position of having to take $1.5m in write-off fees to Cabinet over the past 12 months. That will not happen again. That problem has been fixed.

Mr Littleproud interjected.

Mr GIBBS: No, it is not the hotel in Roma. I will not say where the hotelier is. That would be breaking a confidence. Mr Lester—what can one say? He tried to be a bit responsible. He was his flamboyant self.

Government members: Just blamed the kids.

Mr GIBBS: He blamed everybody except himself. When the honourable member spoke about the fact that the Rockhampton City Council now has to use guard dogs in the mall because of the dreadful laws implemented by the Labor Government, I thought that, in some ways, that was not too bad. Maybe the council could retrain the dogs that the pound confiscates and those dogs could play a dual role and serve a useful purpose. That is probably not the real answer to it. The member tried to make a cheap point, again.

An honourable member: You like your dog jokes, don't you?

Mr GIBBS: You would know, Rover. I have answered the questions. I thank all members, as I said, for their contribution this afternoon, particularly members of my committee, who, as usual, certainly showed their knowledge on the issue because they did their homework.

Motion agreed to.

Committee

Hon. R. J. Gibbs (Bundamba—Minister for Tourism, Sport and Racing) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Insertion of new clause—

Mr VEIVERS (3.42 p.m.): I move the following amendment—

"At page 4, after line 9—

insert—

'Amendment of s.156 (Liquor prohibited to certain persons)

'3A. Section 156 (2)—

omit 'on a street or place adjacent to premises to which a licence or permit relates',

insert 'in a public place'.

'Amendment of s.157 (Prohibitions affecting minors)

'3B. After section 157 (2)—

insert—

'(3) A minor must not—

(a) consume liquor; or

(b) be in possession of liquor;

in a public place

Maximum penalty—25 penalty units.'.'."

The amendment provides for a ban on the supply of liquor in public places to minors. When the Minister was speaking about that, he said that the police have authority under the Vagrants, Gaming, and Other Offences Act to police that matter and to pick up those people. The police have not done that. The Minister pointed that out. So a specific provision must be put into the Act so that the police will do it. I want to, firstly, ban the supply of liquor in public places to minors and, secondly, prohibit the consumption of liquor by minors in public places, that is, those places declared by councils to be wet areas. I have to go through this, and I will explain this to the Minister. I really wanted to forget about that and then get to the local authority aspect and throw that away so that the Minister could bring this in——

Mr Gibbs: This is your first amendment?

Mr VEIVERS: Yes, this is the first amendment. A minor can be drinking a bottle of rum in a park somewhere and the police will drive past. This is part of the position with police that the Minister should be correcting. The police do not pick up that minor. They will not go near the child. That is the case with minors.

The Minister said that the police have the power to apprehend minors, although he also admitted that some police do not even know that they have that power. If police are to be given the power to stop minors drinking in a public place, that should be contained in the Liquor Act. It is that simple. There is not a lot to talk about. All members opposite would agree that they do not want to see minors drinking. I know that that is true of the Minister as well. Unfortunately, the police will not abide by the letter of the law that they have been given in other legislation besides that relating to liquor by picking up the child, going and seeing the parents and doing something positive. That is what I want to stop. It is the very thing that the Minister mentioned concerning "schoolies week" down the coast. Many of the people who participate in that week are minors. The minors get the senior guys at the prom to go in and buy the beer, then they go away and lay into it. I do not like that. I know that the Minister does not, either. No-one in this Chamber likes it. However, the Liquor Act must contain some rules and regulations to prevent it. My amendment endeavours to do just that.

Mr FITZGERALD: As the shadow Minister, the member for Southport, indicated, the Opposition is concerned about this aspect of the legislation. I was interested in the Minister's comments when he likened my person to that of a fox terrier—a dog—and made some unkind jokes. That made me rack my mind as to what I thought of the Minister. At home, we had an old dog that was toothless, aged and had been knocked around in fights about the place. He ended up being a loser every time. That dog reminded me of the Minister. We called him Old Growler. I think that is exactly where the Minister ends up at this stage. However, after correcting the record with regard to that, I will return to the clause.

The amendment moved by the member for Southport deals with the supply of liquor to and the possession of liquor by minors. The amendment relates to sections 156 and 157 of the Liquor Act 1992. In his reply at the second-reading stage, the Minister indicated that the adequate laws dealing with minors possessing liquor are contained in the Acts of Parliament administered by the Minister for Family Services, therefore there is no need for them to be included in this legislation, and what were we on about. The Liquor Act itself contains the provisions prohibiting the supply by a licensed outlet of liquor to minors. The Opposition wants to have the statutes of this State in such a form that one can easily find what one is looking for. One does not want to have to look at other statutes when one is dealing with the supply of liquor to minors.

We in the Opposition strongly support the view that minors should not be supplied liquor in a public place, nor should they consume liquor in a public place. Before the latest amendments to the Liquor Act were passed, it was illegal for anyone to consume liquor in a public place. As a result of those amendments, it was quite legal for a minor to consume liquor in a public place. The amendments that the Minister introduced some time ago permitted 14-year-olds and 15-year-olds to have in their possession a bottle of rum, whether it was given to them by their parents or whether they pinched it out of a house, and to sit out in the park and drink it with their mates, who were also minors. There was nothing in the Liquor Act that prevented that from taking place. So a policeman attempting to enforce the provisions of the Liquor Act found that he did not have the power to enforce it. I believe that the provisions relating to the supply of liquor to minors should be part of the Liquor Act.

Mr GIBBS: The amendments proposed to sections 156 and 157 are not acceptable. As I understand it, the amendment proposed to section 156 would prohibit the supply of liquor to a minor. As the honourable member for Southport would be aware, it is presently an offence to supply liquor to a minor on a street or in a place adjacent to a licensed premises. He queried the role of the police. I think it is well known that the police do not particularly like the paperwork involved in offences involving minors. They certainly prefer not to be involved in cases in the Childrens Court. I believe that we have acted responsibly. In fact, we have prepared an excellent booklet explaining the provisions of the new Liquor Act that has been made available to the police. We will be doing more for the police in that regard. Information about the sections of the Act that are being amended today will also be given to them.

Again, I assure the honourable member that there are adequate provisions in the Children's Services Act to deal with all uncontrolled behaviour by minors. I am concerned that if we were to go as far as the honourable member is suggesting, the supply of liquor to minors would be totally prohibited. For example, a parent who, in a socially responsible way at a birthday party or a barbecue in one of the areas that have been referred to, supplied a small glass of wine to a minor for him or her to enjoy, under proper parental control, would effectively be committing an offence.

Mr Veivers: In a house?

Mr GIBBS: No, not in a house; out in a public place. I think the honourable member realises as well as I do—and I have said this on innumerable occasions because it was one of the problems that we had to deal with and it is extremely difficult of resolution—that "schoolies week" is a classic example of irresponsible parents purchasing large amounts of liquor, taking it back to the premises that the kids have been renting for a week with their mates, and then taking off and leaving them for a week with a house stocked full of booze. That is where a lot of problems have arisen in relation to binge drinking. In the past, during "schoolies week", accidents have happened. In fact, a number of attempted suicides have been attributed to binge drinking. The Government can do absolutely nothing to control the way in which people consume alcohol in the privacy of their own premises. That is completely beyond the Government's control. However, it has a responsibility with regard to public places. I believe that under the Childrens Services Act, adequate measures are available to law enforcement agencies to deal with minors who drink, and under the Vagrants, Gaming, and Other Offences Act to deal with adults who behave publicly in an irresponsible manner.

Mr VEIVERS: I have one query in relation to juveniles. I realise that the Minister may not have the answer at his fingertips. The amendment sought a maximum penalty of 25 penalty units. I ask the Minister: what are the penalty units for parents who allow children to consume alcohol in a public place? That is what the amendment attempted to incorporate.

Mr Gibbs: If they knowingly supply?

Mr VEIVERS: Yes.

Mr GIBBS: I can answer that question. A grey area is involved in the topic to which the honourable member referred. The honourable member asked what would happen if an adult knowingly supplied alcohol to a minor. The penalty units amount to a maximum fine of $2,400.

Mr Veivers: What do you do about the parents? Do you do anything about that?

Mr GIBBS: No. If the Government were to adopt the course suggested by the amendment, a parent who gave his or her child a glass of wine at a family barbecue in a park which was a designated area could be apprehended. The police could effectively say to that parent, "You have committed an offence under this Act and you are up for a maximum fine of $2,400."

Amendment negatived.

Clause 4—

Mr VEIVERS (3.56 p.m.): I move the following amendment—

"From page 4, line 10, to page 7, line 11—

omit the clause, *insert*—

'Amendment of s.164 (conduct causing public nuisance)

'4. Section 164 (3)—

omit, insert—

'(3) A person must not consume liquor in a public place unless the consumption of liquor in the public place is authorised or permitted under a licence or permit.

Maximum penalty—1 penalty unit.'.'."

Queensland has 134 local authorities. They are located in many different areas of this State. The Minister and I both acknowledge that they all have some tourist potential. The problem with schoolies on the Gold Coast has been mentioned. This Bill gives councils the authority to place wet areas down the coast so that an activity such as "schoolies week" can be contained. All over Queensland, councils will be making such decisions. A mishmash of laws will result. Each council will introduce its own laws to govern wet areas.

I will leave aside the question of the signs, which will be expensive. Some extra grants must be made to cover that expense. The Albert Shire may provide that a person is permitted to consume liquor in a designated area within that shire. If a person from, say, New South Wales visits the Albert Shire and then travels through to Warwick, hypothetically, a different set of rules could apply regarding the consumption of liquor. If that person pulls into a park in Warwick and takes out a bottle of wine, he or she is liable to be locked up because the council provides different laws. However, that person would be ignorant of that fact.

The real concern about pages 4 to 7 of the Bill is the abrogation of the State Government's responsibility to administer the Liquor Act. It should be remembered that the Government abrogated its responsibility in regard to swimming pool legislation. It allowed local authorities to make up their own rules in regard to swimming pool fencing.

Mrs Edmond: You did.

Mr VEIVERS: The Government did. Look at the problems that have been created with swimming pool fencing laws. Councils in all areas are experiencing problems because people will not fence their swimming pools. However, there are not enough inspectors to ensure that people fence their swimming pools.

The same problem will arise when councils are given the responsibility to administer certain sections of the Liquor Act. The mind boggles at some of the problems that will arise. I am sure that the State Government will not give local authorities more money to enable them to police this new legislation. A number of wild claims have been

made, for example that dog catchers would be going around and administering this legislation. However, in all seriousness, I ask: who will administer these regulations on behalf of the councils? Will it be the local police, or will local authorities hire security men to carry out the task?

Mr T. B. Sullivan: They're spending money already policing it, cleaning up the broken glass and the bottles and the mess.

Mr VEIVERS: That is part of the usual, everyday running around and picking up rubbish that is undertaken by Cleanaway. The honourable member has cited a terrible example. Does the member expect Cleanaway to police the legislation? That interjection was ridiculous; I should not have taken it.

The Government will run into all kinds of problems if it tries to get local authorities to police this legislation. It has always been the task of the Liquor Licensing Division, and I feel it should remain with that division. The Minister is responsible for that division. I must say that, for the first time, he has tried to do the right thing in regard to the previous amendments about which I have spoken. However, with this clause, he is abrogating his responsibilities. His department will not have to do the relevant paperwork; instead, local authorities will be faced with a nightmarish task. They will not know which way to turn. Local authorities do not have at their fingertips the facilities or the professional people who know all about the liquor licensing laws. The Minister has said that he does not want the local authorities telephoning his office and seeking advice from the experts employed in his department. However, they are the only people whom the local authorities can ring. If they do not, they will be administering the legislation off the tops of their heads, and we will end up with one hell of a mess. If the Minister conducted a referendum on this issue amongst local authorities, not more than 20 per cent of the voters would agree that local authorities should police his legislation. I am against this clause, hence my proposed amendment.

Mr FITZGERALD: Clause 4 gives responsibility for the administration of this section of the Liquor Act, that is, policing of drinking in public places, to local authorities. We have heard a fair amount of debate in the Chamber. A number of speakers from the Government side—in fact, I believe all of them—said that the local authorities in their electorates were quite willing to take on that responsibility. I may stand to be corrected on the matter, but I think that all of them said that that was the case. I can assure those honourable members that the local authorities in my electorate do not believe that they should take on those extra responsibilities. Firstly, local authorities have complained bitterly about the lack of extra funding to go with this added responsibility.

Mr Beattie: They're always whingeing about money.

Mr FITZGERALD: That is always a concern. Obviously, the member for Brisbane Central is not concerned about extra responsibilities being imposed on local authorities by this Government or, for that matter, by any Government. Local authorities were critical of the previous National Party Government imposing upon them extra responsibilities while at the same time not giving them extra funds to enable them to carry out those responsibilities. Local authorities will have to spend more ratepayers' dollars to finance the policing of this legislation, which is the State Government's responsibility.

I strongly believe that the Liquor Act should be administered by the State Government and I believe that it should be enforced by the State Government. If the Government wants other agencies to enforce the Liquor Act, those other agencies should be provided with sufficient funds to enable them to do so. It is as simple as that. The clear difference between the Government and the Opposition on this issue is whether local authorities should be given the responsibility to administer this section of the liquor legislation and, if they are given that responsibility, whether they will receive funding to enable them to do it. The amendment that was moved by the member for Surfers Paradise states—

"A person must not consume liquor in a public place unless the consumption of liquor in the public place is authorised or permitted under a licence or permit."

The Opposition's amendment seeks to remove subsection (3) of section 164, which states—

"Subsection (2) expires 1 year after the commencement of that subsection."

Section 164 (2) states—

"A person must not be drunk in a public place."

When the Liquor Bill was passed, why did the Minister include in that clause a period of one year's grace? Did the Minister believe that it was not all right to be drunk for the first 12 months, but after that it would be all right to be drunk? The Opposition believes that that subclause should be removed from the clause and that local authorities should not have imposed upon them the responsibility to administer the legislation. This legislation should be the State Government's responsibility. It receives funding to administer the Liquor Act, which is a major source of funding to State Government coffers. I do not have any problem with that at all. However, if the Government is receiving the goodies, it must pay for the services. Liquor is not only a social problem but also a financial problem. I am concerned about the social problems that are caused by liquor. However, I can understand the Minister permitting drinking at family barbecues, and allowing under-age persons to have a drink with the family in a public place. I believe that is what motivated the previous amendments to the Act. However, the Government ran into difficulties, and that is why it has introduced these amendments. Obviously, concerns were expressed. Speaker after speaker on the Government side of the House has said, "We got it right last time." Yet these amendments are being introduced. The Government cannot have it both ways. On the next occasion that the legislation is amended, Government members will probably say that they got it right this time. I await the Minister's response.

Mr GIBBS: The member for Lockyer raised the matter of section 164. The sunset clause in relation to section 164 was a direct recommendation of the Royal Commission into Aboriginal Deaths in Custody which, as I understand it, is a recommendation that has been adopted by every State Government in Australia.

Mr FitzGerald interjected.

Mr GIBBS: To have removed the offence of public drunkenness would have been folly without ensuring that what was in place were certain mechanisms and provisions for people with a drinking problem.

Mr FitzGerald: What have you put in its place, well? What have you put in place to overcome those problems?

Mr GIBBS: The honourable member is lucky that I am a patient man. We have included the sunset clause to allow time for the Minister for Health and the Minister for Family Services——

Mr FitzGerald interjected.

Mr GIBBS: There is currently in place a process to consider how the structure is set up; for example, do we have detoxification units? I believe that a detoxification unit

is located in Mount Isa, and we have Murray Watch in Brisbane. It was extremely expensive to set up that detoxification unit in Mount Isa.

Mr FitzGerald interjected.

Mr GIBBS: I made this point before—if only the member had listened. When that review is carried out next year, if I am not satisfied that adequate programs are in place to allow us to remove that section from the Liquor Act, I will not do that until I am satisfied that the existing programs are adequate to cover the situation. I stress that it may come as a bit of a shock to members that Queensland and, I believe, the Northern Territory are the only two places in Australia that still have in their laws the provision that public drunkenness is an offence. To my knowledge, it is not an offence in New South Wales, Victoria, South Australia, Western Australia or even Tasmania. To say that it is causing a huge problem is totally ridiculous.

The member for Southport said that he believes that if we held a referendum on this issue we would be lucky to get 20 per cent of local authorities that would vote in support of what the Government is doing. I dispute that. The simple fact is that about 25 per cent of local authorities in Queensland already have in place by-laws that regulate public consumption of liquor in various respects to various sites throughout the areas over which they have responsibility, and that police can be used to control any problems. As to the other matter raised by the honourable member—it is not the intent of this Government to place a financial burden on local authorities or to give them the responsibility of policing this matter. Nobody has suggested that. The whole point is that the local authority has the choice. The only expense that it will incur will be the cost of erecting a few signs throughout its area to the effect that drinking is allowed in a particular public place. As to the matter of policing and looking after complaints—whether it be a complaint by the local authority, a community group or an individual who feels some effrontery about the behaviour of people in any of those areas, it is still the responsibility of the Queensland Police Service to look after those matters.

Local authorities throughout Queensland have been basically supportive of these amendments. The Government has received letters of support from a number of local authorities. Phone calls have been made to the Liquor Licensing Division in support of the initiatives of this Government. If it is of any cool comfort to the member for Southport, I point out to him that a couple of weeks ago when I was on the Gold Coast, I had a brief discussion with Mayor Lex Bell. I explained to him what the Government intended to do in regard to this legislation.

Mr Veivers: He's not happy about it.

Mr GIBBS: That is different from what he told me at the opening of that new building. I told him that I would introduce amendments to the Liquor Act that would give his council the right to designate areas throughout his control where people could drink in a public place. As I recall them, his words to me were, "Minister, that will be wonderful. Thank you very much." If Mayor Bell has told the member one thing and me another, I cannot help that. The Opposition's proposed amendment is not acceptable.

Mr FITZGERALD: I shall follow up the explanation given by the Minister with regard to section 164 of the Liquor Act. I refer particularly to subsection (3), which states that the expiry date shall be one year after the commencement of that subsection.

The Opposition is proposing to remove that provision. The Minister gave the Committee an assurance that if the health provisions and other mechanisms are not put in place by the Government to overcome the problem of public drunkenness, he would not proceed with his proposed amendments. But this Act automatically has that built in. So the Minister virtually has to give the Committee an assurance that if those mechanisms are not in place, he will introduce a further amendment into the Committee. I prefer it the other way around. I am not sure of the commencement date of the Act.

Mr Gibbs: 1 July.

Mr FITZGERALD: Yes, July. I do not believe that those mechanisms will be in place by 1 July next year. I am not in favour of having drunkenness remain as an offence. I would prefer to see the introduction of other mechanisms such as detoxification units. However, as I say, I do not believe that the Government will have those mechanisms in place by 1 July next year. The Minister should allow the present laws to continue until those mechanisms are in place, which will put pressure on the Government to introduce the health mechanisms and the amendments that are required to legislation relating to Aboriginal and Torres Strait Islanders. As well, he should allocate additional funding to those areas.

When I was Minister for Aboriginal and Islander Affairs, I was negotiating to get the detoxification units up and running. The project was being funded by both the Federal and State Governments. We had difficulty in arranging that funding and commencing the project. I sent units to look at Cherbourg, Townsville and Mount Isa. Cairns presented the most difficult problem. At that time, we were negotiating to buy the old Mater Hospital in Townsville. We investigated the alternatives in Mount Isa. With the change of Government, those arrangements fell through. I am in favour of the detoxification units being established, but I believe that the Opposition's proposal to delete the sunset clause until the Minister can assure the people of Queensland that he has done something about it would be the better way to go.

Mr BEANLAND: I understand that the Minister is saying that, although he is giving the local authority power to designate public places for the consumption of liquor, the Police Service will have to enforce the by-laws and the local authority will not be called upon to enforce them in any way. Could the Minister indicate whether that is correct? Although that may seem, at first glance, to be in order, I believe that the department which administers the provisions of the Liquor Act should have to enforce them. With this amending legislation, two levels of government will be dealing with the problem. In other legislation, arrangements of that type are already causing problems. There will be a number of areas in which people will not be sure who should make a decision and who is responsible. The police will not know which are public places and which are not public places. I expect that we will encounter a whole list of overlapping areas in the legislation which will cause friction and confusion.

It is unfortunate that, so often, local authorities become the dumping ground for things that are put into the too-hard basket not only by the State Government but also by the Federal Government. I have no doubt that local authorities do not want to become involved in this area. There may be one or two local authorities that can see some specific benefit from becoming involved, but, generally, I am sure they do not want to be placed in what will be a hot seat. They will not gain any prestige or additional funding from the measure. A lot of work will be involved. Recently, the Minister

abolished the Licensing Court. One of his reasons for doing that was to streamline the Liquor Act. However, another reason was to reduce costs. Although he has made a number of worthwhile reforms in this area, I would not like to see this proposal introduced. I do not believe that it is a reform. The recent reforms to the Liquor Act have not worked. By handing this matter over to the local authorities, the Minister will make it more difficult for it to be administered. I trust that the Minister will reconsider and retain this power for himself.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 49		NOES, 31	
Ardill	Mackenroth	Beanland	Turner
Barton	McElligott	Connor	Veivers
Beattie	McGrady	Cooper	Watson
Bennett	Milliner	Davidson	
Bird	Nuttall	Elliott	
Braddy	Pearce	FitzGerald	
Bredhauer	Power	Gamin	
Briskey	Purcell	Goss J. N.	
Budd	Pyke	Grice	
Campbell	Robertson	Healy	
Casey	Robson	Hobbs	
Clark	Rose	Horan	
Comben	Spence	Johnson	
D'Arcy	Sullivan J. H.	Lester	
Davies	Sullivan T. B.	Lingard	
De Lacy	Szczerbanik	Littleproud	
Dollin	Vaughan	McCauley	
Edmond	Warner	Mitchell	
Elder	Welford	Quinn	
Fenlon	Wells	Randell	
Foley	Woodgate	Rowell	
Gibbs		Santoro	
Goss W. K.		Sheldon	
Hamill	*Tellers:*	Simpson	*Tellers:*
Hayward	Pitt	Slack	Springborg
Hollis	Livingstone	Stoneman	Laming

Resolved in the affirmative.

Clause 4, as read, agreed to.

Clause 5, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

VOCATIONAL EDUCATION AND TRAINING (INDUSTRY PLACEMENT) BILL

Second Reading

Debate resumed from 11 November (see p. 483).

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (4.26 p.m.): The Opposition will support this Bill, as it will increase——

Government members interjected.

Mr Deputy SPEAKER (Mr Briskey): Order!

Mr SANTORO: That is the good news. The bad news is that I have 60 minutes in which to speak. I may take only 40 minutes, but if the members on the other side of the House give me enough interjections, I am sure that I can make my speech stretch to about 60 minutes. The Bill will increase the relevance of vocational education and training courses in Queensland and make for a closer relationship between industry and the training sector. There is a need for such a link because of the rapidly changing technologies with which we deal today, and also because of the economic downturn and the recession that Labor had to give us. Queensland needs a vocational education and training plan that is progressive and prepares a platform for increasing the potential for economic development in Queensland in the nineties and beyond.

While the Vocational, Education, Training and Employment Act implemented in 1991 had the appearance of making change, it failed to deliver in the important areas where fundamental change was required and where the Government should be providing leadership. Even though we can all acknowledge and identify with the objectives of the Act, there are significant areas in which the legislation fails in regard to those objectives and, unfortunately, will perpetuate the thrust of the present system. The Bill under discussion today goes some way towards providing more relevance, but it still falls a long way short.

The basic objectives of a vocational education and training system should include: the delivery of effective and efficient vocational education, training and employment services that are responsive to the needs of industry and the community; the flexibility to meet the changing needs of individuals, industry and the community and the capability of responding quickly to these changing needs; the flexibility with regard to entering the existing courses with recognition of prior learning for modules of training completed; and to assist in improving the competitiveness and productivity of industries. In our view, the present system has failed to deliver to a considerable extent in regard to these important concerns. This Bill provides for industry placement of students who are undertaking institutional training programs. In his second-reading speech, the Minister noted that this Bill is the first legislative step taken by this Parliament in support of the reforms now under way within the youth training sector.

The Minister specifically mentioned youth training, but it should also be remembered that training is becoming less restricted to just the young. In olden days—and not so olden days, for that matter—people would leave school, undertake some form of training such as an apprenticeship or other on-the-job scheme, or they would attend a university or college and then work within that chosen field for the next 40 or 50 years. That system is no longer relevant to most Australians because of the pace of technological change in our society. It is not uncommon now for people to work in three or four quite different fields during their working lives, and most people expect that trend to continue. Because of that change, retraining schemes are just as important as youth training, and there is no reason why the provisions of this Bill will not be equally as important to the older worker undertaking a retraining course as they will be to young school-leavers undertaking their first training course.

The Bill formalises in many ways a procedure that has been taking place in an ad hoc way for many years. In the 1970s, many schools introduced the concept of work experience, which became much more widely practised during the 1980s. Under work experience schemes, which also spread to tertiary institutions, students would spend a couple of weeks each year sampling different career options. In the case of tertiary students, their course choice would determine what sort of workplace they visited. It was also a neat way for them to make contacts and try to get a foot in the door for employment at the end of their course. The school scheme was somewhat more limited because students were encouraged to try a range of different jobs, to try to find out what suited them and what did not, so they could make a more educated career or course choice at the end of their formal secondary schooling. This concept was expanded in many universities and colleges to encourage students to spend some of their holiday time working—either paid or unpaid—for employers in their chosen field.

The summer clerkship system introduced by many legal firms is a good example of this sort of scheme. In addition, hospitals around Australia and overseas have provided holiday experience to medical students. The concept then spread to a whole range of other courses, including those conducted by various TAFE colleges and private training providers. It is not uncommon to see some of the private training colleges advertising their close links with business and industry and their rate of placement of graduates—many of which have followed periods of industry placement of students while courses are still under way. In a sense, this provides a bit of a trial for both employer and employee. Unfortunately, while this experience proves quite useful to students, in many instances it is completely informal because there has been no framework within which employers could work to legally provide such opportunities. Most employers have been required or have felt compelled to take out indemnity insurance to protect themselves from any legal action which may arise from the actions of these students, but there has been little formal framework for the idea. Indeed, because of the rules and regulations applying to many industries, it was impossible to allow students to undertake industry placement as part of their courses. This Bill rectifies that. As the Minister noted, this Bill will provide more and better opportunities for students to gain practical skills and knowledge. In turn, these skills will enable them to find employment, if positions are available. Later, I will discuss problems faced by young people as a result of this Bill when they eventually seek to enter the work force.

The most formal type of workplace-based training available to students in Queensland has been that of apprenticeship. Apprenticeships—and more recently, traineeships—allow a combination of workplace and institutional training. But the thrust of apprenticeship and traineeship is quite different from that which is contained in the Bill. Under apprenticeship and traineeship, the student's primary focus is the workplace, with a small proportion of training time set aside for institutional training at a college. In many ways, this Bill will allow the mirror image of that by providing for students undertaking institutional courses to undertake a small proportion of their training time in a workplace. While these sorts of arrangements have existed informally for some time, as I have outlined, it has not been possible to formally incorporate industry experience into training programs and assess performance as part of the curriculum without applying complete industry award conditions to the students. For fairly obvious reasons, this has prevented the full development of workplace training for students in training institutions. This Bill will allow such structured industry placement, and it will benefit students in the long run.

I believe that the Government undertook proper consultation with employer bodies, TAFE colleges, private training colleges, trade unions and other interested bodies prior to the preparation of the Bill. At this stage, I state on the record that the Minister and his department should be commended for that. As the Minister noted in his second-reading speech, the thrust of the Bill is in line with the recommendations of the Carmichael report on the Australian vocational certificate training system. To understand how this Bill fits in with the Carmichael recommendations, it is necessary to look at the structure of the system that currently exists, and the recommendations made for change. In general, vocational education and training is administered by the States, using largely Federal funding. Queensland is, and has been, disadvantaged in comparison to other States. I am sure that the Minister would be the first person to agree with me on that. We have 17.2 percent of the national population, yet we get only 14.5 percent of the TAFE funding cake. That is why the Opposition was very pleased when the Premier and the Minister adopted a robust attitude when the matter of Federal funding came up and the fight had to be taken up in Canberra for that particular cause. The Opposition was very pleased to see that happen. We actually thought beyond that to what would happen if, taking into account high unemployment rates, extra funding were provided and extra training came into existence because of the unavailability of job opportunities that should go hand in hand with training opportunities, but that is another topic that I will discuss later. Federal funding for the 1991-92 financial year amounted to $85m. Total expenditure in Queensland, however, topped $400m.

Current vocational education and training is wrongly perceived as being trades-based, dealing with traditionally blue-collar areas. This is not the reality, but we need to further develop the training curriculum, to include more managerial, clerical and computing courses, and child care and other human services courses to satisfy community demand and turn around community perception. I say that in addition to the comments that I have made about the increasing shortage that is developing within the area of what I call half skills. Lately, I have made several comments in the media about that, and I will make a few more comments about it in this speech. As an example of what I have been saying, TAFE is currently the leading provider of computing courses, with three times as many applicants as places. That so many are turned away is an indictment on the current system. In 1992, 63 000 school leavers applied for tertiary places. Only 30 000 were accepted, so over half of all those who applied missed out. Many regard TAFE as the last option, rather than the first.

Mr FitzGerald: It is unfortunate.

Mr SANTORO: I take the interjection from my honourable colleague. It is unfortunate. The coalition will have policies that will encourage young people who are looking at their training options to consider TAFE as a training option which has a status equivalent to that of courses and training opportunities provided within other institutions of higher education.

Mr Welford: How are you going to do that?

Mr SANTORO: I take the interjection about how the coalition will do that. The member will have to be patient. Coalition members are responding to the Bill. We support the Bill. We will make constructive comments about it. In terms of the developing policies of the coalition, whether it is on the role of the Industrial Relations Commission, whether it is on a whole series——

Mr Welford interjected.

Mr SANTORO: I am not afraid to raise the issue, but the honourable member will have to be patient. The coalition will develop policies and announce them, and honourable members will find that those policies will be very acceptable to the great majority of Queenslanders who will embrace them in a very sympathetic manner.

I take the opportunity of answering the interjection to remind the House that there was some discussion during the debate on the previous Bill about the survey results that appeared in Victoria today, shortly after the industrial incidents that have been occurring in that State. I agree with the Government member who said that opinion polls are not the be-all and end-all. I agree with that, and I do not want people to think that I am arguing against my own case when I say so. However, opinion polls are an indication—albeit only an indication—that what the Government in Victoria is doing is being recognised as necessary by the people of Victoria. I do not want to stray too much in discussing that point, because I realise that that is not the direct subject matter of the Bill. When I am not in the Chamber, I am invariably sitting in my room boning up on matters that will come before the House. I was listening.

Mr Welford: Dreaming. Lost in navel gazing.

Mr SANTORO: I again take the interjection. I was listening. I thank Mr Deputy Speaker for his latitude. I simply say that the opinion poll is a small indication that what Victorians are experiencing is acceptable to them. They have come to accept that the damage that has been done by the previous Labor Government has to be remedied and that some bitter medicine must be taken. I will say a few more words about that when the Industrial Relations Amendment Bill is debated, perhaps later tonight.

It will be interesting to see the figures released by the Queensland Tertiary Admissions Centre in relation to this year's school leavers and their preferences. I suspect that, although TAFE courses are becoming more popular, some stigma is still wrongly attached to them. More students are listing a TAFE course as one of their secondary preferences rather than their first preference. That is, perhaps, reflective of

the overall shortage of training places in Queensland, whether they be in universities or TAFE colleges. Queensland's participation rate in TAFE is below the national average. Only 4.5 per cent of Queenslanders aged 15 to 24 are enrolled in TAFE colleges, compared with the national average of 8.8 per cent. In 1992, there are 12.5 TAFE student contact hours per person in Queensland. The national average is 13 hours per person.

All up, there is a need for change. That need has been recognised for some time, and not just in Queensland. In 1988, the then Federal Minister for Employment, Education and Training, the Honourable John Dawkins, MP, published a volume titled *Industry Training in Australia: the Need for Change*. The summary of the paper read—

> "There is wide agreement on both the inadequacy of the present national training effort and the importance of quality training to meet the needs of structural adjustment and ongoing technological change. Persistent skill shortages exist across a range of industries and occupations."

Under the heading "Is Our Industry Training Good Enough?", this comment was made—

> "Because of Australia's changing position in the world and because there is a widespread understanding of the meaning of that change, there is now remarkable degree of consensus both on the heightened importance of first-class industrial training for our economic future and on the assessment that we fall short of that standard.
>
> The vulnerability of an economy such as Australia's which is heavily dependent on commodity exports, has been demonstrated once again through the sharp falls in the terms of trade over 1985 and much of 1986.
>
> There is now almost universal agreement that Australian manufacturing and services industries must become more internationally competitive as part of an overall adjustment strategy. Flexibility and speed in adapting to changing circumstances are key characteristics of successful economies. A highly skilled work force can make an important contribution to achieving this flexibility.
>
> Factors such as quality, innovation and technology will also become increasingly important in establishing and holding domestic and overseas markets. A skilled, committed work force is essential to the necessary process of 'building in' quality at all stages of the production process."

The report went on to list skilled occupations in which Australia was suffering shortages, ranging from nurses to engineers to boilermakers to chefs. The upshot of that report was the training levy, which I would respectfully suggest to Government members has been far from successful. It did, however, lead to another report in 1990. This was the Deveson report, which examined training costs. The report found wide consensus on the likely increase of training both in the workplace and with training institutions. This raised the question of the relationship between Governments and industry in relation to training. The report found—

> "It will be necessary for Governments to take action to enable and encourage industry to increase its training effort and to promote high quality and wide acceptance of industry-provided training."

Of course, that is what this Bill seeks to do. The report went on to call for competency-based training, national skills recognition, and the widening of the scope of TAFE colleges. So change was certainly in the air, and it is important to remember that the Bill we are discussing today is the latest development from a line of reports and recommendations. It has to be said that while there has been no shortage of reports calling for change, that change is occurring very slowly.

There were two major reports which followed the Deveson report—the Finn report and the Carmichael report, which the Minister has mentioned. In 1991, the Finn committee of review presented a report to the Federal Government, calling for a review of the system. It found that while more school leavers have become interested in

university study—up from 19 per cent to 31 per cent in recent years—the interest in TAFE has dropped from 22 percent to 12 percent, a trend which I am sure the Minister would agree is alarming. The report called for—

> growth targets for vocational education and training, to provide for 50 per cent of 22-year-olds having obtained a recognised qualification by the year 2000;
>
> schools and TAFEs to teach employment-related competencies such as language, numeracy, problem solving and interpersonal communication;
>
> a new entry-level training system, incorporating the present apprenticeships and traineeships and extending their coverage; and
>
> improved links and continuity between schools and TAFE and vocational education and training.

The report noted—

> "Both individual and industry needs are leading towards a convergence of general and vocational education. There is an increasing realisation internationally that the most successful forms of work organisation are those which encourage people to be multi-skilled, creative and adaptable.
>
> There is also a related process of convergence between the concepts of work and education. Increasingly, as regular updating of skills and knowledge becomes essential to maintaining and enhancing productivity in the workplace, the concepts of working and learning will converge."

That philosophy, of course, underlies the Bill under consideration today.

The next development to spring from the Finn report was the Carmichael report. In March 1992, the Employment and Skills Formation Council tabled a report on the Australian vocational certificate training system, which became known as the Carmichael report. Its findings are consistent with the earlier Finn report. The Carmichael report recommended—

> the establishment of a four-tier vocational certificate training system, with each tier based on levels of competence;
>
> competency-based training be introduced rapidly, to replace time-based training in almost all areas by 1995;
>
> assessment be based primarily in the workplace for those undergoing apprenticeships and traineeships;
>
> flexible delivery arrangements and pathways (including external courses) to provide training and progression to higher levels;
>
> the development of more vocational options in Years 11 and 12;
>
> the integration of TAFE colleges with private sector providers and secondary schools for the provision of vocational courses; and
>
> flexible training agreements, negotiated on an industry or enterprise basis to reflect individual needs.

I could expand tremendously on that, but again, because it is not directly within the ambit of the Bill, I will not talk about enterprise bargaining at this level and cause a furore on the other side, which would cut into my time and perhaps prompt me to speak for the entire 60 minutes.

Mr Davies: It has never worried you before.

Mr SANTORO: At the end of my prepared thoughts, Mr Deputy Speaker, and with your latitude, I would be happy to take on members opposite, as well as later on when the Industrial Relations Amendment Bill is debated. The Carmichael report also recommended equity in the availability of training for men and women.

In short, there was a need—and there still is a need—to provide a more flexible range of training opportunities at what we call "entry level". The provision of on-the-job

training and experience is a vital part of that process, and that is exactly what this Bill will allow. It should be apparent from these reports that the current system has been too rigid. This applies not just to institutional training but also to apprenticeships and traineeships. Under the Carmichael recommendations, apprenticeships and traineeships will be replaced by the vocational certificate training system, which is intended to be a new system for the l990s to ensure skilled labour for the future and provide career and employment opportunities for our youth.

But what is the proper role of Government in all of this? Most people do not accept that Government needs to be as heavily involved in regulating training as it does in the current apprenticeships and the expanding area of non-trade traineeships. Government bureaucrats and committees are currently involved in approving employers' premises for training, authorising the allocation of apprentices and trainees, regulating the training contracts, acting for the employer with discipline problems and directing training institutions to be attended and when, to name a few areas of regulation. In addition, more and more employers and businesses are refusing to take on apprentices because of the continuing economic difficulties and uncertainty. Recent figures indicate that, in the last two years, apprenticeship numbers have declined by more than 40 per cent. The figures contained in the annual report of the Department of Employment, Vocational Education, Training and Industrial Relations show that only 5 007 new apprentices commenced their indentures in the last year, compared with 6 705 the previous year and 8 619 in 1990. In just two years, the number of new apprenticeships has almost halved. The Queensland figures have been supported by Federal Bureau of Statistics returns, which are even worse. They show that the number of first-year apprentices halved from 8 200 in 1989 to 4 300 in May this year. The Minister has assured me, via press releases and comments in the media, that the situation has improved since July this year, and I look forward——

Mr Foley: And by way of ministerial statement to the House.

Mr SANTORO: I take the Minister's interjection. I overlooked his ministerial statement, which I think was made yesterday morning. I did not overlook it deliberately. I am happy to acknowledge that the Minister did put that statement on the record. I look forward to seeing the complete picture for the 1992-93 year in the next annual report. I also assure the Minister that if favourable comment is to be forthcoming from me as a result of an improvement in performance in the area of apprenticeship training, he can rest assured that it will be forthcoming. As he can see from my attitude and the tone of my speech in relation to this Bill, when credit has to be given, credit will always be given not only by me but also by everybody else on this side of the House. If Opposition members have to say something that might not be totally to the Government's liking because it points out an area of deficiency and weakness in terms of performance, Government members can rest assured that Opposition members will be equally vocal. Nobody will ever be able to accuse any Opposition member of not giving credit where credit is due.

Mr Welford: Oh!

Mr SANTORO: I take the interjection from the cynic from whatever electorate he represents.

Mr Welford: Everton.

Mr SANTORO: I thank him for reminding me. He has come into this place with a jaundiced view of what politics is all about. Politics should basically be what has been witnessed in this place over the past couple of days: robust debate when areas of fundamental difference are encountered. That robust debate should not see the man being played rather than the ball. It must be recognised that all honourable members have a contribution to make in this place, whether as individuals or on behalf of political parties. Credit should be given where credit is due. I derive great pleasure from this place when I am able to make some positive comments about Bills such as this one, rather than have to indulge in vitriol.

Mr Welford: It's a welcome change.

Mr SANTORO: It is not a welcome change. If the honourable member for Everton spent a little more time concentrating on what in fact happens in this place rather than obviously ignoring what occurs, he would appreciate that many of the contributions made by most members on both sides of the House give credit to other people. That credit may be in the form of praising the Government by way of Dorothy Dixers, praising Ministers by way of prepared contributions, the Opposition complimenting the Government, or occasionally——

Mr J. H. Sullivan: You are enjoying yourself.

Mr SANTORO: I could speak for 60 minutes without having to take interjections. I could wind up early, but if honourable members insist on interjecting, they will just have to cop it. Having attempted to enlighten the honourable member for Everton on the decency of performance in this place, I will return to the Bill. The downturn in apprenticeships is attributable to the downturn in the Queensland economy under the Goss Government, but it also means big problems for the trades in the years to come. Already, it can be difficult to have work carried out because of a shortage of people in certain trades. The building, electrical and vehicle trades have been the hardest hit in the apprenticeship decline over the past couple of years. A shortage of skilled workers in the construction field will force prices up in the future and make the cost of a new home prohibitive for young people. Our society seems to be obsessed with computers, tourism and other more trendy occupations, at the expense of the skilled trades.

I wish to divert from the Bill for a moment. Before entering the Chamber to deliver this contribution, I had a telephone conversation with a person who is not a constituent of mine but who is the mother of a young lady who has just completed an apprenticeship in hairdressing. A week or so ago, the person to whom I refer heard me debate the Minister on radio, and she asked me to remind the Minister and anybody else who cared to listen that the apprenticeship shortage was not just in those areas detailed during the radio debate. In her view, the apprenticeship shortage is also very evident in areas such as hairdressing, She drew her views to my attention. I must admit that, before she did so, I was not aware of the shortages in that area. It was coincidental that, before entering this Chamber, I was able to assure her that I would register her opinions within the consciousness of the Minister and anybody else who cared to listen. That is another pleasure that honourable members derive from this place: when they are able to represent the individual concerns of people who take the opportunity to express those concerns to them. Undoubtedly, that person will be pleased to receive a copy of my speech and to appreciate that democracy works for people such as herself and her young daughter. I wish the daughter of that lady well.

I return to the Bill. It is time to give trade training a lift in status and focus, and provide employers with more incentives to take on new people, thereby opening new career doors for young and not-so-young Queenslanders. As things stand, because of economic uncertainty, employers are reluctant to commit to the fixed term required of current apprenticeships. Additionally, many employers believe that it is increasingly uneconomic to employ and train apprentices. The cyclical effect of business and confidence trends also affect the influx of apprentices and trainees, and something needs to be done to smooth out the major skill shortages which develop when economic activity picks up. None of the initiatives of the Labor Government addresses those fundamental concerns. In fact, it is more of the same, because one of the objectives of the current legislation is to "regulate training, including apprenticeship, traineeship and other training systems". This notion of strict Government control is a carryover from the last century and is highly inefficient and unproductive.

What is required, I respectfully suggest, is an approach that is more flexible and responsive to the needs of business and the professional public service and a reduction in bureaucratic red tape. Although industry is moving rapidly towards competency-based assessment, the Act perpetuates the concept of an indentured apprentice who will serve for a particular length of time and, at the expiration of that time, reaches trade

status whether the person then has the requisite skills or not. This system ignores the different learning rates of individuals and fails to make any assessment as to whether the apprentice has, during the apprenticeship period, acquired the skills that were intended to be acquired. Fundamental changes are required.

As recommended by the Carmichael report, the Australian traineeship system and the apprenticeship system should be merged to provide initially a broad-based and later more discrete independent skills-based training which encompasses the concept of competency rather than time served and which provides pathways for further skills acquisition, certification and use. This is the vocational certificate training system, as foreshadowed in the Carmichael report. The employer should agree to provide training so that the trainee will reach a predetermined level of competency, and the trainee agrees to undertake the required formal and on-the-job training to achieve that standard. This Bill will allow just such agreements, and for that it is to be commended.

I am sure that most honourable members fully support the National Training Board in the coordination of national competency standards. The need for occupational core standards and industry core standards is recognised. Most of us are aware of the progress that has been made in the development of enterprise standards by many Australian companies and organisations. The development of occupational core standards and industry core standards must be carried out by bringing together the growing network of enterprise standards. Colleges must provide competency based training packages to specific enterprises. Currently, they are beginning to do that. The Goss Labor Government's approach to bringing about these standards, which is by imposing them from the top down, has already been demonstrated to be an ineffective and expensive use of national funding. Industry and trainers must work together to come up with suitable arrangements and programs. With Government facilitation of the process, much can be achieved. That is precisely the way in which this Bill has been produced and, again, the Opposition commends it.

It is always heartening to see so many young people seeking to enter training institutions. Despite the nation's ALP-induced economic problems, 35 000 school leavers who have completed their secondary studies in 1992 are hoping for positive futures. Many of them want a place in a training institution of some type. Politically, it has always been useful to spend more money on the creation of training places, as this Government has done. However, it can lead to many dashed hopes. Sadly, the Goss Government continually uses the creation of extra training places as a smokescreen to distract attention away from the real issue of jobs.

Mr Bennett: It provides a climate of hope.

Mr SANTORO: It provides them with hope?

Mr Bennett: You can't get a job if you don't have any skills.

Mr SANTORO: I will take the honourable member's interjection. I will talk about matching jobs with skills, which is one of the things that this Bill seeks to do, and I will seek to draw some analogies. During his campaign for the presidency of the United States, Arkansas Governor Bill Clinton erected a big sign in his campaign headquarters in Little Rock in a spot where it could be seen by all his campaign workers . It read, "The economy, stupid", which drew everybody's minds back to the one issue when they may have been tempted to think or talk about other things. In Australia's case, that banner should read "Jobs". It is because jobs is the only real issue in the minds of many people that the coalition will win the coming Federal election. Paul Keating—"Mr Recession"—means no jobs in the minds of voting Australians. That is why the Prime Minister talks about republics and flags, and even updated, up-tempo versions of the national anthem, all the while going about and committing Federal crimes such as writing his name on $5 notes. It is the Keating plan, which Wayne Goss is following in Queensland, to keep announcing schemes which never happen——

Mr FitzGerald: He got rid of the dollar note. Now he is after the $5 note.

Mr SANTORO: I will take that interjection. The honourable member is correct. Keating wrecked the dollar note; now he is after the $5 note. The Keating plan, which Wayne Goss is following, is to wait until the Comalco deal in Gladstone falls through, which it will, and put more money into training schemes to artificially and dishonestly reduce the number of people who show up as unemployed. Unless they are accompanied by a plan to create real, full-time jobs, increases in training places are useless.

I do not mind admitting to the honourable member for Gladstone that by this Government and the Federal Government pumping an enormous amount of money into job-creation schemes, they have created many jobs. However, they are all short-term jobs. I will bet the honourable member that in a senseless situation which would see the re-election of the Keating Government, many of those jobs will disappear, because the Government will not be able to keep on funding them. The tragedy of the disappearance of those short-term jobs is that there would not be an equivalent creation of jobs in the private sector to take up the slack following the destruction of jobs within the public sector. I took the interjection from the honourable member for Gladstone because I wanted to make that point. Legislation such as that that we are debating seeks to train people for jobs. However, the jobs are not there.

I refer now to an earlier interjection that was made by the honourable member for Gladstone. He said that training schemes provide hope. The honourable member is correct. I have a younger brother who is hoping to become a plumber. However, I have been told that there are no plumbing jobs available. I have given him the following advice: "Go and do the course. If you cannot get an apprenticeship, if you cannot get into a real job, go and do the courses that are available and keep on hoping." Without the need to have children of my own, I am experiencing the problem of youth unemployment. By that comment, I mean that I am not speaking from the vantage point of being a parent, such as the lady to whom I spoke half an hour ago who is broken-hearted by her daughter's inability to find a job. I am going through the same situation as I seek to advise my brother. I say to him, "Take hope." I understand what the honourable member for Gladstone said to me. However, the problem is that, in the foreseeable future, I cannot give my brother hope for a real full-time job in private enterprise, and I do not believe that any other members can, either. If Government members were honest, they would admit it. The Australian Bureau of Statistics has proved it.

As the 17-year old girl said to Paul Keating on a recent edition of *Sixty Minutes*, Australia will end up with the best-educated dole queues in the world, but no jobs. Young people are frightened by the lack of jobs that has been brought about by Labor Party policies. In Queensland, 158 700 people are registered as unemployed, which is an increase of a massive 69 per cent since the ALP was elected in December 1989. Despite the Government's claims of massive job creation, the figures that have been supplied by the Australian Bureau of Statistics do not lie. They indicate that although unemployment has skyrocketed by 69 per cent, the number of jobs in Queensland has increased by a very, very small 2.7 per cent.

Mr Foley: Forty thousand extra jobs.

Mr SANTORO: All I can say to the Minister is that he should look at the figures that have been supplied by the Australian Bureau of Statistics that indicate the total number of jobs that were available in 1989 and the total number of jobs that are available today, and then read the statements that have been made by the Premier and the Treasurer. To the Minister's credit, I have not heard him make the outlandish statements of 120 000——

Mr Foley: The rest of Australia is going backwards. We have created jobs.

Mr SANTORO: I take the Minister's interjection. The Minister is comparing the situation in Queensland, which I admit is better than the rest of Australia, with the situation in other States. He is not comparing apples with apples. I want him to compare the total number of jobs that were available in 1989 and the total number of jobs that are

available now. I want him to then marry those figures up with the statements that have been made by the Premier and the Treasurer, and he will see the enormous dichotomy of those two figures. Tomorrow morning in the House, I will put this in the form of a motion. I will extract the statements that the Premier and Treasurer made about this matter, and put it in the form of a motion. Then let the record stand for itself, and let it be denied by ministerial statement or otherwise—if it can be denied. I cannot be more reasonable than that.

Mr Szczerbanik: What about the population movement?

Mr SANTORO: I shall take that interjection about population movements. Government members have a schizophrenic attitude about population movement. Although my time is limited, I shall try to extract the statements made when unemployment numbers were trending upwards. I recall the Premier and the Treasurer saying at that time, "We blame it on the population migration." Now that there seems to be a decline in unemployment numbers—and I predict that it is only a temporary decline—the Premier and the Treasurer claim that population migration is attractive, because it indicates the strength of the Queensland economy and leads to job creation. They cannot have it both ways. They have a schizophrenic attitude towards internal migration, training and the availability of real jobs. They cannot have it both ways.

Mr Foley: It is good for the economy in the long term, but it does create pressures on our infrastructure in the short term.

Mr SANTORO: The Government finetunes its message: internal migration is bad when the unemployment figures are trending upwards, particularly when there is an election just around the corner. This Government kicks the southerners when there is an election just around the corner. Members of the Labor Party used to accuse Joh Bjelke-Petersen of doing that—blaming all the ills on the southern States and those horrible southerners. Joh used to say that Queensland was the place to be and that they were the people to blame. But members of the Labor Party used to say, "That is not right, Joh." They cannot have it both ways. As I said, tomorrow I shall put this in the form of a motion.

While the dole queues have lengthened by 69 percent, job creation is barely noticeable at just 2.7 percent. That is a disgrace. I feel very sorry for all the people who will undertake the training courses governed by this Bill, because many of them will not be able to find a job when they finish their studies. The ALP's attitude is just to keep creating more and more training places, with no thought as to what might happen when the students finish their studies—except to go back and complete another training course. The Labor Party is breeding a whole generation of professional and perpetual students, because it will not allow business to create real jobs for them to do.

The Opposition is committed to the provision of extra training places under the Fightback package, but we will also introduce economic policies that will lead directly to the creation of tens of thousands of jobs in Queensland, and hundreds of thousands throughout Australia. If the Prime Minister, the Premier and members opposite were serious about creating jobs, they would be following the coalition's lead and abolishing payroll and land taxes, and revamping our industrial relations system to reflect economic reality. It is clear from the fluctuating level of apprenticeships mentioned earlier that some mechanism needs to be introduced to even out the variations in the current training arrangements and to ensure a good and reliable supply of trained people for a wide range of occupations. The talk of change which I have discussed has been going on in a formal sense for about the past five years, but it really stretches back about 25 years. The problem remains though, even to this day, that very little of the talk translates into action. Even with the specific recommendations of the Finn and Carmichael reports, progress is far too slow. That is recognised by employers, and I constantly receive letters from large and small business operators who are concerned about the cost and process of training.

One particular employer has commented that Government seems to do nothing but erect hurdles in the path of those seeking to employ and train people. His letter stated—

> "There are plenty of contractors in the building industry who would put on apprentices if they could afford it and if the sub-contract system is not destroyed by the Labor/Union government's stupid policies."

The particular contractor notes that employers seem to be the neglected party in all the talk about training. He stated further—

> "The school training has been altered to make it easier for the education departments and teachers, the wages and benefits have been altered to satisfy unions and the apprentice. Why worry about the employer, he only has to pay for it."

It is true that Government continues to put obstacles in the way of employment. Most members would recall the Labor Government's decision to make apprentices pay fees for their TAFE college training. Under conservative Governments, there was no charge for this. But under the ALP, on goes a charge. In most cases, the employer—not the apprentice or trainee—has paid the charge. Then there is the superannuation levy, the training levy, payroll tax and all the rest. All of these are employer costs, but the people in training do not get off scot-free, either. Some unions which previously provided virtually free membership to apprentices are now charging them for it, as well. The Plumbers and Gasfitters Union is just one example. All things considered, training is pretty expensive. A cheaper—or at least more efficient—means of training needs to be found. The recommendations of the Carmichael and Finn reports provide at least part of the answer.

As the Minister noted in his second-reading speech, there has already been progress in developing two pilot schemes following the Carmichael plan: a Brisbane-based retail program, and a tourism scheme in north Queensland. It is hoped that this Bill will play a role in enabling more of those sorts of schemes to get off the ground. Like most pieces of legislation, the Bill sets out in some complex terminology a fairly simple concept. It is good that there will be a degree of control of the industry placement system to prevent unscrupulous operators of colleges or unscrupulous businesspeople from trying to twist the system to their own advantage.

The need to have a training scheme approved by the State Training Council before its students can participate in the program is sound. That is one accreditation requirement which the Opposition does support. The council will ensure that the industry placement fulfils a proper place in the course curriculum. Similarly, each college director will approve the employer that is providing the industry placement, based on that employer's suitability to provide proper experience, and provided, presumably, that working conditions will be appropriate. A written agreement will be necessary between the college director and the employer for an industry placement scheme up to 240 hours. Here there is one area of detail in the Bill which seems to be worded in a rather ambiguous way. I mention it to give the Minister a chance to clear it up quickly. People do not understand whether it is over a calendar year or over a three-year period. This concept of 240 hours of industry placement presumably refers to 240 hours for each student. Elsewhere, the Bill specifies that the placement must be within the normal academic calendar year. This has led some people to read the two provisions together and believe that the placement can be for up to 240 hours per student per academic year. My understanding of the Bill is that it permits each student to be placed in industry for up to 240 hours over the duration of their course, or their particular training scheme. So if they are doing a two-year course, they are still able to do only 240 hours' placement under the normal rules. I ask the Minister to clarify that, as people may misinterpret it. As the Minister did not mention during his second-reading speech how this was determined, it might also be interesting to learn how the figure of 240 hours was arrived at. Students will not be paid for placements of up to 240 hours, and the work they perform in that time. In an effort to ensure that students are not taken advantage of, the Bill provides for the Industrial Relations Commission—the so-called independent arbiter—to determine the approval of a placement that exceeds 240 hours, and to set an appropriate rate of pay and other conditions of employment. This seems fair, and

despite the rather wide discretion given to the commission to determine wage rates and conditions, it is to be expected that such conditions will retain a high degree of relativity to each other and to the industries in which the placements occur.

Because the provisions of the Bill restrict the number of placed students to no more than the number of qualified workers employed full-time in the relevant area, employers will not be permitted to take advantage of the system by stacking their workplaces with placed students—in effect, free labour. Students with disabilities, however, are not provided with such protection, and this seems rather odd. I ask the Minister why the exemptions—at the discretion of the training council—are thought necessary for this and other standard provisions of the Bill. As in most things in this world, there is still the possibility that some might try to use the system to their own advantage. In these days of high costs and every dollar counting to business, I am concerned that it might still be possible for businesses to reduce their paid work force and replace those workers with students on industry placement, for free. This would be particularly likely if the students' placements could be staggered throughout the year. I suspect that most college directors will pay close attention to the placements to ensure that this does not occur, but it is something to keep an eye on. I stress that point. Often, Opposition members have been accused by Government members of being in favour of an industrial relations system in which the employer is able to take advantage of employees in a weak bargaining position. I hope that the attitude that I have expressed clearly indicates to the Minister and to members opposite that no industrial relations system that this coalition will advocate will ever seek to place an employee, either individually or in a small group, at a disadvantage where he or she would be at the mercy of an unscrupulous employer.

Mr Dollin interjected.

Mr SANTORO: Because I do not want to waste time, I will not take that interjection. However, I am happy to give that assurance to the House. The college attended by the student must pay for the provision of workers' compensation protection and indemnity insurance, unless the placement is a paid one, in excess of 240 hours. That is fair and reasonable. Many of the students who will benefit from this Bill are those who attend Queensland's TAFE colleges, and there are several concerns in relation to these colleges which need to be raised. I am hopeful that the Minister will be able to allay these concerns. I could write to the Minister or seek answers during question time, but I avail myself of the opportunity that this Bill provides. As the Minister knows, question time is often restricted, sometimes by design of Government members, as we have seen earlier this week.

Mr Foley: What was the last issue that you raised?

Mr SANTORO: I am about to raise a series of issues to which I hope the Minister will give consideration. If he does not have sufficient time to consult during the course of this debate, he may wish to follow the honourable course of one of his predecessors, the former member for Sandgate and Minister for Training, Employment and Industry Relations. When I raised issues in debates such as this, he would provide comprehensive written answers. I hope that the Minister will follow that good example that was set. The first issue relates to the lot of apprentice butchers undertaking their training through the College of Tourism and Hospitality. I have been approached by a gentleman who feels that the apprentices are being very poorly treated. He believes that their conditions are substandard and that the perpetual backlog of apprentices seeking college training is a disgrace. I raised this issue with the previous Minister and was informed that steps were being taken to overcome these problems and that additional classes were under way. The previous Minister paid me the courtesy of a very comprehensive answer that satisfied me. However, in his answer the honourable member for Nudgee came back with much vitriol and disputed some of the assurances that had been given to me. Perhaps the Minister may wish to have another look at that point with a view to providing an up-to-date opinion. I ask the Minister whether his

predecessor's prediction—that there will be no backlog of apprentice butchers seeking college places by the middle of next year—is still accurate.

I have also been made aware of staff concerns at the Ithaca TAFE College. Under the previous directorship of Mr Rod Millican, this college became one of this State's finest. Since then, however, staff have become alarmed at the management situation at the college. The following information was given to me by staff at the college a couple of weeks ago, and I believe the situation is still unchanged. If the Minister has acted to rectify the problem since then, I will be happy to hear about it. Firstly, I quickly add that the staff have no problems with the Acting Director, Mr Allan Betts, but they are unhappy with the position remaining officially vacant. I wonder whether the Minister might be able to investigate the matter and let people know why the position is vacant, and when it will be filled. The college staff believe the Director of the Gateway College at Eagle Farm has been promised the job at Ithaca and are anxious to learn the true position. There has also been some controversy at the South Brisbane College, where staff believe the Government plans to relocate the existing prevocational and access courses to other venues. As these prevocational courses are closely related to other courses at South Brisbane, this would seem a strange move, and I wonder what the Minister knows of it. Then there is the case of the expansion of the Toowoomba College of TAFE. Further space is badly needed in Toowoomba, and those concerned with the future of the college would like to get some idea on whether one particular site can be acquired. I know that they received very little support from the previous member for Toowoomba North—who I am told refused to even discuss the matter with community representatives—but I am sure that they will find the new member, Mr Healy, much more helpful.

Training in Queensland—and TAFE in particular—is a very expensive undertaking, and the very useful programs on which the money is expended are detailed in the State Budget documents. However, one thing which attracted my attention was the omission in those documents of the amount of revenue projected to be collected from the course fees paid by students. I am sure honourable members would be interested to learn of the figure, as we move towards the cost recovery model outlined in the Finn and Carmichael reports.

As I have said, the Opposition parties will support this Bill, because it provides easier placement of students into workplaces for invaluable practical experience. This experience is vital to the ultimate outcome of all training courses—the finding of suitable employment for the students at the completion of their training. In 1992, the tertiary institutions of Australia made 18 000 fewer offers than they did in 1991. In Queensland, 65 per cent of those who applied failed to obtain a place. The Finn report found that fewer students are interested in TAFE, and more are applying for university positions. This reflects society's general view that TAFE is second-best, and should only be second choice and considered after a student fails to obtain a university place. This sort of thinking undermines our potential for economic development and must be turned around.

Unemployment has become a social disaster, the like of which we have not seen in Australia for 60 years. Those without work must not be abandoned on the dole, but be actively helped to return to the workplace. As part of an active employment strategy, unemployed people must be given access to training programs which will enhance their employability. Those training programs should contain appropriate on-the-job experience at a workplace, and this Bill provides for just that. Most of all, though, it must be remembered that the best training scheme in the world is of no use to anyone if there are no jobs available for the students when their courses are completed. The Opposition believes that it is incumbent upon this Government to not just provide better and more relevant training—as this Bill seeks to do—but also to enable business to provide challenging and secure employment.

The approach taken by Governments in Queensland before the Labor Party's victory in 1989 was simple, and it worked. The Liberal Party and the National Party had a

strong commitment to job creation by business, not Government, and to a growing economy. This was achieved by focusing on and encouraging economic activity in the private sector, which is truly the engine room of any economy. The ALP's economic policies have turfed hundreds of thousand of people across this nation and in this State onto the economic scrap heap. Country people, in particular, have been ravaged. Not only do they still have to fight against the traditional enemies of rural residents—fire, drought and flood—but they also have to fight against a union-dominated Labor Government. This Government does not understand country people, and it has plunged our rural areas into recession. Even worse, to really kick some dirt in the faces of country people, it has withdrawn vital services. The consequence of all of that is that unemployment in some rural areas is twice as high as it is in the city.

As the member for Brisbane Central so correctly pointed out recently, this Government is obsessed with opinion polls and doing what is popular. He also pointed out that what is best for the country in the long-term may not be popular with people in the short-term. This is accurate and incisive, and no doubt explains why the Government shuns the member for Brisbane Central, who has more ability and perception than the rest of them put together. I wonder whether honourable members know that those Queenslanders who are in work are paying $840 each year just to support Labor's growing army of jobless? We now have the highest level of unemployment since the Great Depression. Our total welfare payments have grown to about 80 per cent of the total pay-as-you-earn income tax receipts. This means that under Labor, average wage earners are paying about $3,500 each year to support other peoples' families before they can even begin to support their own. For most of the past 40 years or so, Queensland has enjoyed the benefits of a steadily growing and developing economic base. But since Labor came to power, that winning strategy has been corrupted. Now, we see the ALP committed to rapid public sector growth and to unnecessary Government involvement in private sector business activity.

Regulations are strangling business while the Government busies itself with picking winners, as John Cain did. Sadly, Mr Cain, Joan Kirner, John Bannon and Brian Burke do not seem to have been all that good at punting. The inescapable conclusion is that, as the Leader of the Federal Opposition has said, one simply cannot trust Labor Governments with money. We cannot afford to have our money wasted while peoples' jobs simply disappear. There will be no jobs for the students trained under this Bill. The way to provide jobs for those students, and to make their training worthwhile, is for Government to ease the burden on business. There is a desperate need for the Government to abolish its anti-job taxes, such as payroll and land taxes. Other regulations and charges need to be lifted, and one-stop-shops need to be introduced to allow businesses to get off the ground in the first place.

Mr Dollin: That's the fourth time you have said that.

Mr SANTORO: I am summarising.

Time expired.

Ms POWER (Mansfield) (5.27 p.m.): I rise in support of the Vocational Education and Training (Industry Placement) Bill 1992. I congratulate the Minister and his department on this positive initiative. The Employment Skills Formation Council, chaired by Mr Laurie Carmichael, recently released a report entitled "The Vocational Certificate Training System", which has since been adopted by both the Commonwealth and the States as the blueprint for the reform of Australia's vocational education and training systems. The vocational certificate training system recommended by Carmichael aims, firstly, to increase the occupational and industrial areas covered by articulated structured training arrangements; secondly, to facilitate the articulation of vocational qualifications attained by young people with the career paths established by the award restructuring process; thirdly, to provide multiple flexible pathways to accommodate the needs and circumstances of young people; and, lastly, to contribute to the task of producing a more skilled and productive work force. The Carmichael report emphasises the importance of developing a flexible industry/enterprise based approach to the

development of work-based vocational certificate training to the achievement of its stated aims. Part of that approach involves the delivery of both on and off the job training.

As the Minister pointed out in his second-reading speech, neither the provisions of the Education (Work Experience) Act nor the Vocational Education, Training and Employment Act allow institutionally based training arrangements to include on the job workplace training as an integral part of a vocational training curriculum. As such, these two Acts have, in effect, fragmented the vocational training and education system and have stifled the flexibility necessary for industry-based training. This runs directly counter to the whole thrust of the process of workplace reform and to the aims of the new Australian vocational certificate training system advocated in the Carmichael report that I outlined before. This Bill will break down those barriers and help integrate the vocational education and training system with the workplace. Where a course requires practical, on-the-job experience, this legislation will provide the mechanism by which students can undertake relevant industry placement. In addition to covering TAFE and senior colleges, the legislation will extend opportunities for industry placement to rural training schools, approved training organisations and other entities approved by the Vocational Education, Training and Employment Commission. Examples of courses that will involve industry placement are: pre-vocational certificate courses in tourism and hospitality; certificate courses in engineering and construction; certificate courses in commercial and office studies; associate diploma in child care; and the associate diploma in electronic systems. Additionally, various Commonwealth and State labour market programs will also have access to the industry placement system if they incorporate courses from a recognised institution.

Industry placements that form the on-the-job component of various courses will take place under approved training schemes, which will be either one of two types: approved training schemes that are for 240 hours or fewer—students undertaking industry placement under these schemes will not receive a training wage—or approved training schemes that are for more than 240 hours. Training wages will be established for students undertaking industry placements under these schemes. These training wages will be established by an order of the Industrial Relations Commission. Vocational placement agreements will cover students undertaking unpaid industry placements while vocational training agreements will cover students undertaking paid industry placements. Importantly, and unlike the existing provisions of the Education (Student Work Experience) Act, students participating in industry placements will now be covered by workers' compensation and/or indemnity insurance. The State Training Council, which is a standing council of VETEC, has a crucial role to play in the implementation of the Bill in that it will be responsible for approving each training scheme and approving vocational training agreements.

This Bill stands as a milestone in the process of workplace reform and demonstrates the Goss Labor Government's commitment to building a stronger Queensland through an accessible and flexible training system that responds both to the needs of industry and the needs of young people. I wish to advert to the comments made by the honourable member for Clayfield, who queried the involvement of Governments in this process. Over the years that I have been a member of this Parliament, I have noticed that members of the Opposition are very good at talking about what small business will do in creating jobs, but the reality is that it has not happened. It therefore falls to Government to take up the slack. Business says that if the Government does away with taxes, more people will be employed; but the reality is that when the taxes are abolished, which is what this Government has done, employment opportunities still do not increase, and small business does not do anything about employing more people. I have also noticed that employers do not respect education for education's sake. They think that children are only at school to learn how to become job fodder and that there is no value in having an education, whether it is gained by studying for a degree or through a TAFE course.

The member for Clayfield also said that in many cases only universities are recognised as reasonable tertiary education institutions. This may be partly the fault of TAFE, but I can certainly state that in the school system, quite often guidance officers suggest that only the good students go to university and that the leftovers go to TAFE. It is often the case that TAFE representatives do not get the chance to speak to the whole student body, but only to those students who guidance officers or teachers think are reasonable.

Mr Santoro: I agree with you there.

Ms POWER: I am sure that all honourable members have received the same complaint. I believe the onus is on TAFE to go out into the business community and make people realise that a TAFE course is just as good as a university course, particularly in terms of practical courses. I will stand by what I said and keep my speech short. In conclusion, therefore, I again congratulate the Minister for taking steps to address the issues of job creation and unemployment. I support the Bill.

Mr WELFORD (Everton) (5.34 p.m.): It is my pleasure to support the Minister in the debate on the Vocational Education (Industry Placement) Bill, which is another spoke in the wheel of revolutionary industrial relations reform presented by the most progressive Government this State has had for many, many years. This Bill is all about providing jobs and training opportunities for young people. It expands on the existing ad hoc arrangements that are provided under the Education (Student Work Experience) of 1978, which provided only limited access to work experience and opportunities for observation on the job, and it also provides an alternative to the formal apprenticeship system by providing access to entry-level training. This will facilitate workplace experience in addition to the formal college training component.

There are two major aspects of the joint efforts of the State and Federal Labor Governments in industry reform. The first, of course, is to reform the awards and workplace structures that have, in a sense, stifled flexibility and prevented Australia from becoming increasingly competitive and economically productive. The second most important component in the creation of a more productive economy is the establishment of a work force that has the skills to take up the new jobs that are being created. Part of that process has come out of the very extensive reports commissioned by the Federal Government, as previous speakers have mentioned, such as the Finn review on post-compulsory education, the Mayer committee that examined key competencies in Australia's education system, and the Carmichael report, which established a vocational certificate training system. These are part of our national training reform agenda. I am very pleased that our Government at State level is working in cooperation with the Federal Government to achieve those goals. That is in stark contrast to the approach of our opponents, which, contrary to the sentiments expressed in passing by the member for Clayfield, is designed not to provide formal training opportunities, not to provide a structured system of Government-initiated training places, but simply to leave the young people of this country to the law of the jungle. That is the truth and the reality of their rhetoric, which they are never prepared to concede.

What is needed for the employment recovery in our country? In my view, there are two components to the recovery of an economy which will employ people. To my mind, the key test or the key gauge of the effectiveness of the economy is the level of employment. Firstly, as the member for Clayfield mentioned when he referred to the reports of the Federal Government, Australia needs to adjust itself structurally as an economy to become internationally competitive. We very much need to restructure our economy to, as Barry Jones says, become an innovation economy. We can no longer rely on trying to compete with the low wages of the Asian nations, or our Asian partners, in manufacturing. We have to develop brain-based industry that focuses on higher-level manufactures, that develops our competitiveness in fields which are based on quality, high-skilled, high-wage economies and that focuses, as I say, on an innovation economy.

That does not come about simply by leaving everything to the market. It does not come about solely by cutting taxes in a country which already has in aggregate amongst the lowest levels of taxes of the 24 countries in the OECD. It requires a sophisticated, pro-active Government-led initiative in the training environment to ensure that we plan today for the economy of Australia's future. That did not happen throughout the eighties, when policies of deregulation and privatisation were given some reign. The claims of the New Right in relation to the benefits that would flow from a deregulated economy have not borne fruit to anywhere near the extent that Dr Hewson or, indeed, the member for Clayfield might otherwise try to persuade us. The reality is that Governments have to intervene in the training environment to achieve the goals that this country has to achieve if the skills base of this country is to be adequate to meet our future needs as an international economy.

This Bill is part of that process. It does not provide just a cheap labour youth wage, as Dr Hewson and the other Federal colleagues of the State conservatives propose. It does not provide a winner take all, devil take the hindmost, law of the jungle type system in which young people can take a cheap wage if they want it but without any guarantee of training at all. On the contrary, the legislation provides a sophisticated mechanism through which young people can go into the workplace and be guaranteed a decent level of formal and proper training. The Finn report recommended the training guarantee. Although the member for Clayfield quoted extensively from the Finn report, he did not quote the part that said that the Federal Government should establish an education and training guarantee, as indeed it has now done.

Recently, on behalf of the Minister for Employment, Training and Industrial Relations, I hosted a dinner with executives of the vocational training system in Germany. One of those people informed me that the average private sector investment in training in Germany was in the vicinity of 6 per cent of a company's or firm's payroll. In Australia, it is something less than 1 per cent. Yet, when the Government moved to introduce a training guarantee levy of only 1 per cent, people such as the member for Clayfield and his Federal counterparts squealed and whined about how Government puts an unnecessary load on business. The reality is that, if the private sector in this country is not prepared to invest in the skills development of our work force, if it is not prepared to invest in research and development to build an innovation economy, the Government is required to intervene to make sure that those things happen.

The Bill is just part of that process. The Bill certainly enjoys my support and the support of members of the Government, because it is a necessary part of the process of building skills amongst young people and older people. As the economy recovers and restructures so that is it is not so dependent on commodity-based industry, so that it develops in the areas of higher technology and higher-level manufactures and so that we develop industries that are based on value-added products and not only the core commodities, we need a work force that is properly trained and properly skilled to fill the jobs that will be created. What we do not need is the destruction of the training guarantee, the abolition of the training guarantee, as Dr Hewson proposes; or the abolition of any formal training or TAFE facilities, or access to TAFE courses, that the Federal coalition and its State counterparts propose as part of their Fightback and "jobs sack" packages; or the abolition of the superannuation guarantee; or the abolition of the award system, which recently provided the greatest increases in productivity that this country has seen for a generation.

All those features of a formal, structured Government-sponsored industrial relations system, which are the necessary component of Australia's economic future, will be brought to nought if the member for Clayfield and his Federal counterparts have their way. We do not need that. Instead, we need the sort of Bill that the Minister is properly introducing today, which provides the lead not only in the public sector but also in the private sector to provide the facilities for the private sector to invest in training of its staff. It is up to the private sector to take that initiative. If the private sector does not take that initiative, Governments will increasingly have to fulfil that responsibility rather

than leave young people out on the scrap heap of the unemployment queues simply because they do not have the skills to take up the jobs that are being created.

Mr BARTON (Waterford) (5.44 p.m.): I rise to support the Vocational Education and Training (Industry Placement) Bill because it supports appropriate training; it supports industry's needs; and it supports industry restructuring and the process of award restructuring that is so important to industry today and to this nation's future. I support it because the industry placement program is managed by a tripartite body that recognises representatives of industry employers and the trade union movement as well as Government and training bodies. This industry placement program supports the new form of work organisation that is being developed in this country and which is very sorely needed. The program recognises that we require education and training right throughout our working lives.

I am also pleased that the member for Clayfield has indicated that he will support this legislation. I was quite surprised to find him supporting the legislation, although I applaud it, because it runs contrary to the policies that are being put forward in Fightback, a package which the Opposition parties say they support and which would see ad hoc training and ad hoc development of organisation in this country. This Bill puts into place an important new vocational-based training scheme. It provides training opportunities for young people who require on-the-job training by industry placement. Industry placement exists in the form of the traditional apprenticeship scheme. Again, I am very proud to say that because I am a product of this State's training in the apprenticeship system. The Bill also supports the traineeship program in which people are placed for one year and do some formalised training during part of that year. Most of the time is taken up by work within industry, of course, in the apprenticeship scheme and in the traineeship scheme.

The only other industry placement scheme that does exist now is work experience for high school students. I have been pleased to have a number of high school students come through and work with the organisations that I have had the privilege to lead in recent years. It is a very good example of precisely what this scheme has the potential to do. All of these schemes are important. They do a great job and a very important job. However, there is the need for this legislation to provide for training with private providers and in TAFE colleges and training institutions so that the training from them increases to meet industry's needs. Those needs are related to the dynamic process of industry development and award restructuring, programs that the trade union movement has been a part of developing and leading in this nation.

With regard to training—people now do not simply complete an apprenticeship, a degree or a traineeship and enter the work force. We need to ensure that in these new programs people gain some on-the-job training. We have very rapid changes in most industries now. We are seeing that people do have to go and continue to undertake further training, both formal and on the job. This industry placement scheme assists that process. It provides for industry placement or work experience within industry, certainly in a very formalised way, where the period is above 240 hours, or approximately six weeks. As has been indicated by previous speakers, there is not such a formalised system and payment for periods that are less than 240 hours. But this placement must be part of a formalised vocational placement agreement—I am talking in the context of where more than 240 hours is involved—that is managed and approved by the tripartite body and approved by the State Training Council, which again I stress is representative of industry employers; representative of the trade union movement, which has a great interest in the training mechanisms and looking after the interests of people; the Government; and the training institutions. All of those parties have a genuine direct interest. The program allows for the involvement of TAFE colleges and private providers. Up until recent years, TAFE virtually had a monopoly on that.

Employment conditions such as wages, other conditions and other factors submitted by the State Training Council in developing the particular program are set by the Queensland Industrial Relations Commission, the independent umpire. It is most

appropriate that we give proper recognition to the role of the State Industrial Relations Commission. The industry placement scheme is related to specific approved training schemes. It will ensure an appropriate mix of formal training and practical work experience. These trainees, the people who undertake these programs, need to get a little bit of dirt on their hands. They need not just to have the theoretical knowledge that can be provided in the training institution at whatever level, but also to know what actually goes on on the job. Up until now, in some areas it has been done in an ad hoc way. I can recall that when I was a young tradesperson at one stage I had as my trades assistant for a six-week period a guy who was doing a degree course. I am happy to say that he ended up, from my experience with him over subsequent years, being one of the best engineers with whom I have ever had the privilege of working.

Mr Santoro: Despite that?

Mr BARTON: No, I think because of that; because in fact he got to find out what really did occur on the job. When he attained a position of some authority, he knew how the normal people worked; he knew how they thought; and he knew what their very real problems were because he had had to get in there and get dirt under his fingernails and on his hands. This program, which does provide for that proper balance, deserves the unanimous support of this House. I am very confident and very hopeful that it will get it within a very short period.

Queensland has always been a leader in training issues, because in the past training in this State has been handled on a genuine tripartite basis with a high level of commitment from employers, a high level of commitment from our very forward-thinking trade union movement in this State, and a fairly high level of commitment from previous Governments as well as, of course, the best level of commitment from this Government. This Bill ensures that Queensland really is the leading State on training issues. I am proud that Queensland has been recognised as such by the decision that the headquarters of the Australian National Training Authority will be located in Brisbane. That is a recognition of the fact that Queensland is the leading State on training issues. This Bill is very good legislation. It deserves the support of all honourable members, and I certainly support it.

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (5.52 p.m.), in reply: I thank all honourable members for their contributions. I thank the member for Mansfield, whose background of distinction as a teacher was of particular relevance to this debate. She highlighted the Government's commitment to accessible and flexible training. The member for Everton's stress on the importance of jobs identified the central principle of this Bill. The member for Waterford's discussion of the role of the Bill in assisting rapid change in industry was a particularly important contribution to the debate.

I thank the member for Clayfield for his support for this legislation. The honourable member correctly pointed out that this legislation applies to older students as well as to younger students. The honourable member, during an outbreak of candour, complimented the Government on its robust approach to obtaining Commonwealth funding. That attitude was adopted by this Government after a regrettable period under the National Party Government during which Commonwealth funding to this State, based as it was on the relevant State effort, had fallen behind. Under the current Government, that funding level has now been increased.

I join with the honourable member and the honourable member for Lockyer in urging a disregard of any alleged stigma relating to TAFE colleges. Those colleges are to be encouraged as places at which people can be trained. As to the apprenticeship issue—I refer the House to the ministerial statement made yesterday. As to employment—it is relevant to note that, over the past year, Queensland has increased by 39 700 the number of available jobs. By contrast, in the rest of Australia there appears to have been a decline in the vicinity of 4 100 jobs.

In answer to the honourable member's question as to the number of industry placements—the Bill provides that any course can have more than one industry

placement. For example, a two-year course can have two industry placements of 240 hours each year. Clause 15 only limits a single industry placement to a college's academic year. The arrival at the figure of 240 hours is based on a balance between what, on the one hand, could have been seen as exploitation and what, on the other hand, was seen to be a sufficient length of time in which to achieve the relevant skills.

Students with a disability will continue to be protected by the State Training Council. However, there will be circumstances in which a disabled student, for example, who uses a wheelchair may need a longer time or a more flexible arrangement to get the same benefit from the training course as does another student. As to the specific TAFE issues raised by the honourable member—I am happy to write to him furnishing those details. I commend the Bill to the House.

Motion agreed to.

Committee

Hon. M. J. Foley (Yeronga—Minister for Employment, Training and Industrial Relations) in charge of the Bill.

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mr FOLEY (5.58 p.m.): I move the following amendment—

"At page 6, lines 7 and 8—

omit 'who are under 21 years of age',

insert 'on the basis of their age'."

Those provisions were taken from the Education (Student Work Experience) Act 1978. However, this legislation applies to students of all ages, not just students who are under 21, as was indicated by the honourable member for Clayfield during his speech.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 23, as read, agreed to.

Bill reported, with an amendment.

Third Reading

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

Sitting suspended from 6 to 7.30 p.m.

LOCAL GOVERNMENT SUPERANNUATION AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 11 November (see p. 486).

Mrs McCAULEY (Callide) (7.30 p.m.): The Opposition will not be opposing this legislation, which provides for amendments to the Local Government Superannuation Act 1985 to enable it to meet the requirements of the Commonwealth Government's superannuation guarantee levy. Although I understand that the Local Government Association has always been in favour of equal contributions from employer and employee, that is, 6 per cent from each, in its wisdom, the Commonwealth Government has decreed that employer contributions will increase in two stages to 12 per cent by the 1997-98 financial year. If this legislation was not passed to meet the requirements of the Commonwealth Government, because of the way in which the Commonwealth legislation is structured, at the end of the day, councils would pay more. They would

have to pay a forfeit fee, or levy, which would be more than the superannuation contributions.

The increase in employer contributions is to be phased in at the rate of one-quarter of 1 per cent per financial year for six financial years, commencing 1 July 1992. Councils were warned about this matter and should have included that amount in their budgets for the 1992-93 financial year. In the case of a reasonably sized country local authority such as the Banana Shire Council, that increase amounts to $16,563 a year, bringing the total amount this financial year to $518,462. I do not need to point out to members that this amount comes out of the pockets of the long-suffering ratepayers, who will see a corresponding increase in their rates over the coming six-year period to pay for this levy without any corresponding increase in services, staff or anything tangible at all. However, no doubt they will receive a warm inner glow as a result of such a Government-enforced largess on their part.

The scheme has also been amended to include elected members, if they wish to join the fund and if it is appropriate to do so. In small local authorities where the members earn an insignificant amount, that offer will probably not be taken up. I should also point out that the Brisbane City Council has a different scheme and is not included in this legislation. For the many excellent and faithful employees of local government throughout this State, this legislation brings the Local Government Superannuation Scheme into line with the private sector schemes and the schemes for other levels of government. I acknowledge those employees, without whom local government in Queensland would not be the efficient and effective tier of government that it is. My concerns about the ratepayers and their pockets do not reflect on the right of those dedicated employees to be treated at least as well as other sectors of the community when it comes to superannuation. My disquiet stems from levies such as this one and the training guarantee levy, which takes money out without giving anything back. It is really an increase in taxation by a subtle means without any reciprocal arrangements. However, having had my whinge, I will support this legislation.

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (7.34 p.m.), in reply: I thank the Opposition for its support of this legislation.

Committee

Clauses 1 to 16, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 12 November (see p. 664).

Mrs McCAULEY (Callide) (7.35 p.m.): I believe that it would be fair to say that local government has changed more since the State Labor Government came to power in 1989 than in any of its total previous years of existence. Whether that is good or bad remains to be seen. I am not opposed to change simply because the status quo seems a safe and warm place in which to be, and change can be disruptive, challenging and even threatening. However, I am not in favour of change simply for the sake of change. More than a few of us in local government circles are wondering whether that is, in fact, what is occurring. I will reserve my judgment on that, but I will not hesitate to speak out when I have something to say.

This legislation will not be opposed by the Opposition, because it understands that this legislation is required to facilitate the electoral review process of local government by the newly appointed Local Government Commissioner, Mr Greg Hoffman. I have called to see Greg, whom I have known from his days with the Local Government Association, and I am quite comfortable in the knowledge that his background in local government matters is both comprehensive and up to date. I could imagine the furore within local government circles if someone who was not au fait with what is happening in local government in Queensland had been chosen for this position.

In an address to the North Queensland Local Government Association, which was held recently in Sarina, Greg Hoffman outlined his plans for the undertaking of the massive job that he has ahead of him in reviewing the recommendations of the Electoral and Administrative Review Commission on amalgamations of councils and other perceived malapportionments involving internal divisions and other matters. I am pleased with his commitment to a comprehensive, open and fair process of review. However, I am concerned about what appears to be a most involved and, therefore, costly program, which ranges from a preliminary issues statement, through various stages to a discussion paper on conclusions.

I must admit to being rather taken aback when I saw the size of the document which was tabled last week in this House and was the result of the investigation into a request by the Emerald Shire Council for one fewer councillor. I did wonder whether it was not overkill, and perhaps a waste of resources, particularly as I understand that no-one objected to the proposal. I believe that we must keep a proper perspective in these matters. Hopefully, as things get under way, the process involving the local government commissioner will be effected smoothly and continuously right throughout the State, or I can see that Greg's job could drown him in red tape. The emphasis is on encouraging councils to agree, and to come to mutually satisfactory arrangements, because if they do not, the legislation provides that the Local Government Commissioner will make a recommendation to the Minister.

In his second-reading speech, the Minister said that the EARC report of 1990 found—

> ". . . serious malapportionment in many local authorities that were divided into electoral divisions."

We on this side of the House do not agree with those comments. I must point out that a dissenting report was submitted by the National Party members of the Parliamentary Electoral and Administrative Review Committee.

Mr FitzGerald: It was a great report.

Mrs McCAULEY: It was a very good report. There were very good National Party people on that committee. The Minister went on to say that ratios between electors and members were often far outside generally acceptable tolerances, and this legislation sets in place tolerances of 10 per cent for electorally divided authorities with more than 10 000 electors and 20 per cent in local authorities with fewer than that number. The Minister hails the fact that the 1994 local authority elections will be conducted without the distortions resulting from malapportionment. I believe that this talk of malapportionment is a bit like the talk in State Government circles of the dreaded gerrymander. What a nonsense that turned out to be when the recent State elections were held. The dreadful, corrupt system that kept the National Party in Government in this State was supposed to have been abolished. What happened? Labor won Government under this corrupt system, and when it was reformed the results spoke for themselves. In terms of numbers, there was not even a difference of one seat in this Parliament. So much for the gerrymander!

I have been able to observe at fairly close quarters the results of the changes that were put into place prior to the last local government elections for those 56 "worst case" scenarios, because the local authority on which I used to serve, namely, the Banana Shire Council, was one of those 56 and had to make changes to its

representation. Our shire, which previously had two members representing the town of Biloela, Division 5—and very adequately, I might add—now has four councillors. This means double the cost of administration, but it certainly does not mean double the representation. In fact, when I attend local meetings, I am quite surprised that no-one apart from the shire chairman is there representing the council. When I was on the council, my fellow councillors and I attended every meeting and every bunfight that was on in the town. We were very involved in every activity of that local community, because we represented them. But that is not so now. It costs twice as much money for ratepayers, but they certainly do not get twice as much for their money.

A comment made by Greg Hoffman in an address that he gave recently to the Institute of Municipal Management is particularly applicable to my concerns in this regard. He said—

> "In responding to the reforms impacting on local government it is essential that we constantly stop and put our reactions and responses into that broader context of the reasons why we have jobs in the public sector. You can best do this by putting yourself in the shoes of a member of the public and looking at the issue from that perspective."

That is very sound advice to anyone who serves on a local authority.

Another result of the changes made prior to the last local authority elections saw the loss of representation on the Banana Shire Council by the Wowan-Dululu area, while Baralaba, a similar-sized area in the shire, now has two councillors. Such occurrences are unfortunate, and they have left the Wowan-Dululu people disfranchised to a certain extent, although I know that councillor Paul Bienek does an excellent job in trying to combat this inequality. Whether or not such changes were necessary or beneficial will probably only be judged effectively in hindsight. But they have happened, and the process is still rolling forward. It is a bit like a great juggernaut that sweeps all in its path before it.

Although the changes I spoke of were made before the 1991 local council elections, it was considered by this Government—although not by the Opposition, I hasten to add—that according to EARC guidelines there were still plenty of councils that were malapportioned. Hence the need for this legislation which enables a process that will look at correcting those anomalies. I can understand that the Local Government Commissioner, Greg Hoffman, does not have time to look at the internal division question, so the local authorities themselves will look at this question and make recommendations. If the local authority does not make a recommendation either for change or for the continuation of the status quo, it will be forced to go into the 1994 election on an undivided basis. If the particular local authority resists change which the Minister sees as being needed, he has a reserve power to refer the matter to the Local Government Commissioner for investigation. All in all, local authorities have to be involved in this process. They cannot close their eyes and hope that it goes away, because it will not.

One problem that I do have is that the Australian Electoral Commission will take responsibility for the local government rolls for the 1994 elections. Having been through an election in which the AEC did the State rolls, they give every indication of being a most inefficient, totally remote, uncaring and—dare I say—incompetent group of people. I will be keeping a close watching brief on what happens in this regard, because the aim is apparently to have the rolls organised by mid next year. The other part of this Bill concerns amendments to the City of Brisbane Act 1924, which has always had a different process for redistribution. This Bill sees the end of the zonal system, in which the city was divided into north and south zones with the river as the dividing line, and the tolerance factor is reduced from 20 per cent to 10 per cent. I am concerned that the time frame of 21 days for public comment, and 21 days for suggestions on changes from the date of appointment of the commissioners, is too short. As I understand it, this could mean that changes to ward boundaries could be effected within a six-week time frame, which seems a very brief period indeed. My other concern is who will be the three

electoral commissioners appointed to oversee any redistributions. It is to be hoped that they are not simply Labor Party lackeys appointed because of their ability to toe the party line, but rather genuine, independent people who will deal with their responsibilities fairly and impartially. Having voiced those concerns, the Opposition supports the legislation.

Mr BEATTIE (Brisbane Central) (7.45 p.m.): I rise to speak relatively briefly in favour of the Bill. In doing so, I will make a couple of introductory remarks concerning some points made by the honourable member for Callide. I cannot resist making a comment about rolls. The honourable member referred to the Australian Electoral Commission's handling of the rolls during the last State election campaign. I recall, during the many years when I was Labor Party secretary, the mess the rolls were in under former National/Liberal Party Governments. The reality is that, under the old system and prior to the Australian Electoral Commission taking over the rolls, hundreds of people were enrolled in the wrong electorates and thousands of people were simply disfranchised. I remember that in one election 25 000 people in Queensland did not get a vote because of the absolute mess and incompetence of the State rolls.

Mrs McCauley interjected.

Mr BEATTIE: It does not matter whether the honourable member likes this or not, the reality is that the canvassing was not done properly. Indeed, anyone who knows anything about the enrolment system will know that the Federal system was better than the State system. I am not suggesting that there were not minor problems with the Federal system—there always will be. However, in 1992 the rolls were much more accurate than they were in previous years.

Mrs McCauley: Not in mine.

Mr BEATTIE: Because the honourable member grew up in the inner suburbs of Brisbane, she would understand that a large proportion of the population of the inner suburbs is transient and moves quite regularly. The Federal system handles that much better than the old State system did. This legislation comes before the House because of EARC reports and some reports from the Parliamentary Electoral and Administrative Review Committee chaired by Matt Foley—in particular, the report brought down by the committee entitled "On Matters Affecting the 1991 Local Authority Elections Arising Out of a Report of the Electoral and Administrative Review Commission on the Local Authority Electoral System of Queensland". That report deals with the basic philosophy of fair electoral systems, and at page 19 sums up one of the major reasons why I believe this Bill is important to the people of Brisbane. I will deal with only that part of the legislation which amends the City of Brisbane Act of 1924. It stated—

> "In paragraphs 6.37 and 6.38 of the EARC Report, the view is expressed that Local Authority divisions should move towards equality in enrolment numbers, within tolerances of plus or minus 10% in Towns, Cities and Shires with an enrolment of 10,000 or more, and 20% in Shires with an enrolment of less than 10,000."

One of the reasons why I believe this Bill is important is that it changes the tolerance from 20 per cent to 10 per cent. Anyone who believes in fair electoral systems, which the Labor Party does, will be pleased to see that change. One of the proud records of achievement of the first and second terms of the Goss Government has been its commitment to electoral reform and electoral justice. That applies not only at a State level but also at the local government level. As many of us would know, some of the greatest rorts of all time took place not only in State elections but also in local government elections. Indeed, some of the rorts in local government were much worse than those that occurred at the State level—not that I am seeking in any way to diminish how bad the rorts were at the State level.

This amendment to the City of Brisbane Act is also important because it establishes one zone for the city. We used to have the silly situation in which there were two zones, with the Brisbane River being the dividing line for those zones. Anybody will

tell you, Mr Deputy Speaker, that the value of votes should be the same whether they are cast north or south of the river. The vote should be equal and it should not be based on two zones. In my view, having two zones was a totally unacceptable and unfair circumstance. The abolition of the two zones is important, as is the change of tolerance from 20 per cent to 10 per cent. If honourable members examine the Bill, they will notice that proposed new section 14G provides that the electoral commissioners must take into account the normal redistribution criteria of community or diversity of interest, means of communication, physical features, density of population, demographic trends and development trends. That is particularly important. An examination of a number of Brisbane City Council wards shows that there is a need for a redistribution of wards. The City of Brisbane Act 1924 regulates most of the election and other requirements at a city council level; therefore only the wards themselves are covered by this legislation.

My electorate of Brisbane Central is part of the ward of Breakfast Creek. In my view, it does not have a community of interest. It includes suburbs such as New Farm and Teneriffe and then goes across to Ascot and Hamilton—very much chalk and cheese. When this redistribution goes through and the new ward boundaries are determined, we should end up with a fairer election result having provided a more cohesive community interest. Proposed new section 14C provides for the appointment of three independent electoral commissioners. I am a strong supporter of what the Minister has introduced in this Bill. It is important that there be a redistribution of Brisbane City Council ward boundaries prior to the next council election, because at present the difference in enrolment is unfair and is unjust. There needs to be a redistribution to bring about equity and fairness. As I said initially, over its two terms this Government has had a strong commitment to electoral reform. I believe this is a continuation of that strong commitment.

Finally, let me say that the Labor Party has always believed in establishing strong local authorities and seeing that they properly carry out their tasks. One of the fundamental ways of making certain that that happens is to ensure that there is a necessary and acceptable level of accountability. We can only get accountable local authorities where we have fair electoral boundaries. I hope that we finally get the National Party to be supportive of change in some of the local authority areas. Contrary to what the honourable member for Callide said, I recall in days gone by when members of the National Party simply used local government as a training ground for candidates for State elections. They used local authorities as very much their own plaything. That was a sad state of affairs. Local authorities need to operate with a degree of integrity. One of the ways of achieving that is by preventing the re-emergence of the rorts that went on in the past when previous National Party Governments wanted to look after their mates in local authorities. Because of that, they were not prepared to provide fair electoral boundaries.

The Bill's provisions are sensible and necessary. I am sure that they will be welcomed by the people of Brisbane who end up with a fair redistribution. I am delighted to see that the former deputy mayor of Brisbane, former alderman Beanland, now an honourable member of this House, is following me in this debate because I am sure that he will agree totally that there is a need for a fair redistribution. If he does not, we will all be disappointed.

Mr BEANLAND (Indooroopilly) (7.53 p.m.): I rise to speak in this debate on a number of very important issues. Unlike the State redistribution which was carried out by EARC, I understand that this review will not be carried out by EARC. The Local Government Commissioner will not be a member of the review panel, because he will be looking after the councils outside the Brisbane area, or at least that is the way I read the Minister's second-reading speech. Later, I will pose a question to the Minister as to who the three independent commissioners will be.

The important point, as was set out in the Minister's second-reading speech, is that all of these issues, except ward boundaries, are already set by statute. Therefore, it is terribly important to ensure that the three commissioners are independent, and that they

are acceptable to all parties. One of EARC's recommendations resulted in the appointment of the Local Government Commissioner. Because he has a very good reputation, he will certainly be acceptable to all the local authorities throughout Queensland. They will be only too pleased to have him as one of the three commissioners dealing with their internal boundaries. I trust and hope that we will get three people who are acceptable to all parties within this Chamber so that the politics can be taken out of this redistribution, just as I believe it was in relation to the State redistribution.

This legislation amends the City of Brisbane Act as it applies to redistributions. At the outset, I want to touch on the important issue of electoral rolls, which has already been touched on by the shadow Minister. In common with the honourable member for Brisbane Central, I was concerned about the state of the rolls in the recent State election. I have already made some of my feelings on that subject very public. I found that quite a large number of people who were on the roll had not lived at the stated address for quite some time. I had great difficulty in trying to have their names removed from the roll. It is only reasonable that when people move and somebody else occupies the dwelling, members should write to their new constituents, either welcoming them to the electorate or sending them material in relation to a matter that the member may be taking up on their behalf.

Something is terribly wrong when a member gets hundreds of those letters returned, takes the issue up with the State Electoral Commission, which in turn takes it up with the relevant Federal divisional returning officer, and then finds that it is very difficult to get much action taken. Coming into the election, I found that I was getting back a large number of letters marked "address unknown", "left address" and so on. I dutifully paid my $2 because the Federal Act says that we have to pay $2 each time we object. Having checked with the State Electoral Commission that this was the correct action to take, I wrote to the relevant Federal divisional returning officers. Because I live in the Federal division of Ryan—even though my State electorate takes in both Ryan and Moreton—the Federal returning officer in Moreton sent them all back saying, "Because you don't live in the Federal division of Moreton, tough cheddar. I am not doing a thing about these objections." To be able to object, one must live in that particular Federal division. I raise this issue because council aldermen will be faced with the same problem.

I think it is necessary to get the electoral rolls correct. In common with all members in this Chamber, I want to get our rolls into order and up to date. After the Federal returning officer for Moreton sent back my objections, the objections that I had sent to the Ryan electorate returning officer also came back with the message that, although it was obvious that the letters were returned to me initially, I did not have any justification for objecting because I could not prove that those people had not resided at that particular address for a month. I accept that, but I would expect that if the Federal electoral office was doing its job, after having received my letters it would have made some other checks to see whether those people actually resided at the stated addresses. However, the electoral office was not interested and would not do a thing about it.

I have already had discussions with the State Electoral Commissioner and, in the very near future, I will be having discussions with the Commonwealth Electoral Commissioner here in Queensland because, quite frankly, this is not good enough. I am pleased to see that the Minister for Justice, whose portfolio is responsible for electoral rolls, is in the Chamber at the moment.

Mr Mackenroth interjected.

Mr BEANLAND: That is fine. I know that what I have said is correct, because I have experienced it personally. The Minister may give his colleague some advice. I hope that the Federal electoral officers will review this problem, and will make some changes. It is simply not good enough. We are at the shopfront; we are seeing what is going on. I am sure that all honourable members want our electoral rolls to be up to

date. When people move on—fair enough, they should be transferred to another electoral roll. The results in some of the State electorates are very close, and it could happen that someone is defeated or elected because people who have not resided in that particular electorate for, perhaps, several months are still on the roll. I am quite sure that some of the people whose letters were returned had not resided in my electorate for quite a long period, perhaps 12 months or more. I emphasise that this did not happen on only one or two occasions, but on hundreds of occasions. Hundreds of people were involved.

I believe that the Government and the Minister for Justice in particular need to take up this matter with the Australian Electoral Commission, or the Minister can check with the State Electoral Commission. I have already had discussions with the State Electoral Commissioner, who is aware of the situation. He has had discussions with his Federal counterpart without meeting with much success. Aldermen also should be able to write to the Federal returning officer for the appropriate division and say, "I have these letters that have been returned, and it is now up to you to implement other checks." If the authorities do not trust the mail system and they want to check personally, that is fine, but the matter must be followed up.

I turn now to other aspects of the City of Brisbane Act which will be amended by this legislation. I am particularly concerned about the Brisbane City Council's debt, which is definitely covered by the City of Brisbane Act. The Minister knows that very well. The debt to which I refer is now more than $1.1 billion. In the last two years, according to Treasury documents, that debt has risen by approximately $338m. On 30 June 1990, it was $777m, and as at 30 June 1992, it had advanced to $1,115m, or $1.1 billion in round figures. That is quite an alarming figure and an alarming rate of escalation, and I believe that all citizens of Brisbane should be concerned about it. The way in which the debt has skyrocketed so quickly indicates that it has the hallmark of John Cain about it. As I said, an increase in the debt by $338m means that the debt has increased by roughly one-third, and because it has risen in such a short period, I believe that all people should be alarmed about it. I have noticed that while Brisbane City Council rates have increased, the discounts applying to payments have gone down.

Mr BEATTIE: I rise to a point of order. Mr Deputy Speaker, I draw your attention to the relevance of the contribution being made by the honourable member and the contents of the Bill. These are not matters that are covered by the Bill.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! I take the point made by the member for Brisbane Central. I will allow the member for Indooroopilly to round off.

Mr BEANLAND: Mr Deputy Speaker, this is the second-reading debate. The legislation opens for discussion the City of Brisbane Act, and I am speaking to that Act. I am not drifting on to other issues and other matters.

Mr Beattie: But rates?

Mr BEANLAND: Rates have a lot to do with this legislation.

Mr DEPUTY SPEAKER: Order! I do not want to invoke the Standing Order.

Mr BEANLAND: Quite obviously, Mr Deputy Speaker, you are going to use the guillotine, so I will move on to other matters that are referred to in the legislation.

Mrs EDMOND: I rise to a point of order. The honourable member for Indooroopilly seems to think that we are discussing the City of Brisbane Act, but we are not.

Mr DEPUTY SPEAKER: Order! I have taken on board the comments made and the point of order taken by the member for Brisbane Central. The member for Indooroopilly may continue.

Mr BEANLAND: Thank you, Mr Deputy Speaker. I have in my possession amendments to the City of Brisbane Act 1924. I mention that for members' edification.

Mrs McCauley interjected.

Mr BEANLAND: If it is not that, I am not sure what I am discussing. I want to refer to what is happening in the city under that Act, and I am referring to rates, etc., because they are covered by that Act. I am not drifting on to other subjects.

Mrs EDMOND: I rise to a point of order. I stand to be corrected, but I understood that we are discussing the Local Government Legislation Amendment Bill (No. 2).

Mr DEPUTY SPEAKER: Order! There is no point of order. The member will resume her seat. The member for Indooroopilly may continue.

Mr BEANLAND: I want to discuss new taxes that have been introduced at City Hall, and in particular a tax that has been placed on rubbish tips. This is a matter that is certainly covered by the legislation that is being discussed, and that is why the Brisbane City Council has been able to introduce this new tax. I am sure all honourable members will recall that prior to the last local government election, a good deal of comment was made by the Labor candidate, who is now the Lord Mayor, Alderman Soorley, that there would be no tax on Brisbane rubbish tips and that tip fees would not be introduced. He made that promise, but I now find that a new charge has been introduced which will range from $4 to $10 for a car or for a utility up to $25. Added to this is an increase in cleansing rates this year of 10 per cent, which represents an increase of 35 per cent over the Labor administration's last two budgets.

I raise this matter because of my continuing concern for keeping the city clean and because I want to be proud of Brisbane, but it has now become obvious that it will cost the citizens of Brisbane a considerable amount to get rid of rubbish at the dumps. In the not too distant future, if we are not very careful, people will begin to fall into the bad habits of not taking their rubbish to the dump, leaving rubbish on the side of the road, or perhaps stockpiling it. I do not believe that this step is in the best interests of the city. After all, prior to the last local government election, the Lord Mayor gave a clear-cut commitment that there would be no tip fees introduced and that people would be able to take their household rubbish to the dump without paying a charge, but that will not now be the situation at all.

Home ownership transfer fees were introduced in the Budget. In essence, this is a tax on moving house. Every time a document records a change in ownership of a property, a fee of $200 will have to be paid. In fact, in the Lord Mayor's budget speech, he admitted that, on average, people move house every five years. On that basis, the moving tax will cost an average of $40 a year, which is the equivalent of a 4 per cent increase in rates that will be imposed on Brisbane's citizens. This will be another cost that will be applied across-the-board. Wherever one looks in the Brisbane City Council's budget, one sees increased costs and charges cropping up. This year's Brisbane City Council budget quite clearly indicated that a $15m surplus will be carried forward, even though borrowings on a huge scale were introduced at the same time.

On top of that, in the second budget this year, the rates again increased for many struggling families by 4.8 per cent on average across the city, while the inflation rate for Brisbane was less than 2 per cent. This year, because of the recession that we are currently going through, inflation is again expected to be around the 2 per cent or less figure. Yet rates have increased by an average of 4.3 per cent. Over two budget periods, rates have increased by more than 9 per cent while, in the same period, inflation has increased by less than half that amount. Those are the sorts of issues that are confronting people who are struggling in the recession. Brisbane is very much in the middle of the recession. Unfortunately, it seems to have a long way to go before it will come out of it. People are struggling in order to meet their commitments. I hope that the council will show some compassion on those important issues.

I cite one final example to show how little compassion the council has shown. People can go on guided tours of City Hall, the same as people come to Parliament House for guided tours. Unfortunately, the new council introduced a cost of $1.50 each for people going on guided tours. Even school children were going to be charged

$1.50, until at the eleventh hour the council backed down and withdrew the charge for school children. So even school children were being targeted.

Mr Borbidge: People have to pay $1.50 to see Jim Soorley.

Mr BEANLAND: It is a worry that people have to pay $1.50 to see Jim Soorley. It is quite a shock. It should be the other way around. Even children were being targeted with that controversial tax. Still, people going to City Hall for guided tours will be slugged with a $1.50 charge. The council is introducing charges for the Downfall Creek bushland centre. The new Labor council abolished the free trees that ratepayers received for so long under the greening of the city project. Both Liberal and Labor councils gave free trees. Now, no more free trees can be obtained from the council. A scheme related to bringing pride to the city so that people can travel around the city and be proud of their city—something that has not always been the case—has been given the chop. The greater Brisbane concept is the main reason why there is a lack of pride in our city. The previous administration took a number of steps to bring back the pride of the people in their city. That has been done in a number of ways. One of those was through the greening of the city, through the free trees scheme, which has been given the chop. I trust that some leniency will be shown by the council in its next budget and that it will respect the concerns of the city. I trust also that the Government will look at the problems contained within the current electoral roll system.

Time expired.

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (8.10 p.m.), in reply: Firstly, I thank the Opposition for its reserved support for the legislation. The Opposition spokesperson made one comment with which I certainly agreed. When I looked at the report of the commissioner on Emerald Shire, I thought the same thing. Why did he need a report as thick as that to tell us what he finally told us? I guess that the work was done and, at the end of the day, one must justify the decisions that one makes. That is done in the report. If the commissioner is going to do the job properly, he needs to justify his decisions in the report. Beyond that, he does not comment. I can see why there was a need to have such a large report but, when I first saw it, I thought exactly the same thing.

I turn to the point raised by both the Opposition spokesperson and the member for Indooroopilly about the three commissioners. If the Government had some sort of intention of rorting the system, so to speak, in Brisbane, the Government would have allowed them to do exactly what we will allow all other local authorities in Queensland to do, that is, to draw their own boundaries. However, the Government has made them separate. We have included a provision to appoint three commissioners, who will be independent. At this stage, I am considering appointing the three commissioners in the statutory sense—the three positions that would draw the State boundaries—under the recommendations of EARC. It certainly is taken right away from the Government. I would see, though, in the future that the Local Government Commissioner would be one of those people. At present, we have given him enough work to do, and I would like to see as much work as possible done on the amalgamations throughout the State before the next council elections. I would hope that he could do that.

In relation to the electoral rolls—I have spoken to the Minister for Justice about the points that were raised. I am certain that he will consider the points that the member raised. A very legitimate point was raised about a State member being unable to make some form of objection. We will look at that. Very briefly, in relation to the other matters that were raised, particularly the matter about the city debt—it needs to be noted that certainly the city debt has grown. The figures that the honourable member quoted were right. Why has the debt grown? It has grown because the former Liberal council entered into a contract to build the Rochedale dump. The two largest components over the past two years in the increase in that debt were directly attributable to the Rochedale tip. I am not saying whether that decision is right or wrong or whatever, but that is the major reason for the increase in the debt into which the council itself has gone.

There is another reason, which is an economist's reason. When I am finished giving the explanation, if honourable members understand it, they could come and tell me. As interest rates change, the debt of local authorities—not just the Brisbane debt, but local authorities—is revalued according to the movement in the change in interest rates. Over the past two years, as all people know, there has been a decrease in interest rates. In the past financial year, the city debt increased—if I can recall the figure, because I read the briefing note on this a week ago—by $76m, which was directly attributable to interest rates coming down. The city did not borrow one extra cent, but the debt went up by another $76m. That is the downside.

The upside, so to speak, is that the period of time in which the debt that we have now will be paid off has decreased from around 22 years to 14 years. So as the amount has gone up, we are better off. I would not like my bank manager to give me that explanation. However, I am certainly told by the economists that that is the case. The city council will not have to increase its repayments on the actual debt that exists at present but, because interest rates have come down, we are going to pay it off some seven or eight years earlier than we would have. I say to the member for Indooroopilly: I guess that is why he and I are not economists. I thank members for their support.

Motion agreed to.

Committee

Clauses 1 to 23, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 2)

Second Reading

Debate resumed from 12 November (see p. 660).

Mr FITZGERALD (Lockyer) (8.17 p.m.): This Bill is known as an omnibus Bill. In other words, it is a very wide, embracing Bill. In fact, it amends 52 Acts of Parliament, repeals 10 Acts and validates a regulation. I understand that the Leader of the House has the carriage of this Bill through the Parliament. I will be presenting the Opposition's view on this Bill. I have checked with all of the Opposition's shadow Ministers and asked them to contact me if they had any particular problem with any of the amendments contained in this legislation. As the Leader of the House has said, normally these sorts of Bills are not controversial; they are designed so that a lot of machinery legislation can be put to the House at the one time. I agree with him that there is nothing controversial in this piece of legislation.

Nevertheless, I want to make a few points in relation to the Bill. I do not intend to speak on the 52 Acts covered in the legislation. I am sure that, with the permission of the Chair, they would provide me with a very fertile area in which to speak and I am sure that I could speak for my allotted time of one hour without any worries at all. Legislation such as this is introduced because sometimes amendments that should have been made to other pieces of legislation have not been made. One such amendment relates to the Property Law Act. This legislation omits from that Act the term "backward person" and inserts in its place the term "intellectually disabled citizen". That particular amendment should have been dealt with in legislation amending the Intellectually Disabled Citizens Act. Such an amendment would have amended various Acts of Parliament so that that term was corrected when the legislation was amended in 1985. I cannot blame this

Government for not doing it, because that legislation was amended in 1985. Nevertheless, the expression "backward person" still exists in the legislation.

I was rather sceptical, I suppose, about the motive in the Property Law Act for changing the terms "Her Majesty" to "the State", "Her Majesty in right of the Crown" to "the State", and "Her Majesty's" to "the State's". I did not know whether that was the Paul Keating push towards softening us up for the republic. I did not know why Her Majesty's name was being removed from the legislation. As I was suspicious, I checked it out and I was advised that the reason the expression "the State" is being inserted is that land is held in Her Majesty's name, both federally and in the State. This amendment is for clarification, because Her Majesty's land actually is the State's land. There is no doubt about it, it does belong to Her Majesty or the Crown at the time.

An amendment is also made to the Evidence Act. I notice that there is now a freedom of information shadow that is cast across the Evidence Act in that these amendments provide that a third person in civil proceedings is able to make a written application to the principal officer of an agency to produce some documents for inspection. This amendment allows protection against liability if documents are provided to a person in civil proceedings.

Mr Wells interjected.

Mr FITZGERALD: I accept that.

Mr T. B. Sullivan: The member for Bulimba supports you, too.

Mr FITZGERALD: I am obviously getting support from the Government benches. This amendment does not mean that everybody has the right, when a party to civil proceedings, to obtain documents. A person can certainly apply for them. Those who grant the information are protected. However, if there is any doubt about any of the documents sought, the person supplying for the documents would obviously let a court decide whether the information would or would not be distributed. Another point that I wanted to raise was that we are taking out of the Sewerage and Water Supply Act 1949 the Henry VIII clauses.

Mr Wells interjected.

Mr FITZGERALD: No, we are taking out the Henry VIII clauses. I know that the Attorney-General is quite familiar with what is meant by a Henry VIII clause. Basically, such a clause allows subordinate legislation to amend the Act itself. Upon inquiry, I discovered that Henry VIII certainly had a reputation for doing this. The advice that I have is that Henry VIII was not the worst offender. The Tudors were not too bad. They had some respect for Parliament. However, the Stuarts before them had very little respect for Parliament. It can also be said that Parliament had very little respect for one of the Stuarts. It is important that this House notes that Henry VIII clauses do creep in. The House has a right to include Henry VIII clauses. However, I must remind honourable members that the Electoral and Administrative Review Commission and subsequently the Parliamentary Committee for Electoral and Administrative Review have recommended the establishment not only of a Subordinate Legislation Committee but also of a Legislative Standards Committee. That is the point that I am making. A recommendation was made, but the Government has not implemented that recommendation. The Government is waiting for the report on the committee system to be published.

When backbenchers attempt to peruse a piece of legislation such as this, they attempt to find retrospectivity, Henry VIII clauses, reversals of the onus of proof or any of the other nasties which they are advised to watch out for to ensure that the Government or the Executive does not try to put something over the House. Opposition backbenchers need someone to flag such items so that at least they are drawn to their attention. That is why it was recommended that this committee be established, so that such matters are detected and are drawn to the attention of this Parliament. Because of the humble and meagre resources that are available to Opposition backbenchers, it is

very difficult to study thoroughly voluminous legislation such as this. Because of the denial of this Government to adequately fund research, there is no doubt that the Parliament as a whole is the poorer. Members cannot even begin to attempt to wade through such complex legislation if they do not have an understanding of the way in which legislation is framed. They really need the assistance of efficient officers who can go through the legislation and advise them and provide them with a background. Such resources make for a better Parliament. I sincerely mean that. The Legislative Standards Bill will be excellent, if the Government takes up the offer. I am looking forward to that legislation being passed and applied to this place.

The last point I wish to make is that we are validating legislation. The Fruit Marketing Organisation Amendment Regulations of 1991 obviously were not tabled. There is a validation which states that they are deemed to have been valid at all times, as they would have been if they were laid before the Legislative Assembly as required by law. From time to time, a Minister or a department may forget to ensure that the regulations are tabled, as they are required to be by law. If that process is not followed, an awful mess remains to be cleaned up. It is pointed out here that it is validating legislation. Therefore, the House as a whole can decide whether it really wants to validate it. We understand that those mistakes do occur. In the end, all the actions and all the charges that have taken place as a result of the oversight have been validated, and the regulations will stand. The Opposition supports this very large Bill.

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (8.26 p.m.), in reply: I thank the Opposition for its support. I mention one point in relation to the validating legislation. The Government now has in place a mechanism whereby validating legislation will never have to be brought in because of the non-compliance of Ministers in tabling information that goes through Executive Council. The Government has put in place a system which will ensure that, in future, such non-compliance does not occur. This has been a problem not only for our Government but also past Governments. In future, it is hoped that validating legislation will not have to be introduced. Over the last three years, the Government has tried to minimise it as much as possible. I hope that now the Government is in a position in which it will not need to do so in future.

Motion agreed to.

Committee

Hon. T. M. Mackenroth (Chatsworth—Leader of the House) in charge of the Bill.

Clauses 1 to 6, as read, agreed to.

Schedule 1—

Mr MACKENROTH (8.28 p.m.): I move the following amendment—

"At page 87, line 10—

omit 'Act', *insert* 'section'. "

Amendment agreed to.

Schedule 1, as amended, agreed to.

Schedules 2 to 4, as read, agreed to.

Bill reported, with an amendment.

Third Reading

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

ANTI-DISCRIMINATION AMENDMENT BILL

Second Reading

Debate resumed from 11 November (see p. 481).

Mr BEANLAND (Indooroopilly) (8.31 p.m.): The amendments that are contained in this legislation are of a minor, clarifying nature. Nevertheless, they are very important, and the Opposition supports them. Having said that, I wish to refer briefly to one or two other aspects of this very comprehensive legislation about which I would seek clarification from the Minister. One matter that has been raised with me is that the legislation leaves employers wide open to frivolous or mischievous complaints. However, it makes no provision for them to recover the costs incurred in defending those complaints. As the Act stands, employers face considerable costs in defending a frivolous or mischievous complaint that has been lodged against them. Those costs not only consist of the legal expenses but also the time involved in preparing a defence and appearing at hearings, which takes an employer away from his or her business.

The Act does not contain any penalty or any other form of deterrent to prevent people from lodging frivolous or mischievous complaints. Under the industrial relations legislation, people who lodge complaints that are judged to be frivolous or vexatious are subject to penalties and the payment of the defendant's costs. Further, a complainant, in making a complaint, can have two bites of the cherry. When dismissal is involved, under the Industrial Relations Act, a person can make a complaint within 21 days. However, should that avenue not be available to the complainant, that person has up to 12 months in which he or she can lodge a complaint with the Anti-Discrimination Commission. I understand that the Act was intended to prevent someone from jumping from one venue to another.

Those people who deal with this legislation on a day-to-day basis are only now beginning to appreciate its shortcomings. Over the coming months, I am sure that many more areas of concern will arise, and perhaps some further amendments may have to be made to the Act. Of course, at this time the Government is trying to create more jobs in the community. For that reason, I believe that it is terribly important that businesses are not bogged down in red tape and their ability to employ people is not strangled by skyrocketing costs and paperwork. I would like the Minister to clarify that aspect for me.

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (8.34 p.m.), in reply: I can put the honourable member's mind at ease on this point. The notion of costs being involved in frivolous or vexatious complaints does not arise, because under section 139, all frivolous or vexatious complaints must be rejected by the commission. The honourable member would be aware that a two-stage process is involved. First of all, if somebody has a complaint, that person goes to the Human Rights and Equal Opportunity Commission where conciliation is provided. At that stage, under the section to which I have referred, it is necessary for the commission to reject the complaint if it is found to be frivolous or vexatious. If the complaint is not found to be frivolous or vexatious, in 95 or more per cent of cases, the process of conciliation results in the parties going away with an agreement. In the remaining 5 per cent of cases, or less, the parties go to the tribunal. Under Section 2 (13) of the Act, if a complaint goes before the tribunal, the tribunal has the power to award costs.

The only issue would be if a complaint had been through the conciliation process and it was discovered at the tribunal to be frivolous or vexatious. However, that is unlikely to occur. It is open for the parties at the conciliation stage to negotiate a fair settlement. If that does not work out—and that is a very rare and anomalous

situation—the tribunal has the capacity to award costs. I might say that a further disincentive, which will be of particular interest to the honourable member, is contained in section 221 of the Act. Under that section, frivolous or vexatious complaints will be deterred because it makes it an offence to provide misleading or false information. The penalties are severe and include imprisonment. In certain circumstances, costs can also be specifically awarded. An example of those circumstances would be if a party fails to attend a conciliation conference or a tribunal hearing. In summary, the honourable member need not be concerned. There is no capacity within the Act for any mischievous person to, by a process of lodging a frivolous or vexatious complaint, bog somebody else down with expense or red tape.

Motion agreed to.

Committee

Clauses 1 to 5, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

INDUSTRIAL RELATIONS AMENDMENT BILL

Second Reading

Debate resumed from 13 November (see p. 716).

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (8.39 p.m.): This Bill presents the Parliament with an opportunity to do something very positive for Queensland and for Australia. At a time when 158 700 people in our State are officially registered as unemployed, and tens of thousands more are not registered, there is a need for major economic and industrial reform. It is the view of the Opposition that during the first term of the Government, industrial relations in Queensland went backwards. It has become a one-sided and dominated exercise, with the ALP abolishing real enterprise agreements, entrenching compulsory unionism in the public service and trying to extend the concept to the private sector, abolishing accountability provisions such as political object funds, politicising the Industrial Relations Commission, and abolishing the essential services legislation. That is not a very proud record. It is no wonder that the latest annual report of the Minister's department shows that the number of industrial disputes registered with the Queensland Industrial Relations Commission has almost doubled in the past two years. In the year ended June 1990, there were 353 disputes notified. In the year to June 1992, that number had leapt to 686. It is no wonder that the Industrial Commission's budget for this year has been increased by one-third, with even more disputes expected later this year.

When introducing this Bill, the Minister said that industrial reform was vital to the Queensland economy. This Bill achieves little or nothing in this regard, and actually pushes Queensland further behind international trends in some areas, especially in enterprise bargaining. The Bill achieves none of the objectives outlined by the Minister, and is clearly directed at increasing the power and membership of the trade union movement. In his second-reading speech, the Minister referred to the Hanger report, which is more correctly known as the Report of the Committee of Inquiry into the Industrial Conciliation and Arbitration Act 1961 to 1987. The Minister claims that the Industrial Relations Act of 1990 and amendments contained in this Bill reflect the recommendations of the Hanger report. How accurate is this claim? Let me have a look at what Ian Hanger, QC, and his committee recommended, and what the Government has done. The first point to be noted is that the Hanger review dealt with the previous

Act governing industrial relations, which was first enacted in 1961. Over the years, it was modified until the 1988 review. After considering lengthy submissions from a wide range of interested bodies, the committee produced a detailed report. At page 3, the Hanger report stated—

> "What we must seek to do is to maintain a healthy balance of power between the various interested parties."

Then on page 4 it stated—

> "In an ideal world, employers and employees would be able to agree without dispute on terms of employment. There would be no strikes or lockouts. It would be naive to suggest this will occur, but the ultimate aim must be to facilitate peaceful negotiation of terms of employment and in the peaceful resolution of disputes when they do occur. Ideally, the role of the Commission should be that of a watchdog, which ensures that the parties are not breaking certain fundamental rules; stops them when they do; decides matters referred to it; and oversees the public interest."

This is the framework on which the Hanger recommendations were made. In the 1990 Act, grievance procedures were inserted into the Act in a bid to try to ensure that disputes could be resolved amicably and that disruptive action was taken only as a last resort. On that level, the Act did try to implement the Hanger recommendations, to which the Minister referred in his second-reading speech on this Bill. But all is not so rosy in other areas. On page 9, the Hanger committee said—

> "The most significant criticism of the present Act and the reason that it does not have the full confidence of some sectors of the community is that it lacks flexibility. When the Act was drafted, it may well have been necessary to have a degree of rigidity in sections such as Section 14 which fetters the discretion of the Commission. However it is these fetters which are totally unduly restrictive.
>
> Technological change, and changes in economic circumstances dictate that the Act must be flexible enough to allow parties to quickly adapt to and make the best use of modern technology and accommodate economic fluctuations.
>
> We will therefore recommend that the system be made more flexible by removing from the Act the inflexibility that is inbuilt, and by giving the Commission, and more importantly the parties themselves, more power to make decisions in respect of these presently inflexible matters. We have no doubt that such a provision would benefit employers, employees and the nation generally."

In essence, what Hanger was recommending was a system that allowed more flexibility in conditions and negotiations.

The Minister claims that this Bill makes enterprise or workplace bargaining easier. But does it really fulfil the Hanger criteria? To ascertain this, it is necessary to return to the report and look at the sections relating to voluntary employment agreements. VEAs were introduced by the National Party Government in 1987. Part 6A of the old Act allowed employers or associations of employers to negotiate employment agreements directly with employees. The employees could represent themselves collectively, or they could bring in an advocate such as a union to do this for them. In other words, there was freedom of choice of representation, and both employers and employees could choose which was the more suitable system for themselves. Part 6A in fact overturned the previous Part 6, which had prohibited the making of an industrial agreement directly between the employer and their employees and limited the parties to agreements to the employer or an association of employers and associations of employees. I should be noted that only associations of employees could be parties to agreements. Individual employees, or groups of them, could not. Hanger recommended a full review of VEAs at a future time to see how well the system, then relatively new, was working. The committee said on page 151 of the report—

> "This is pioneering legislation in industrial relations and arose out of consistent complaints from the small business sector about the rigidity of the mainstream system, the fact that the system did not properly take account of the special circumstances of small business and that these constraints were inhibiting growth or employment opportunities in that sector."

He went on to advocate a separate review of the VEA system. That review never took place because the Government decided, for ideological reasons, in the 1990 Act to remove the VEA provisions and return to a system of centralised and union dominated decision making. This left companies such as Metway Bank and Power Brewing—real VEA success stories—out in the cold. And Metway Bank is obviously still very much in the cold today, judging by the recent actions of the Government. Whether Metway is in fact being fined for making a success of VEAs, much to the Labor Party's and the union movement's embarrassment, I will not canvass here. Suffice to say that Metway Bank's VEA was a very good one. I will return to that issue very shortly.

Before I do that, I want to conclude my examination of the Labor Government's response to the Hanger report's recommendations. As I have outlined, the Hanger report clearly stated the need for increased flexibility in negotiation and did not propose or suggest an end to VEAs. Clearly then, the Government has rejected the key recommendation of the Hanger report, and yet the Minister has the gall to stand up in this place and tell us how the Government has embodied the spirit of that report. It is worth returning to the report's conclusion, where the committee noted at page 466—

> "What we have tried to achieve in our recommendations is to give effect to the new catchphrase of 'flexibility', to place more responsibility and freedom for settlement of conditions of employment and disputes where it belongs—in the market place."

I invite honourable members to note that last recommendation, that the proper place for the negotiation of conditions of employment is the marketplace. That was the Hanger inquiry report. Somehow, I do not think that the Trades and Labor Council meeting hall at South Brisbane was the marketplace that the committee had in mind, even though it may well look like a flea market at times. So the Hanger recommendation is clear: more flexibility, negotiation directly between employers and employees, and less intrusion by outside bodies. That seems fairly simple and straightforward. Unfortunately, the same cannot be said of this Government's response.

The 1990 Act which is being amended today did not deliver on this necessary flexibility. Instead, it sought to remove the right of employees to enter into negotiations for the establishment of industrial agreements. Under section 10.4 of the Act, agreements can be struck between employers, either as individual employers or by organisations of employers, and organisations of employees. Thus the role of the unions was entrenched. Section 10.5 did provide that individuals aggrieved by an agreement, for whatever reason, could apply to the Industrial Commission for conditions to be placed on the agreement or for parts of it to be voided. The section gives some form of rights to individual employees under the award system, but it appears to have been superseded by the amendments. Does the Minister still intend that aggrieved individuals may be able to lodge an application with the commission in complaint against a certified agreement? If so, why are individuals not permitted a role in the establishment, negotiation and certification of such agreements?

Of course, the 1990 Act also did away with voluntary employment agreements and all their benefits. The system became less flexible, and now this Bill comes along and the Minister tells us that enterprise bargaining has the potential to accelerate micro-economic reform and that workplace agreements are necessary for our firms to achieve domestic and international competitiveness. Indeed, this is so, but the Premier and the Minister seem to have become converts in the mould of St Paul on the road to Damascus. Why have they now suddenly discovered the virtues of enterprise bargaining when two years ago they quashed the very provision which allowed it? What has happened to their philosophical opposition to this concept? The ALP now claims to

be supporting enterprise bargaining. The Opposition contends that this is a sham. The Labor Party does not support enterprise bargaining at all. The problem it faces, however, is that enterprise bargaining is very popular. So, in an effort to be seen to be doing the right thing, while in effect doing the opposite, the Government has come up with this Bill, which the Opposition will oppose.

We believe that this Bill does not allow easier completion of enterprise agreements at all, and this is why the ALP, the Premier, the Minister, the member for Waterford and all the rest of them are perpetrating a con job on the people of Queensland. They are perpetrating a con job on the 158 700 Queenslanders registered as unemployed who were hoping that a more flexible system may lead to more jobs. And Government members know that they are perpetrating a con job. One only has to look at the opinions they have expressed over the years in the most forthright manner—I congratulate them on their forthrightness—about enterprise agreements to understand that all of them could not possibly have had such a complete change of heart. The simple answer to the puzzle is that they have not had a change of heart at all. They are still opposed to enterprise agreements, and what is being proposed in this Bill is not enterprise agreements.

Mr Nuttall: You don't understand.

Mr SANTORO: Let us look at what Labor members and union leaders have said about enterprise agreements, bearing in mind that the Minister now says publicly that they are necessary for us to survive. I take the interjection a little belatedly from the honourable member who says that I do not understand enterprise agreements. I hope that, through my contribution this evening, the delineation of opinions between members on this side of the House and members on his side will become clear, because one of the real contributions that I want to make tonight is to explain precisely to Government members how our views differ from theirs. Let us look at what Labor members and union leaders have said about enterprise agreements, bearing in mind that the Minister now says publicly that they are necessary for us to survive. I table some clippings to prove my point.

Let us start with the member for Waterford who, in a past life—one which I am sure he is wishing he had never left—was the assistant secretary and then secretary of the Trades and Labor Council of Queensland. On 18 January 1988, Mr Barton called SEQEB's 14 per cent pay rise for its contracted employees a fizzer and a con. In those clippings he said—and this is important—that it should not be accepted because it was really only a 10 per cent pay rise. The award increase at the time was 4 per cent. SEQEB got 14 per cent and Mr Barton said in the clippings, "It was a con." It sounds to me as though the union members who stuck to the award were the ones who were conned. On 27 July 1987, Mr Barton said enterprise agreement legislation was "the most regressive legislation on industrial relations to come before a Parliament in this country for more than 50 years." That same month, in the *Courier-Mail*, Mr Barton was quoted as saying that contracts that were entered into between employers and employees would be unsuccessful because they were negotiated on a voluntary basis. Mr Barton apparently believed that employers and employees had no right to sit down and negotiate their own agreements, and that the parties had to be told what to do.

Mr Stoneman: He is so inaccurate that he is the John Halfpenny of Queensland.

Mr SANTORO: As his speeches and attitudes are becoming more clear to me, I think that he is well on his way to earning that great indistinction. I wonder who he believes should have had the responsibility of telling them what to do. I think we can all guess. At the same time that he made these comments, Mr Barton was the assistant secretary to the TLC. His boss at the time was Ray Dempsey, who later was appointed an industrial commissioner by this Government. I will make no further comments on Commissioner Dempsey, but I would like to tell honourable members what TLC Secretary Dempsey said about enterprise bargaining. In the light of the Government's doubletalk on this Bill, he did say one thing which now takes on a new meaning. In August 1987, Mr Dempsey criticised the VEA plan in these terms—

> "The government's purpose is to give more flexibility to our industrial system.
>
> Flexibility is a conveniently flexible term."

Mr Foley tells us that the purpose of this Bill is to give more flexibility to the industrial system. Indeed, as Mr Dempsey said, flexibility is a flexible term, and the Minister is being very flexible in his use of the word at present. But Mr Dempsey's assessment of enterprise bargaining was far from complimentary. He said—

> "A whole array of conditions and allowances won for workers through arbitration would be removed."

Of course that is nonsense—but it is the belief of the trade union movement that enterprise bargaining will disadvantage workers. In fact, Mr Dempsey and the TLC on 4 April 1988 threatened to "clobber" employers who promoted enterprise bargaining. Yet, in the *Courier-Mail* of 6 April, Mr Dempsey was quoted as saying that the union movement would do everything it could to prevent the spread of contractual employment. In June 1988, Mr Dempsey said that enterprise agreements sought to reduce working conditions, and were a con. But he was in interesting company. The current Prime Minister, who should be looking at career options for the mature and the untalented, told the Federal Parliament on 1 November 1989, when he was still the Treasurer we had to have, that enterprise bargaining would lead to a fall in wages, inflation and high interest rates. Honourable members might remember that when Mr Keating began his challenge to Bob Hawke, a certain Mr Bill Ludwig threatened to kill any Queensland Labor members who supported Mr Keating. But, apparently, Mr Keating and Mr Ludwig have similar thoughts on some subjects, including enterprise bargaining. In May 1989, Mr Ludwig, State Secretary of the Australian Workers Union and chief puppetmaster of the Queensland ALP, said that enterprise agreements were a symbol of lower wages and poorer working conditions.

Mr Foley: Enterprise agreements that do not involve unions.

Mr SANTORO: I take the interjection from the Honourable Minister.

Mr Foley interjected.

Mr SANTORO: They are not, really. What we are debating here this evening is the essential difference between the Government's position and the position of the Opposition. At least I pay tribute to the Minister—as I am always willing to do—because he, unlike other members on the Government side of the Chamber, has clearly come to grips with that view. We could have a debate about it.

Mr Foley: But you are being unfair in citing those words as if they were an inconsistency, when in fact those people were speaking of a different concept from what you describe.

Mr SANTORO: No, not at all. What I am speaking about in this Bill is the same concept of which they were speaking in those days and which the Minister is trying to totally destroy in this Bill. The Minister must allow me to develop my argument. During the Committee stage, I want all honourable members who do not have their names on the speakers list to put their names on it, and we will debate the Bill clause by clause. I do not know how long the Minister wants to stay, but I am here for the rest of the week and the weekend. I ask honourable members to put their names on the speakers list and debate the issue. That is a reasonable proposition.

As I said, in May 1989, Mr Ludwig, State Secretary of the Australian Workers Union and chief puppetmaster of the Queensland ALP, said that enterprise agreements were a symbol of lower wages and poorer working conditions. The member for Nudgee, and later Minister for Industrial Relations, told this House in October 1987 that employers could not be trusted in negotiating enterprise agreements because they were "thieves and robbers". They were very strong words from a mild man and a gentleman. I see that he is acknowledging that statement by nodding his head. After enterprise agreements were in place, in 1989 Mr Vaughan called Power Brewing "foolish" for negotiating an agreement with its workers. There are many more examples of ALP and

union leaders denigrating the concept of enterprise bargaining and enterprise agreements. I have tabled those examples, too, and the evidence does not lie. It is clear from all of this that the ALP does not believe in freedom of choice or enterprise bargaining. Consequently, what the Government is masquerading as——

Mr T. B. Sullivan interjected.

Mr SANTORO: Yes, enterprise bargaining. What the Government is masquerading as enterprise bargaining is not that at all. Its concept is a fraud and the members of the ALP are frauds. The ALP version of enterprise bargaining is a situation in which a union bargains with an employer or a group of employers. The union lays down what it wants, and if the employer has other ideas, then all the employees are called out on strike until the boss gives in. "Blackmail" is another term which comes to mind. Some of the more responsible people in the union movement do have some time for actual negotiation and compromise, but they still remain committed to the necessity of union involvement in the process. This effectively takes the bargaining out of the enterprise. On the other hand, the Opposition parties have a clear commitment to real enterprise bargaining.

During the election campaign, and since then, some members opposite have sought to create a misleading impression that the Liberal Party and the National Party have different views in relation to enterprise bargaining. Those misinformed and malicious critics were wrong then, and they are wrong now. The Liberal Party and the National Party believe totally in real enterprise bargaining, when employers and employees sit down and negotiate in each individual workplace, taking into account their individual needs and aspirations and the ability of the business to accommodate those criteria. When the parties cannot agree or when there is a dispute, there is obviously a need for an independent umpire, and the Opposition remains committed to the existence of that umpire. Whether it is called the Industrial Relations Commission, the employee advocate, or anything else is irrelevant. Indeed, the Opposition believes there is a need to review all aspects of the industrial relations system, including the role of the present Industrial Relations Commission.

Mr T. B. Sullivan: No, it is not. Essential benefits!

Mr SANTORO: I will take the interjection from the honourable member for Chermside to inform him that I will take interjections from intelligent interjectors only. Therefore, this is the last time that I will recognise him in the debate. However, I invite the Minister and other members for whom I have a little respect because of their understanding of enterprise bargaining to feel free to do so.

Unlike the ALP, the Opposition is committed to engaging in extensive consultation with all sectors and interest groups, and we will protect and guarantee basic conditions for all workers. That genuine approach should be seen as the exact opposite of the fraud which this Government is trying to impose on the people of Queensland. The Minister's continual reference in his second-reading speech to the need for flexibility did not cover up this fraud. Nominally, the Bill is supposed to help employees and employers improve their relationship and their position in the marketplace. The Minister tells us that it is supposed to lead to consultation, cooperation and an improved economy. This economic benefit, cooperation and consultation is supposed to be absent from the former VEAs. The facts tell a different story, however. It is inconvenient or, more correctly, embarrassing for the Government to admit that real enterprise bargaining, as practiced by Power and Metway, delivered far better results than did the Labor Party's token approach.

Mr Nuttall: Ask the employees of Metway.

Mr SANTORO: I will take the interjection made by the honourable member for Sandgate. I normally do not ask for courtesy to be shown to me in this House, but I will now compare conditions in the Metway and Power Brewery award with conditions that apply in other awards. I will put that information on the record as factual. If the honourable member has different information or different facts, I ask him—I notice that

his name appears on the speakers' list—to give a point-by-point rebuttal of the facts that I will place on record. I promise you that I am a reasonable person and am willing to be convinced, but you will have to convince me with facts. To date, those facts have not been forthcoming.

Mr DEPUTY SPEAKER (Mr Briskey): Order! The honourable member will address his remarks through the Chair.

Mr SANTORO: Members of the Opposition have heard during this debate—and, no doubt, we will hear again—from Government members that the workers at Metway and Power Brewery were not better off under the VEAs. As this matter goes very much to the heart of the provisions of the Bill and the need for them, it is instructive to look at the many benefits those workers enjoy, especially when they are compared to conditions under which their colleagues with award coverage are expected to live and work. Let me begin by examining Metway. The employees at Metway established a Metway Staff Association so that they could have decent and effective representation in industrial matters after getting none or very little assistance from the Federated Clerks Union. The only contact the Metway staff ever had with the FCU was when their membership subscriptions were forwarded each year or when the union threatened some form of action against its members. The Metway staff never saw a union rep and felt they were being ripped off, so they set up the Metway Staff Association which negotiated with management on the conditions of their VEA.

The major benefit derived by Metway workers was the flexibility they achieved in the spread of ordinary working hours. They could begin work at 7.30 a.m. and, if they wished, work only four days a week, but for nine and a half hours per day. There was additional flexibility built in to cater for those who wished to work or did not wish to work on Thursday and Friday nights and Saturday mornings. The Metway Staff Association felt that the biggest benefit for the staff was the new salary structure under which salary was based on performance levels and the worth of a job. If a worker performed better, he or she received better pay. This is called rewarding productivity, and is a great motivator. Part-time work which had not been allowed under the award,was allowed, so casuals had greater job security. Workers were able to have time off in lieu of overtime payments if it was more convenient for them, and they could cash in one week's leave per year which meant, in effect, that an employee could get an extra week's pay each year by taking three weeks off instead of four weeks. They were paid twice for the fourth week. What is wrong with that?

Mr Cooper: Nothing.

Mr SANTORO: I will take the interjection from the honourable member for Crows Nest. There is absolutely nothing wrong with that.

Government members interjected.

Mr DEPUTY SPEAKER: Order!

Mr Nuttall: You have blown it. Sit down.

Mr SANTORO: I do not want to take too many interjections because I want to finish before my time expires, but the way things are going, Government members will make me speak for 60 minutes. The arrangement I have described was an additional cost to the bank, but it was one which meant a great deal to employees. This is the sort of give and take that is embodied in real enterprise bargaining, when employees deal directly with management through a democratic, workplace-sensitive staff association, and they actually get rewarded for it because they get better conditions. In addition, the bank found that the workers took much more interest in the way that negotiations took place and in the general running of the bank. The workers had a real stake in the agreement and in the bank, and their input was important to management. The employees could suit themselves about their hours of work to fit in with other commitments, but the best feature of all was that, if they worked well, they received more money than their colleagues working in other banks. Metway felt that each staff member had been given a personal stake in the success of the bank and that everyone

owned their working arrangements. This broke down the them-and-us attitude and meant that management and employees could talk to each other without the intervention of a third party. As a result, the bank found the day-to-day communication with its staff greatly improved. As part of this process, there was open and frank debate on issues and both groups happily accepted joint decisions. It also eliminated a lot of small problems, because the staff felt they had a duty to try to fix problems first before they were reported to someone else to fix. Best of all, it turned senior branch staff into leaders, having to manage employee relations at a local level while finding ways to change systems where necessary rather than putting it all into the too-hard basket. Surely, all that leads to the conclusion that the employees won a great deal out of genuine enterprise agreements. However, because the mainstream union movement was not involved, the whole thing was canned by the ALP and a less flexible and less satisfactory award was negotiated when the VEA was abolished. So much for freedom of choice and industrial democracy.

What about Power Brewing? I want one of the Government members to rebut all of these points and to tell the House of specific instances in which Metway workers were wrongly done by because of that arrangement.

Mr Nuttall: We'll do it.

Mr SANTORO: Please do that. What about Power Brewing? There is a simple answer. Every employee at Power Brewing earned considerably more than someone doing the same job at Carlton or Fourex. After the Power's enterprise agreement came into force, a new Power's employee would have earned $7,215 a year more than the same employee at another brewery. Those existing employees who signed an agreement were $9,231 a year better off. If the agreement had not been scrapped by the Government, long-term employees were looking at $14,351 a year more. Then we come to working hours. Ninety-seven per cent of Power's employees decided that they would prefer to work for 10 hours a day for four days a week and have a long weekend every week. That was their choice. They earned about $200 a week more and worked for only four days a week. That is not bad for a system that members opposite scream would lead to workers being ripped off by thieves and robbers. On top of that, it was decided that $50,000 a year would be provided for the further education of workers. Power's introduced an attractive share scheme for employees to allow them to buy shares in the company, for a 10 per cent discount, and with a five-year interest-free loan.

The Power's workers were becoming owners of the company while increasing their own wages and shortening their working week. Surely that was the ideal workplace environment, one worth striving for. But the Minister and the Premier and all of their union mates said that the system was no good because they were not getting a share of someone else's cake. The politics of greed and envy led to the union movement trying to smash Power's by boycotting its beer—surely the least successful union campaign ever staged in Queensland. The sensible flexibility in the Power's and Metway agreements is exactly the sort of thing that the Government says is ideal. So why did it tell the workers of Metway and Power's that they could not have those very same benefits? There was no logic to the Government's position then and there is none now. However, a common thread runs between those two apparently contradictory stances taken by members on the Government side of the House, that is, the real reason why the Metway and Power's deals were opposed is that they were negotiated without the involvement of the union movement. That is the major difference between the position of the Government and the position of the coalition.

The Bill seeks to further entrench the role of the union movement in the so-called enterprise bargaining process which the 1990 Act created through its legislative compulsion. The Government's plan is not for enterprise bargaining; it is for union bargaining. Let us consider what the Government proposes in its bid to keep the supply of money coming in from the unions—money that the unions rip out of the pockets of workers whether they like it or not. The Bill is quite explicit. The Minister says that it will ease the way for the making of enterprise agreements, or certified agreements as they

are called in the legislation. In fact, the Bill makes enterprise bargaining more difficult and is clearly directed at increasing union membership. It should, of course, be remembered that the ALP has a very vested financial interest in increasing union membership, because that will lead directly to an increase of union affiliation fees and funds donated to the Labor Party.

At the present time, a form of enterprise agreement—enterprise awards as many people call them—can be made. These can be made between employers and industrial organisations of employers, or between employers and individual employees or groups of employees. That latter situation—direct negotiations between employer and employee—is made possible by section 12.4 of the Act. That is obviously one of the difficulties of which the Minister spoke in his second-reading speech. However, the commission does not seem to think that direct enterprise bargaining and negotiation is a problem. Later, I will table the *Industrial Gazette* of 15 February 1992 containing the State wage case decision handed down by the commission. Despite the Minister's claims, the Bill now under discussion does not remedy any problems supposedly identified by the commission. The Bill seeks to repeal section 12.4 of the Act.

I will tell honourable members what the commission said about that section and the agreement that it allows. Government members should listen carefully to this, because that is their commission, the commission to which it appointed people. The Government gave it power. It is the ultimate independent umpire, which the Government would want us to keep in precisely its current state when the coalition gets into office. In relation to a section that the Government is seeking to repeal, the commission states—

> "Such an agreement does not require either an Industrial Organisation of Employees or Employers to be a party to it. It would seem that such an agreement would only be binding on existing employees and that any employees engaged subsequently would have to individually adopt the existing agreement. The provisions of section 12.4 may be useful in the case of a small enterprise with either a non-unionised or predominantly non-unionised work force."

One understands the difficulty that the Minister has with the provision. That is the so-called problem that has arisen in the Minister's mind—that such an agreement does not require an industrial organisation of employees to be a party to it. It does not require a union.

Mr Cooper: No, it doesn't.

Mr SANTORO: It does not require a union. That is what makes the section unacceptable to the Minister and to the Government. So that section is to be repealed.

Mr Foley: That is the secret deal provision.

Mr SANTORO: The secret deal provision! The one provision that allows an individual to exercise his God-given right to stand up for himself, and the Minister calls it a secret deal provision! The one section of the Act which has allowed genuine enterprise bargaining, albeit by a rather circuitous and backdoor method, is to be repealed.

Mr Springborg: What about secret ballots?

Mr SANTORO: I will get to those in a minute. It can be argued that a form of enterprise bargaining might still be possible—without the intervention of a union—through the lodging of an application for an enterprise award. However, to achieve that, employers and employees will have to go through a very complex process of satisfying all the wage principles laid down for the award, and then the application has to be heard in the commission with any number of unions having the right to intervene. In practical terms, that is just not going to happen. Instead, what are we to get? The Minister says that the new provisions will allow easier enterprise bargaining. That is clearly wrong, and the Minister knows that it is wrong. The Bill entrenches the compulsory involvement of unions in the process, but it is rather selective. The new section 10.3 (c) (1) would allow an employer or an industrial organisation of employers

to make an agreement with an industrial organisation of employees. The lack of balance here is quite obvious. An individual employer can enter into an agreement, or an employer association can do it on his or her behalf. But an individual employee cannot enter into negotiations or make an agreement; only an industrial organisation of employees—a union—can make an agreement. This is a clear case of double standards and a complete lack of consistency in approach.

To make it worse, employees cannot even group together to form an association of what we might call an enterprise union, because the Act provides for a minimum membership of 1 000 people before a union can be registered. One thousand people! Can honourable members imagine the small-business entity with 10, 15 or even 100 employees going about forming an association of employees when the requirement within the legislation is 1 000? Can they imagine just how easy that would be, particularly under the dead hand of Labor Government where firms do not grow, where firms keep on diminishing until they die? It is just not possible. Thus, employees at a normal workplace cannot form their own union and they cannot negotiate their own agreements under the provisions of this Bill. If they want an enterprise agreement and all the benefits it will bring, the workers will have to join a union. This Bill is nothing but a membership prospectus for the union movement and is part of a membership and fundraising drive for the Trades and Labor Council. Proposed section 10.3E makes it clear that union involvement is a prerequisite to the certification of an agreement. Indeed, many unions may end up being involved——

Mr Cooper interjected.

Mr SANTORO: They are hurting, aren't they! Indeed, many unions may end up being involved in the one agreement, and the only requirement on the unions is that they must have consulted with their members. Note that this does not mean that they must have listened to their members or put the issue to a vote or anything even vaguely democratic like that. All it requires is that the union consult and inform its members. So the situation is clear. A union must be party to an agreement and the members do not have to agree to what the union wants. So much for freedom of choice and democracy! How this equates with section 13.53 of the Act is beyond anyone's comprehension. That section provides for the exemption from a union of an employee on the basis of that employee's religious or conscientious objection. The amendments contained in the Bill make no such provision, and it is clear that a conscientious objector is left in a position in which he or she simply will not be able to benefit from employment under an enterprise agreement. These amendments actively discriminate against people whose religious beliefs prevent them from taking out union membership. In effect, the Government is engaging in religious discrimination against these people. I return to page 156 of the Hanger report, where the committee stated—

> "It seems illogical to limit the capacity to make industrial agreements to employers and industrial unions of employees alone, particularly where the system does not compel unionism and otherwise does not discriminate between union members and non-unionists."

Illogical indeed! This Bill seeks to entrench compulsory unionism and actively discriminates against non-unionists. Fewer than 40 per cent of employees in the private sector under State jurisdiction are members of a union. So that means over 60 per cent of workers are specifically prevented from working under an enterprise agreement or taking part in the bargaining process at all. That is over 60 per cent of Queensland workers who are being disfranchised by this Bill. This is a disgrace. Any normal, reasonable, freedom-loving Australian would have to agree with me. What is it? It is an absolute disgrace!

I have heard the Minister's claim that other provisions of the legislation would allow individuals to play a role. I presume he is referring to section 8 of the Act, which says that proceedings may be commenced in the commission by any one of a number of different groups of people including "any person who has an interest in the cause or matter to which the application relates". Unfortunately, however, the preface to that

section reads “except as is otherwise prescribed”. I repeat “except as is otherwise prescribed”.

Mr DEPUTY SPEAKER (Mr Briskey): Order! Once again, I remind the honourable member to address his comments through the Chair.

Mr SANTORO: It is just that the honourable member for Crows Nest motivates me so. The proposed enterprise agreement provisions contained in the Bill do in fact prescribe otherwise. Those specific provisions override the general provision of section 8.

Mr Foley: But you have overlooked section 10.1

Mr SANTORO: I will come to section 10 when the clauses are debated. We will get to them all. There is a lot more that we can say. The plain fact is that this Bill sets out to prevent employees from being able to negotiate an enterprise agreement with their employer. They will be forced to involve a union, whether they like it or not, because the commission will not be able to approve an agreement unless at least one union is a party to it. The end result is that unions are in, individuals are out, and 60 per cent of Queensland workers are disfranchised. We in the Opposition find that a completely unacceptable situation, and we give notice that upon our return to Government we will legislate for genuine enterprise agreements and real enterprise bargaining without the unwanted intrusion of third parties.

In his second-reading speech, the Minister referred to the need for long service leave provisions for seasonal workers in the sugar and meat industries. The only thing which the Minister omitted was the nickname for this provision, which is “the AWU special”. The Bill provides a pro rata entitlement to long service leave for a worker who has worked each season in the sugar or meat industries for a total of 15 years.

Mr Foley: Are you going to oppose long service leave?

Mr SANTORO: The Minister should listen to it. They may have worked only three months in each of those 15 years, but they will become entitled to the pro rata equivalent long service leave of a full-time employee. I simply make the point that the Government appears to have lost sight of the purpose of long service leave, which is intended to reward workers and give them a break after years of continuous service. It can be argued quite strongly that someone who is working for only three months a year is not really in need of an extended break. I ask the Minister and other members to consider the logic of that.

The Minister also spoke at some length about the changed provisions relating to reinstatement and re-employment. In many cases, reinstatement is simply not a viable option, because the employer/employee relationship has broken down completely. The amendments seem to make some sense in clarifying and formalising what is already occurring. I give credit for that. However, it appears that there is to be an open-ended time limit on the bringing of applications by employees who are dismissed because of injury. I will discuss that further at the Committee stage. Because of the wording of the Bill, the commission also appears to have been given a wider brief to allow reinstatement applications outside the normal time limits. That matter will also be raised at the Committee stage by members of the Opposition.

Applications for reinstatement or for financial compensation arising out of such applications should be on the basis that the dismissal was harsh, unjust or unreasonable. The Opposition will support any provision that entrenches those sentiments within legislation. I am sure that most honourable members will agree that, in some cases, dismissal can be seen to be wrong. In such cases, reinstatement or compensation can and must be in order. Nobody, including every member of the Opposition, would argue with that. The problem is that this Bill does not say so. It seems to take for granted the understanding of employees that they should apply for relief only if their dismissal is harsh, unjust or unreasonable. One cannot apply for such relief just because one is upset and does not like the decision. That understanding is clearly the basis of those provisions of the Bill, but it is not stated. I respectfully suggest to the Minister that it

should be. As I have said, the enterprise bargaining provisions of the Bill clearly demonstrate that this is a document of the unions, by the unions and for the unions. Even greater proof of that is contained in the provisions relating to union elections and amalgamations. Those provisions make it absolutely clear that this is a union document.

Before examining what the Government is seeking to do, it is instructive to look at the blueprint which was laid out for the Government to follow. In 1989, the Cooke inquiry into the activities of particular Queensland unions was established and commenced its hearings. All Queenslanders are aware that the inquiry uncovered varying degrees of corruption in a number of the State's largest and most influential unions, and that certain high-profile union officials faced trial and have been sentenced to prison for their criminal activities. Honourable members will be pleased to learn that I do not intend to canvass the details of those people's activities—at least not today. The members of the unions concerned are already aware of the way in which their money was stolen by those individuals. The Cooke inquiry also found evidence of widespread ballot rigging in union elections in this State. Marshall Cooke, QC, recommended an overhaul of accountability procedures, both for elections and for financial reporting.

Of course, the Cooke inquiry was never very popular with the unions. I wish to refer to the general secretary's report to the annual general meeting of the Trades and Labor Council held on 31 July 1991. I inform honourable members that that minute was leaked to me by a very senior union official. That person will never vote for the Liberal or National Parties; he will never become a member of the Liberal Party; he will always remain a member of the Labor Party. That leaked document was not very complimentary.

Mr Purcell: Who was he?

Mr SANTORO: I dare not tell the honourable member who he is, because if Bill Ludwig has his way, that person will literally cease to exist. If Bill Ludwig follows through with his threats, the poor fellow who leaked this document—and who will continue to leak such information to me, much to the embarrassment of the Labor Party—will literally cease to exist. The report was authored by the member for Waterford, who seems to keep bobbing up in these discussions. Honourable members should listen to these comments by the secretary and the assistant secretary of the TLC. The report stated—

> "From the outset, the Trades and Labor Council of Queensland questioned the worth of the inquiry but commented publicly that the trade union movement has never in the past and will never in the future condone misappropriation or misuse of members' funds or other such illegal activities."

That sentiment is commendable. However, the report further states—

> "The inquiry has produced virtually no useful outcomes for the community."

That report called the inquiry a "gross misuse of taxpayers' funds". I will table that minute at a later stage. Presumably this is different from the gross misuse of union members' funds which the inquiry uncovered. It would appear that the TLC and the member for Waterford feel that the suggested reform of the union movement to make it more accountable is not a useful outcome. Honourable members may ask: useful to whom? As nobody else has asked that question, I will ask it.

In contrast to the rage and red-faced bluster which the Premier displayed when he was the Opposition Leader in calling for the immediate implementation of the Fitzgerald recommendations—and, incidentally, the Fitzgerald inquiry cost four times more than the Cooke inquiry—the ALP acted hypocritically in its response to the Cooke report. The Ahern and Cooper Governments moved immediately to implement the Fitzgerald recommendations, and legislation was in place within two months of the receipt of the report. The Labor Party seemed to be pleased about that, and so it should. But when the boot was on the other foot and the ALP was expected to implement some impartial recommendations, we witnessed something that resembled a snail's picnic. It took the Government 14 months to announce that it would even implement any of the Cooke inquiry recommendations, and it was 16 months before this Bill was introduced. Sadly,

the majority of the recommendations have been ignored by this so-called reformist Government, because it wants reforms to apply to everybody except its own mates and financial backers. There is one rule for the Government's mates and another rule for the other poor mugs.

In common with the Fitzgerald recommendations, the Cooke recommendations were wide-ranging. They covered the union election process and the creation of tighter processes of accountability. Cooke recommended that a secret postal ballot be held for all union elections. This Bill goes some way towards giving effect to that recommendation, but not far enough. The report recommended that elections be conducted by an independent authority such as the Electoral Commission. That recommendation is to be implemented in the Bill—sort of, unless the unions do not like it.

Mr Foley: That is not correct.

Mr SANTORO: It is correct. I take the Minister's interjection.

Mr Foley: They have to get exemption from the Industrial Registrar.

Mr SANTORO: I take also that interjection. They have to get exemption from the Industrial Registrar. The Government sacked the Industrial Registrar. I am not casting any aspersions on the current Industrial Registrar. However, that abuse can occur in the future.

Another recommendation concerned the victimisation of union members who dared to blow the whistle on officials who were doing the wrong thing. On page 26 of his sixth report, Marshall Cooke, QC, recommended—

> "Any legislation to protect a whistleblower should be drafted to include protection for a whistleblower in a union movement."

That recommendation has also been totally ignored by the Government. Whistleblowers in unions should be protected. Instead, they are left whistling in the dark.

Cooke recommended the establishment of a union watchdog which could investigate allegations of misconduct by union officials. On page 19 of the sixth report, the commissioner states—

> "I therefore recommend that the Criminal Justice Act 1989 be amended to empower the Criminal Justice Commission to receive and investigate complaints of 'official misconduct' from members of the public and members of Queensland registered industrial organizations concerning misconduct by union officials."

The Government has refused to allow the Criminal Justice Commission such power and has refused to give this power to any other watchdog body. Apparently, it is good enough for police, politicians, judges, public servants and almost everyone else to be subject to scrutiny, but not union leaders. What a cushy little position of privilege they hold! Unions should be required to present their financial statements to members in the same way as companies are required to do so to their shareholders. In short, union leaders should be as equally accountable as company directors. A public company must have its financial records audited by independent accountants. It then must prepare and distribute half-yearly reports to ensure that its shareholders are aware of where and how their money has been spent. Every financial year, the annual report for a company must be prepared, and all financial details must be disclosed and then sent to shareholders. The company must hold an annual general meeting, at which shareholders can question the directors about the way in which the company has been run. A register of all shareholders must be maintained, and transfers of shares also have to be recorded. Companies must meet those statutory requirements and those same requirements should be placed on union office-bearers who, in reality, are directors of operations.

On page 9 of the sixth Cooke report, the commissioner states—

> "There is no reason why the same standards of accountability which apply to corporations should not apply to trade unions."

No action has been taken to implement that most vital recommendation. I refer now to the area in which Cooke and Hanger overlap, which is the area concerning political objects funds. Both of those inquiries concluded that political objects funds for unions were absolutely necessary to ensure that members knew how much of their money was going to a political party. It did not matter which political party—any political party. That was a provision in the former Act, but it was ditched in the 1990 legislation. I can only speculate why this Government has a philosophical objection to letting union members know to where their money is going. In common with all organisations, unions should be able to make donations to political parties. However, those donations should be decided by the membership, not by the union officials. It should also be left to the discretion of the union members to decide which party or parties should receive the money. Why should a Liberal voter have to pay money into a fund only to watch that money go straight into the Labor Party's bank account? It would be much fairer if members were given a say and decided, firstly, whether they wished any of their money to be put into a political objects fund for distribution to a political party and, secondly, if so, to which party they wanted their money directed. That is only fair and reasonable. However, that is why the ALP Government opposes it. This Government has had its hands in the pockets of Queensland unionists, who are not enjoying the experience.

The Minister claims that this Bill incorporates the Hanger and Cooke reforms. However, it clearly does not. Like so much of the rest of what this Government does, this Bill is a mirage. Although it appears to make union elections fairer, it does not. Firstly, the Bill provides for the Electoral Commission to conduct union elections. That provision is acceptable and it is in keeping with the Cooke recommendations. When I read that provision, I thought that Government members had finally seen the light. However, it was only a cruel illusion because I then read the provision which allows unions to apply to the Industrial Registrar for permission to conduct their own elections. I am sure that the current Industrial Registrar would allow unions to conduct their own elections only if everything appeared to be above board. However, two points should be made: the first is that the registrar will be making a decision that is based on appearances, and appearances can be deceptive, especially if they are intended to be, as Marshall Cooke found out. Secondly, we all know how cronyism has reared its ugly head under this Labor Government. A future appointee to the position of Industrial Registrar may well be a union crony and may act corruptly in favour of his or her mates. The whole point of recommending that union elections be conducted by persons outside the industrial system was to ensure that there was no possibility of ballot rigging or the perception that ballot rigging was possible. The clause that allows unions to conduct their own elections, with the approval of the registrar, will only keep the suspicion of possible wrongdoing alive.

Why is there a need for this exemption? It merely opens the door for more massive ballot rigging away from the impartial watchdog of the Electoral Commission. Obviously, the commission will be in a position to run an election much more professionally and easily. Therefore, why should unions be allowed to revert to their old ways? The provisions are a disgraceful cop-out and should be trashed immediately. I wonder whether the members of the Liquor Trades Union, upon which union leaders committed massive ballot fraud, believe that unions should be able to conduct their own elections. Perhaps members of Parliament would like to be able to conduct their own elections in their own electorates as well. They could appoint their mates as returning officers. They could run the poll, count the ballot papers and declare the result. However, I should not make that suggestion too loudly. Many Government members may think about amending the Electoral Act to allow them to do just that. Nothing would surprise me.

As if this cop-out on the conduct of elections was not enough, it gets worse. Under this legislation, the taxpayers of Queensland will have to foot the bill for the elections conducted by the Electoral Commissioner. The relevant union will pay only for the printing and postage of the ballot papers. All other costs that are incurred by the commission will be paid by the Government, which means by the people of Queensland. I am sure that every company in Queensland would like to get in on this act. Companies

are required to hold proper elections, but they have to pay for the conduct of the ballots themselves. Once again, unions receive special privileges from this Labor Government and special deals from the ALP, which owes its financial livelihood to the union movement. At least the unions have to pay for the printing and distribution costs for general election ballots. However, it is a different story with regard to amalgamation ballots. All amalgamation ballot expenses, including the postage and printing costs, will be paid by the Government. Therefore, the taxpayers of Queensland will be paying for those amalgamation ballots. I ask the Minister, the Premier, the member for Waterford and anyone else on the Government side of the Chamber to explain why that should be so. How could the merging of particular unions benefit the majority of the population, which has no connection with any union? Taxpayers' money should be spent only on things from which the taxpayers will benefit. How will taxpayers benefit from the amalgamation of unions? Instead, a very small number of people are likely to benefit from the amalgamation, which is paid for with taxpayers' money. I believe that it is not going too far to call that provision a form of legalised theft. However, the rest of the amalgamation provisions are not much better. Why is it that the Labor Party has this obsession with union amalgamation? Why is a bigger union a better union? Is the answer because it provides more money to the ALP or because it can cause more industrial disruption if it has more power?

Just to make sure that the union leaders get their way, the Bill provides for union funds to be used in support of proposed amalgamation, but not to publicise both the "Yes" and "No" cases. The unions must provide a "Yes" case to be sent out with all the ballot papers. But individual union members have to prepare their own "No" case; and, of course, they do not get any union money to do so. The whole thing is clearly skewed in favour of amalgamations, and to make it as difficult and as expensive as possible for effective "No"cases to be mounted.

The Federal Labor Government's efforts at forcing amalgamations by setting a 10 000-member minimum requirement for unions have foundered in recent weeks, thanks to the International Labour Organisation. The ILO has found that such requirements breach the principles of freedom of association. The same philosophy should also see the 1 000-member minimum in the Queensland Act overturned. This Bill goes in precisely the opposite direction to what the Minister is suggesting. Just in case something does go wrong with the ballot, that will not render it invalid. Thanks to a remarkable provision in this Bill, anything that is done in good faith—however illegal—will not void the ballot and its result. Speaking of things that may be illegal, such as violence and intimidation, the penalties provided in the Bill leave much to be desired. Ballot rigging by any means, including the use of violence, injury, punishment, damage or loss, incurs a penalty of a maximum of 80 penalty units, or $4,800.

In conclusion, this Bill is nothing but a travesty of industrial relations laws and industrial relations principles. It seeks to abolish every vestige of genuine enterprise bargaining that exists in the current Act. It seeks to clearly entrench the favoured position of the union allies of this Government within the system, both at a political level and at an industrial relations level. It will not get the support of the Opposition.

Time expired.

Ms POWER (Mansfield) (9.39 p.m.): How can two people read the same documents and come up with two different views? I rise to speak in support of the amendments before the House. Firstly, I would like to review the development of the Bill before focusing specifically on the Cooke inquiry, its recommendations and its impact on these amendments. At the outset, I state that I am proud to support the unity of Labor as the strength of the world.

In May 1990, the Honourable Nev Warburton, the then Minister for Employment, Training and Industrial Relations, introduced the Industrial Relations Bill. The reforms in that Bill were based on recommendations by the Hanger committee of inquiry. The introduction of this Bill in 1990 was the beginning of the reform process into industrial relations in Queensland. Only once before has Queensland seen such reform; that was

in 1916. Again, it was a Labor Government under the reformer T. J. Ryan which introduced a system to create an equitable and just basis for the regulation of employment relations in Queensland. That is something that we had seen deteriorate severely prior to 1989. It is not surprising that only Labor Governments have had the fortitude to accept these challenges. The conservative Opposition simply did not have—nor will it ever have—the political will to implement the recommendations of Mr Hanger's report. The key principles of the report were embraced in the Industrial Relations Bill. They were: the retention of the system of conciliation and arbitration; the recognition of representative organisations of employers and employees; compliance with decisions of the tribunal; and the need for greater flexibility.

This Labor Government is ideologically committed to the Labor movement and its place in industrial relations in Queensland. The Bill creates a framework for the orderly conduct of industrial relations in Queensland and for adaptation to changing social, economic and technological circumstances. These amendments respond to the requirements of the users of the day. The economic wellbeing of our State depends largely on an industrial relations system that has the respect of the community. It needs to provide for a system of conciliation and arbitration that works well and works quickly.

As announced by the former Minister, a tripartite consultative council has been established to give ongoing advice to the Government on further changes to the framework. This council allows, for the first time ever in Queensland, organisations representing employers and employees to have a direct say on and a direct input into legislative provisions relating to industrial relations. While the coalition and its supporters were not willing to establish a proper industrial relations system as outlined by Hanger, QC, it was only too happy to set up and support the Cooke inquiry into specific Queensland unions. The Cooke inquiry was set up by the Ahern National Party Government. That inquiry cost the taxpayers of Queensland over $6.2m, and gave 30 pages of recommendations. Much media hype has been given to the inquiry and the recommendations—selectively. The conservatives have tried to tar all unions and all union officials as corrupt. In fact, only a few people were found to be corrupt, and there were problems in only two unions. If we were to inquire into other organisations of similar size, would they weather the process as well?

After the establishment of the commission of inquiry into the activities of particular Queensland unions on 17 August 1989, the committee inquired into the activities of only certain unions. There were six reports, with the last being an overview and a consolidation of the recommendations transmitted to the Government in July 1991. The reports were tabled as they were received. However, on the advice of the Solicitor-General, supplements to a number of those reports were not made public together with the reports. This was because of concern expressed by the Solicitor-General about a number of issues such as fair trials, defamation and contempt. This was to ensure that a number of people who were to face criminal charges would not be disadvantaged. Subsequently, the Solicitor-General sought the advice of the Director of Public Prosecutions on the appropriateness of making the material public. The advice of the director was that, since a number of people had been dealt with by the courts, much of the material could be released. A number of cases are still unheard.

On 4 August 1992, the Honourable Ken Vaughan tabled the supplements to the first, second, third and fourth reports. He undertook that, when the proceedings had been completed, the balance of the material would be made available subject to the director's advice. On 20 August 1991, the Honourable Nev Warburton tabled a supplement to the fifth report. Commissioner Cooke had left it to the Minister to decide whether or not this should be made public.

There is no basis for a claim that there has been any cover-up by this Government. The recommendations fell into a number of categories, the first being financial. They are being discussed with the Commonwealth in the context of maintaining, as far as possible, consistency between jurisdictions. Recommendations were made as to internal union operations, particularly model rules for elections. Many of those will be built into

model union rules which will be gazetted early next year. Another recommendation related to the audit of union accounts and a role for the Auditor-General. This has been discussed with the Auditor-General. He did not want to take the central role suggested by Cooke. However, manuals are being prepared to assist union auditors and the Industrial Registrar. The second last category of recommendations related to offences in relation to amalgamation ballots and preservation of ballot papers. That recommendation has been included in the Bill. The last category related to the conduct of elections by the Electoral Commission. That recommendation has been adopted.

Again, the Opposition has tried to whip up a storm over this part of the Bill. Opposition members cannot have it both ways. Either the union conducts the ballots or the Electoral Commission conducts the ballots. Cooke has recommended that the Electoral Commission should conduct the ballots, and that provision is included in the Bill. The unions will meet printing, postage and distribution costs for the ballots.

Of course, a number of recommendations have been rejected, including the use of the CJC as a union watchdog and the Ombudsman being able to investigate complaints against unions. Those recommendations were rejected because the committee misunderstood the role of those organisations, which is to deal with official bodies. A group of other recommendations such as full-time elected officials not to constitute more than 30 per cent of the composition of a committee of management, or resources of an industrial organisation not to be used for election purposes, were discussed. It was the view of the tripartite committee that such requirements were not practical and could not be policed at the margin.

A number of recommendations are still to be considered in the context of EARC reports. Overall, the tripartite committee did not have any problems with the course of action taken by the Government. It has to be kept in mind that changes made for industrial organisations of employees would apply equally to organisations of employers. The Act does not differentiate between them. Steps are proposed in the legislation that will go a long way towards ensuring democratic elections. This is a basis for sound union administration. Again, I point out that, when we are talking about the Cooke inquiry, we are talking about a select group of only two unions that were found to have areas of corruption, and only a small number of people who faced charges. The Cooke recommendations have to be kept in perspective. He was commissioned to inquire into just that small number of unions. It could not be said that he uncovered any great problem with Queensland unions—unless one took notice of some of the hype put forward by the Opposition. Nonetheless, the Government has taken a positive attitude to the general thrust of the recommendations. I congratulate the Minister and his staff again on their responses to the recommendations included in this Bill. I support the amendments.

Mr STONEMAN (Burdekin) (9.48 p.m.): Mr Deputy Speaker——

A Government member: This'll be good.

Mr STONEMAN: I am pleased to report that it will be good. It is relevant that, as part of this debate, we focus on the hypocrisy of the Minister and the processes that have led him through the last three or four years in the Parliament. Those processes give absolute substance to the statements of many wise people who have gone before all of us that "You can talk your way into this place, but you can certainly talk your way out of it." Statements made by the Minister over the years are a damning indictment of his unbelievable hypocrisy, which is not measured by public opinion but by an arrogant Government which claims at every level to have been given a mandate to do that which it wishes against the quite clear statement of the broad community today. I include in the broad community the ordinary, average working people of Queensland who do not want a further entrenchment of union power in this State. They do not want the Government to further that power; they want it reduced considerably.

Over recent years in this House I have called for an increasing recognition by the union movement that it needs to move into the twentieth century; a recognition that it does have a genuine role in the process of representation of those who wish to join

unions; and a recognition that it does have a capacity to play a vital role in community interaction. But it does not have the right, nor should it be given the right—which this Bill is doing—to have an absolute power platform, a platform that has been given to it by this State Government. It is worth while looking at some of the rights of individuals in our society. Over the years, the Minister has been a proud supporter of the rights of the individual. He is an unbelievable hypocrite in that respect. He talks about rights at every level. In August 1992, he said—

> "Queensland now leads Australia in having a statutory right of peaceful assembly.
>
> Secondly, in the area of human rights and fundamental freedoms, Queensland now enjoys a fair and honest electoral system."

I suggest that that flies absolutely in the face of the intent of this Bill. Where are the rights of the individual? The Bill is about taking away the rights of the individual, increasing the power of the unions and, of course, adding to the power and the financial structure of the Government. At page 5968 of *Hansard*, Mr Foley stated——

Mr Elliott: What about the canegrowers?

Mr STONEMAN: I will talk about the canegrowers in a moment. Mr Foley stated—

> "What about reforms for the ordinary workers? The abolition of those despised so-called voluntary employment agreements was welcomed by unions throughout the length and breadth of this State."

That statement that was welcomed by the unions is correct. But what about non-unionists? What about those employees who are union members because—even under the old terms—they were forced to be members of a union?

I will briefly overview for the House an occurrence that occurred in my electorate during the year. I will refer to a summary that I have in respect of that event which happened just over a month ago. On Monday, 5 October, I was contacted by a constituent seeking advice in relation to a chain of events that gave him cause for concern. He was employed by a cane harvesting contractor in the Kalamia mill supply area as a haul out driver. Although he had been in that employment for several months—and I understand that he had worked for the same person for a number of years—he was required to purchase an AWU membership for $103 by 4 p.m. of that same day. It was implied that if he did not do so, the delivery of cane bins to the farm on which harvesting operations were being carried out would cease forthwith. He contacted me to ascertain what were his rights in respect of the requirement to become a union member, and what would be the ramifications in the event of his not joining. I advised him that the decision was entirely one for him to make, having considered his own future employment, the impact on his employer, and the possible flow-on effects to the associated farmers and millers. I also advised him that there was an employment preference clause in place, but that I was not totally aware of the legal stature of that agreement given the nature of events leading up to the time ultimatum. However, I did give a commitment to stand by him regardless of his decision in respect of paying the union membership. That is a fundamental right that members on this side of the House will stay with forever. It is a basic right of a person to be a member of a union. I fully endorse that; I agree with it, and I respect it. The Minister is not an absolute hypocrite because he will not support that fundamental right. In effect, this Bill takes away that right. I support the right of people to become members of a union if they wish; I support their right not to become members of a union, if that is their desire; and I further support their right to form their own union if they wish. I am not against unions; I support them. But I do not support the sort of union thuggery that is being entrenched by this Government and this hypocritical Minister.

Following the contact by my constituent, I spoke with the secretary of the Kalamia mill's suppliers committee, who confirmed that lists of persons had been circulated by the union who were not, from time to time, members. In almost all instances, union membership had been forthcoming, and the instance of my contact was the last

remaining case of which he was aware. In other words, the union kept sending around a list implying, "Join, or else." Finally, the union mopped them up until this one person was left. I then contacted a Brisbane QC to discuss the reported threat of action. I was advised of the precedent of a decision in the Crown v. Zaffer in the Court of Criminal Appeal before Wanstall J., Matthews J. and Kelly J. in December 1977. The appeal was dismissed and the conviction of an official of the Storemen and Packers Union, under section 359 of the Criminal Code, was upheld. The key element, and the apparent parallel with what I would now term the Kalamia case, was that the appellant was threatened with the withdrawal of fuel supplies unless a union ticket was purchased. That is sort of thing that people must understand as being entrenched in this legislation. Again, I say to the Minister: what about the non-unionists? When the Minister spoke about the reforms for the ordinary workers, the abolition of those despised so-called voluntary agreements was welcomed by unions, but it was not welcomed by many of my constituents, nor by the many trade union constituents in my electorate. Those people were applauding from the roof tops the fact that under the then National Party Government they had at long last achieved freedom.

I refer honourable members to the recent Victorian election. All sorts of hysteria has been whipped up by that paragon of unbelievable deceit, John Halfpenny, talking about the rights of workers. He got 100 000 people in Victoria, where there are 200 000 or 300 000 people out of work, to march at lunch-time. What an incredible occurrence. Today, the polls in the *Australian* tell the truth of the matter. The majority—almost without exception—are endorsing the Kennett reforms. That is a surprise to many even on this side of the House.

Mr Foley interjected.

Mr STONEMAN: I take that interjection. It is unbelievable that we are debating this Bill and, yet, again the Minister—the hypocritical Minister who has presented this Bill—wants to talk about a poll on a different issue altogether. That is an old diversionary tactic. I am talking about the clear evidence in Victoria in which 92 per cent of workers turned up and stayed at their jobs, regardless of what job it was. They all thumbed their noses at John Halfpenny. I advise the Minister that that is the poll that counts. The poll that will count with John Hewson—if the Minister wants to talk about him—is the poll that happens when at long last Paul "Cheating" calls an election. I advise the Minister that it will be a different result from that which be believes will be achieved. I want to talk about discrimination, because this is the Minister who, prior to becoming a Minister, was so intent on ramming down our throats the international covenant on civil and political rights and the recognition of the freedom of association within that international covenant. In my view, if the Minister was anything other than a hypocrite, he would be strongly supporting the proposition that people have a right to join or not to join a union, but he is entrenching compulsory unionism. I will cite an ALP document titled "The ALP and Trade Unions". On page 14 at point 3, the document states—

> "Mutual Support—The ALP aims to support trade unions in pursuit of their industrial goals and many unions support the ALP in pursuit of its political goals."

It is clear that the Labor Government of which the Minister is a member has as a fundamental process the support of trade unions in their pursuit of industrial goals. The document goes on to state—

> "The basis of affiliation with the ALP is in accord with the objectives of the Trade Union Movement which aim to improve the standard of living for their members."

Let me tell you what that means. This Government and the trade union movement, as is becoming increasingly obvious, are interested only in trade union members. The Government is not interested in non-union people. Through the legislative process and the compliance of this Government, the trade union movement will soak up members. Non-union people are not a part of the representative process of this Government and are clearly not a part of the objectives of the Minister. On top of that, the people who do not have jobs and who have suffered horribly under Keating and the type of

Government that is developing in Queensland are not mentioned in the Labor manifesto. It is not even suggested that they should be there.

In December 1991, the Minister stated—

> "The development of the law of human rights is an ancient one . . ."

He went on to state—

> "It is so extraordinary then that one sees such antediluvian resistance to the very fruits of those principles for which two generations of Australians struggled"—

he mentioned that his father had fought at Tobruk, which I applaud. He went on to say—

> "that is, the opportunity for a fair go, the opportunity for freedom, and the opportunity for a society in which discrimination is being put behind us."

I again emphasise that this Bill discriminates against people who do not wish to join a union. In the Minister's second-reading speech, he stated—

> "The central elements of our approach are—
>
> a flexible industrial relations system"—

and he went on to talk about a strong economic foundation—

> "a commitment to consultation and cooperation between workers, their unions and employers which is essential if industrial relations reforms are to be achieved . . ."

What about workers as individuals? What about the consultative process? I wish to cite a press release issued by the United Graziers Association on 19 November 1992. Attached to it is a letter dated 16 November addressed to the Minister from the UGA which takes the Minister to task and shows him to be the fraudulent hypocrite that he is in this instance. The document states—

> " 'Division 1A—Certified Agreements' meant that the only way employers or employees could negotiate on-site or enterprise specific work agreements was if employees were union members and if the relevant union endorsed any negotiated settlement.
>
> This is a far cry from the Governments stated commitment to a flexible industrial relations system with consultation and co-operation between workers, unions and employers.
>
> It is simply unacceptable for the Government to deny approximately half of Queensland employees, who are not union members, the opportunity to have a say in the negotiation process.
>
> To exclude these people from the Certified Agreement process until such time as they join a union is clearly discriminatory."

I could go on and on, but the fact of the matter is that many people throughout this State are not being represented, particularly those in the embattled pastoral industry and other primary industries. There are trade unionists who would normally be working in the sugar industry and who, each year, knock on my door and say, "Do I have to join a union?" I say to them, "In effect, you do because they will black-ban the cane fields in Ingham."

Mr Rowell: That's right—blackmail. They will blackball the workers.

Mr STONEMAN: It is industrial blackmail. In this instance, it would also appear that the union has cut across section 359 of the Criminal Code. If the Minister were not a hypocrite, he would be taking up the case of those employees as Minister for Employment, Training and Industrial Relations, but what the Minister has immediately become is the Minister for trade unions in this State. He is not the Minister for Employment, Training and Industrial Relations; he is the Minister for the Trades and Labor Council and the Minister for trade unions in this State. It is a sad fact that he has also "Labor-ised" his department because, in all sincerity, no industrial relations

department could agree with the sorts of things that a huge organisation such as the UGA has complained of.

Mr Foley: Oh!

Mr STONEMAN: The Minister would have to admit that the UGA has been trying to work with the present Labor Government, but it has now said that enough is enough. A letter written by Mr David Moore states—

> "If your Government is sincere in stated desire to introduce a democratic system of IR regulation in Queensland then it has sadly erred in propounding a system which would be available to the selected few to the detriment of the remaining majority who choose not to belong to unions."

That is a sad indictment on a Government that has become increasingly arrogant. This Government refuses to acknowledge that people may not wish to become members of a union. It will be interesting to obtain under the Freedom of Information Act the advice that I have been asking for in respect of the Troubleshooters Available contractual arrangements for weekend shearing. That is the perfect situation, and it exemplifies the need to be able to enter into a more flexible and ad hoc arrangement. However, under the legislation, when stock are dying, people will have to go to a trade union and go through the whole industrial arbitration process. That is the sort of thing that the Minister and his hypocritical colleagues would have happen. The shearers, the pastoral workers and all of those people need to be able to sit down before they go mustering and effectively do a deal. Under the proposed amendments to the legislation, they cannot do that. Back in 1991, the Minister said—

> "Since the great Government of Gough Whitlam, there has been in this country legislation to prevent discrimination on the ground of race. In more recent years, legislation was introduced at the Commonwealth level to outlaw discrimination on the ground of sex."

What about outlawing discrimination on the ground of trade unionism?

Time expired.

Mr BUDD (Redlands) (10.08 p.m.): I am very pleased to take part in the debate tonight, but I will not go into hysterics like the sneer and smear opposite. I will talk about some positive history in industrial relations and also some positive aspects of the Bill. In 1987, the National Party Government appointed Mr Ian Hanger, QC, to head a committee of inquiry into the Industrial Conciliation and Arbitration Act of Queensland. It was the first major review of the industrial legislation in 27 years, which demonstrates itself the contempt and lack of commitment that the National Party has always shown to the Queensland industrial relations system. Despite the fact that the inquiry was restricted in its terms of reference, the committee received more than 56 written submissions, and a total of 42 organisations and individuals made representations to the public hearings.

When the Hanger report was finally brought down in November 1988, its most significant recommendation was to urge the Government to consider the submissions calling for the reintegration of Queensland industrial law into a single Act. The Industrial Relations Minister of the day said—

> "All sections of the community, unions and employers have expressed their general support for the Hanger report in its current form. I am hopeful that I will be able to take the report unchanged to the Parliament in March."

Regrettably for all concerned, the then Minister was the present member for Keppel, Mr Vince Lester. Of course, Mr Lester demonstrated exactly what his commitment to fair play and industrial relations was during the SEQEB dispute. It would be fair to say that he showed exactly the same amount of commitment to implementing the recommendations of the Hanger report. It was filed away in some dark cupboard and forgotten about until the election of the Goss Labor Government in 1989.

However, all is not lost. As Mr Lester has already demonstrated his ability to see the error of his ways by becoming a born-again greenie, no doubt he will now also appreciate the importance of good industrial relations and be a very strong supporter of the Bill. The Industrial Relations Act 1990, which was based largely on the recommendations of the Hanger report, was introduced by the then Minister, Mr Nev Warburton, and set the platform for this Government's approach to industrial relations, which is based above all else on a commitment to consultation and cooperation between workers and employers. The Industrial Relations Amendment Bill 1992 continues those reforms.

I should like to address my remarks to the clause of the Industrial Relations Amendment Bill 1992 that deals with the provision of long service leave for workers in the meat and sugar industries. This is a significant reform in an area that has been previously neglected, and one that is long overdue. The provision of long service leave was originally inserted into the Queensland award in March 1952. Generally speaking, the new provisions granted employees long service leave of 13 weeks after 20 years of service. That was subsequently reduced in May 1964 to 13 weeks' leave after 15 years of service. The provision also made available long service leave to seasonal workers in the meatworks and sugar mills. Those types of seasonal workers had to be dealt with separately from workers in other industries because their employment was not of a continuous nature.

The principle behind the provision of long service leave was to allow employees a break from work after a long period of continuous work with one business. However, seasonal workers do not work continuously, that is, from year to year. The very nature of the business dictates that labour is required only during certain times of the year. The work is therefore intermittent. Let me give examples of both meatworkers and sugar workers. Meatworkers in seasonal sheds are sacked every year around Christmas time. The period of those closures can vary. When the workers are sacked, they are paid pro rata any holiday leave and unused sick leave owing to them. Previously, in order to be eligible for long service leave, a meatworker who was employed for six months a year at a seasonal shed had to do 30 consecutive seasons over a period of 30 years in order to claim the normal 13 weeks' long service leave available to employees in other industries after 15 years' service.

The variation in the Act means that seasonal meatworkers will finally gain access to attainable long service leave for the first time. Under those changes, seasonal workers will be eligible for pro rata long service leave after 15 years, exactly the same as other workers, which means that a seasonal worker employed for six months a year will now, after 15 years' service, be entitled to long service leave of six and a half weeks. No doubt, we will hear the usual cries of: can we afford it? But make no mistake, the meat-processing industry is extremely profitable.

Perhaps we should look more closely at the companies that will be affected by the changes. There are now only three remaining seasonal sheds in Queensland. One is the Ross River Abattoir, owned by the Angliss group, which is part of the English-owned multinational Vesteys group. I understand that it is in the process of being sold to the Smorgens group. Ross River Abattoir employs some 370 meat workers. Another is Stuart Abattoir, owned by Australian Meat Holdings, which in turn is largely owned by the American-based multinational group, Conagra, and employs 420 workers. The third is Merinda Abattoir, owned by Thomas Borthwick and Sons, which is 70 per cent owned by Nippon Ham, one of the largest companies in Japan, and employs 415 workers. That makes a total of 1 205 workers from the three seasonal sheds who qualify under the Act for pro rata long service leave—hardly likely to break the bank of any multinational company.

The seasonal workers in the sugar industry were similarly disadvantaged by that long-existing anomaly. Seasonal workers were required only during the crushing season. Once the harvesting and crushing seasons were over, the sugar mills no longer required extra labour and the crushing season workers were no longer required. In earlier times,

the seasons lasted an average of six to eight months. However, with changing technologies and improved methods, seasons have shortened. Today, although a season can last up to six months with continuous crushing, it can be as short as 16 weeks. With drought conditions, a season can be even shorter. Clearly, under these conditions, it had become almost an impossibility for a seasonal worker to ever accrue the amount of service required to be eligible to receive long service.

It can be clearly seen that, once the situation became widespread and the industry norm, it led to a position where seasonal workers were grossly disadvantaged. The Government perceived a need to address this anomaly so as to ensure that seasonal workers could still expect long service leave after a long period of work with an employer, but that this period should not be so long as to become unobtainable. This piece of legislation addresses this anomaly. It ensures that employees are entitled to a proportionate amount of long service leave under the same conditions as all other employees. Adjustments are made to the entitlement of a worker to take into consideration the seasonality of an industry and to ensure that workers can get an entitlement on a reasonable basis.

The new provision also expands the provisions not only to cover sugar mill workers but also to encompass all the sugar industry workers, including those doing the harvesting work and farm work. Section 11.32 of the Queensland Industrial Relations Act 1990 provided that the continuity of service for seasonal workers was not broken by the fact that they ceased work at the end of one season and commenced work at the commencement of another season. The Queensland Government is the only Government in Australia to carry such a provision. In further amending the section of the Act to allow seasonal workers to receive long service leave pro rata after 15 years service, the Government is further recognising the contribution that meat and sugar industry workers play in generating export income in two of Queensland's most valuable industries. I commend the Minister and support the legislation before the House.

Mrs McCAULEY (Callide) (10.17 p.m.): The Government's Industrial Relations Amendment Bill is yet another of Labor's Bills purporting to solve a problem that in reality it accentuates. It is not surprising to me that the member for Clayfield has decided to take a strong stand and will debate this Bill for the rest of the night if necessary.

Mr Stoneman: Do you think that the member for Waterford is giving the Minister his fresh riding instructions?

Mrs McCAULEY: I am sure that dyed-in-the-wool unionists are totally overawed at being represented by a member such as Mr Foley.

Mr Stoneman: I would agree.

Mrs McCAULEY: Yes.

Madam DEPUTY SPEAKER (Ms Power): Order! I ask the honourable member to address the Minister by his correct title.

Mrs McCAULEY: I noticed that the member for Gladstone was a noisy little pipsqueak tonight. I wondered why he was not speaking on this legislation, or could he not find someone to write his speech for him? When will the Government realise that pandering to its union buddies and protecting their best interests will not boost the Queensland economy or create new jobs for our thousands of unemployed? Neither will unnecessarily protecting the rights of those already employed, via union muscle, do anything to create more jobs, which is what we need. Unions are not providers of jobs; they are, at best, protectors of the rights of the minority. It is industry that will provide the growth which will create more jobs, and yet industry has attacked this Bill, but to no avail. Instead of patting the backs of its union pals, the Government should be working with industry.

Mr Livingstone: Hear, hear!

Mrs McCAULEY: "Hear, hear!", all right. At the end of the day, that will benefit all workers as we try to get ourselves out of this depressing economic legacy that Labor has fostered. I would like to reiterate some statistics which have become well known but not heeded by the Government. In the past two years under Labor, the number of industrial disputes registered with the Queensland Industrial Relations Commission has almost doubled. Apprenticeship numbers in Queensland have fallen by over 40 per cent in the past two years. Meanwhile, unemployment has increased by more than 60 per cent under Mr Goss. Despite this, the Government's answer to trying to make the Queensland economy more productive and internationally competitive, while also trying to address unemployment, is despicable in its blatant bias. That was mentioned by the two previous speakers on this side. They spoke of the bias in this Industrial Relations Amendment Bill.

Where is the so-called flexibility of this Bill? It makes no provision for workers to represent themselves. The section of the Act which allows individuals to appear before the Industrial Relations Commission has been superseded. The Minister talks about opening doors, but in reality he is closing the door on a very important part of industrial relations negotiation. The General Manager of the Queensland Confederation of Industry, Mr Clive Bubb, has said that the underlying message of the amendments is "to enshrine the position and power of unions far beyond their presence in the workplace". Mr Bubb is dead right.

I believe this is a sad day for Queensland industrial relations. Surely it is a matter for employers and employees to decide whether a union is represented in the workplace. Surely people who are not union members also have rights. And what about those groups of individuals who do not agree with what the union thinks is best for them? A case in point is in relation to developments in our work force that must be inevitable but are being held up by union contrariness. For example, there is the introduction of job sharing. This is something that is seen more and more as a very happy compromise for working mothers. My electorate office has had a job-sharing position for the last two years and it has worked very well. In a specific case that I know of in my electorate, a group of women put a proposal to management to enable them to introduce job sharing. For particular jobs, the arrangement has great benefits both for the employees and the employer alike. And yet the big, bad union bogyman refused to condone such a practice and its grounds were very flimsy indeed. What right does a union, which is supposedly representing the best interests of employees, have to tell those employees what is in their best interests? I am afraid that, with issues such as this one, the unions are going to need powerful friends such as the Minister because more and more employees do not want a union representing them, and that is a worldwide trend. Eventually, the Minister will have to answer to those who count, and his union mates will hopefully perish in the process.

I feel that the Labor Party gives very little credit to the employees of this State, many of whom have been its most stalwart supporters. I was interested to note the recent actions of one very stalwart unionist, who has handed out how to vote cards at Biggenden for the last 20-odd years. On polling day at the recent State election, that person came to the polling booth, dropped the box of how to vote cards on the ground, threw a rock on top of them and subsequently voted for the National Party. He said, "I've had this lot. I will not vote for them again." He did not do so, and he did not hand out any how to vote cards, either. The fellow who was handing out the how to vote cards for the Independents was another former ALP supporter.

Mr Stoneman: They are a growing band.

Mrs McCAULEY: They are certainly a growing band in the Callide electorate. In the next three years, that band will grow more and more. Another element of the Bill that appals me is the fact that the Government has refused to address the concerns of the Cooke inquiry. I realise that this inquiry was very embarrassing for the Government. I promise Government members that it will not go away. Veiling it with superficial regulations and penalties is a cop-out. The internal operations of unions need scrutiny. I

suppose that, for this Government, that would amount to squealing on its best friend. Mr Dawson Petie, the recently endorsed General Secretary of the Trades and Labor Council, has stated that it would be entirely inconsistent to provide room for non-unionists to negotiate agreements, as it would undermine the Act. I suspect that Mr Petie is worried not as much about the Act as his own and his mates' power base. This Bill shows just how out of touch the Government is with the realities of the work place.

Mr Santoro: A very incisive speech.

Mrs McCAULEY: I thank the honourable member for his imprimatur. In Queensland, 70 per cent to 80 per cent of workplaces have no union presence. How do they access this system? Small organisations are already very successfully introducing informal arrangements with their employees. How is this Bill relevant to them? This Bill provides also for Government funding of union elections, which is rather interesting, in light of all the other cutbacks that have been made. Suddenly, the Government is bestowing a large amount of largess in that regard.

Mr Foley: Shared funding.

Mrs McCAULEY: Yes, it is shared funding, but it is still funding. I am rather saddened by this blatant Labor-line legislation, which I believe will add nothing to industrial relations in this State. I am pleased about the proposal by the member for Clayfield to debate this Bill at length.

Mr NUTTALL (Sandgate) (10.25 p.m.): As a proud trade unionist and a member of the Electrical Trades Union, it gives me great pleasure to participate in this debate. I want to take up the kind offer of the member for Clayfield regarding the way in which the Opposition perceives enterprise agreements being run. First of all, I wish to refer to the millstone around the Opposition's neck, which is the Fightback package and its industrial relations proposals. Dr Hewson has stated—

> "Industrial relations is the most important part of the policy package of the coalition. The centrepiece of Fightback is industrial relations reform."

He further stated—

> "I know the focus has been on tax. Well, there is a 20-point plan in Fightback and the most important point is industrial relations and the wage determination reform."

If one examines the Fightback package, which is a 656-page document, one will discover that only two pages are devoted to industrial relations. Of those two pages, one is devoted to expenditure cuts from the Department of Industrial Relations and most of its programs. Nevertheless, the Opposition continues to claim that industrial relations is the most important aspect of its policies.

I turn now to the way in which the Opposition sees enterprise bargaining. I wish to refer to a decision handed down on 25 October 1991 by Deputy President MacBean of the Australian Industrial Relations Commission regarding the Metway Bank employees and the Finance Sector Union of Australia—the then Australian Bank Employees Union. That decision relates to the establishment of an award. I want to refer to that decision in some detail. I will start with the complexity of the case. I urge honourable members to listen carefully. Deputy President MacBean states—

> "No issue no matter how small escaped examination by counsel . . . In other words, every detail of every set of circumstances stretching over several years was put under microscopic examination by the counsel involved. This, in the end, has required the Commission to carefully go through the 435 exhibits, 3 980 pages of transcript and the evidence of 49 witnesses . . ."

As the member for Clayfield made much of the idea of the staff association and how it was formed, I will refer to that issue. Deputy President MacBean stated—

> ". . . there is no evidence to support a conclusion that there were widespread calls by staff throughout Metway for the establishment of a staff association, in fact, all the evidence was to the contrary. The evidence of Ms McCormack"—

who is the human resource manager—

> "was to the effect that there was widespread support for the Bank Employees Union amongst the staff.
>
> . . .
>
> The evidence of Ms McCormack and the information established . . . that . . . Ms McCormack met with solicitors regarding the establishment of a staff association."

That proposal was not by staff members, but by the management. I turn now to the way in which Metway used the staff association to keep the Bank Employees Union away from the bank.

Mr Santoro: The employees don't want to join the union.

Mr NUTTALL: That is not correct. Deputy President MacBean further stated—

> "What is clear from the evidence is that the staff association idea, regardless of its origins, was seized upon by Metway as an alternative to the Australian Bank Employees Union . . . Thereafter Metway put in place a detailed plan designed to ensure that there could only be one result: a vote in favour of establishing the staff association."

Is that democracy at its best? I think not! Honourable members should bear in mind that I am referring to the comments made by Deputy President MacBean of the Australian Industrial Relations Commission. He further stated—

> ". . . in a memo . . . from Ms McCormack to General Managers, the managers were advised as follows:
>
> . . .
>
> 'Feedback I have been receiving suggests that most employees want the Bank Employees Union as their union.
>
> . . .
>
> 'We need to overcome the staff perception we are protecting only our own interests.' "

I turn now to the role played by senior management in the formation of this staff association—not the role played by the employees, but that played by senior management. As a result of information that had been given to him at the hearings, Deputy President MacBean stated—

> ". . . leads to the inescapable conclusion that this concept of the staff association was management driven and not the result of any overwhelming desire of staff. An examination of the evidence demonstrates beyond doubt that when these senior executives sat down . . . there had been no staff meetings held justifying the decision to set in train the formation of a staff association."

There had been no staff meeting in relation to this staff association. This is the guiding example that was given by the member for Clayfield. Deputy President MacBean further stated—

> "The main ingredients relied upon by Metway in their campaign to gain support for the staff association concept were secrecy, speed, surprise and the denigration of the ABEU all of which were carried out successfully by the group of senior management planners."

I refer now to the first ballot to form the staff association. Management went along to every branch, walked in and said, "Here is your ballot paper. We want you to vote whether or not you want a staff association. When you have made your decision, you

have got to write your name on the ballot paper." That was democracy at its best. That is what the Opposition describes as free enterprise bargaining! Management said, "Write your name on the ballot paper." That was not a secret ballot.

Deputy President MacBean stated—

> "Having considered all the evidence and circumstances surrounding the first ballot, I have concluded that the result of this ballot cannot be said to be a guide on the matter of the choice on union coverage by the support staff at Metway."

I wish to refer to the Bank Employees Union and the role that it played in this matter. Deputy President MacBean stated—

> "The evidence supports that the ABEU had made it clear throughout the negotiations that it did not seek to disturb the Saturday trading arrangements of Metway.
>
> The ABEU is a long established union in the banking industry and one which has demonstrated its ability to pursue the interests of its members in a constructive and sensible manner. On a number of occasions I have had cause to comment on the policies of the ABEU as they impact on their relationship with employers in the banking industry.
>
> . . .
>
> This is no 'Rambo' union intent on bringing down Metway or creating some artificial industrial environment designed to create disharmony. It is a union who has a record and reputation of looking after the interests of their members in an efficient and professional manner based on realities and not slogans and which takes into account the overall interests of the industry."

Deputy President MacBean further stated—

> ". . . the ABEU's policies and objectives are not pursued in a disruptive manner but in a way which recognises the need to maintain a viable, secure and competitive industry."

I wish to refer to Metway's great staff association. Since its formation in 1988, the Metway staff association had not established any contribution fees for members and it employed no full-time officers. The trust deed showed that Metway had determined to virtually underwrite the complete operations of the staff association, including meeting its legal expenses in a number of lengthy and extensive proceedings, including this matter. That association was supposedly set up by the staff. Deputy President MacBean stated—

> "Whilst there can be no objection to a relationship which seeks to harmonise the interests of employees with those of Metway, a relationship which relies on Metway as the sole contributor to the MGSA finances is not conducive to being independent or being seen to be independent. Metway gave birth to the MGSA"—

and the member for Clayfield should listen to what I have to say—

> "for the sole purpose of preventing the ABEU achieving a federal award with Metway. Metway, in its desire to remain free from the involvement of the ABEU and a federal award, has gone to quite extraordinary lengths to achieve this objective even to funding the complete operations of the MGSA."

Deputy President MacBean stated—

> "It is difficult to understand the continuing policy and philosophy of Metway which continues to drive its decisions involving as it does a significant financial cost."

To date, that cost is in excess of $2m, which was outlayed to keep an award and a union out of the bank. That money belongs to the shareholders and, to date, this bank has not advised its shareholders. Why has the bank a vendetta against the union?

I now wish to refer to the handling of members' wages and conditions by the staff association. Deputy President MacBean stated—

> "After carefully considering all the evidence in this area, I have concluded that on one very important issue those acting for the support staff of Metway showed an appalling lack of competence in approaching their task of properly representing the interests of members to management on an issue of fundamental importance, namely, the wages of members."

I refer now to the staff association and what the witnesses stated at the hearing. Deputy President MacBean stated—

> "Many of the negative views expressed, particularly by management, in relation to the ABEU and the federal system have been coloured by the attitude of senior management following the breakdown of negotiations."

I refer to the staff support for the bank union. Deputy President MacBean stated—

> "Nothing would be more destructive to the orderly functions of the IR Act than to legitimise all that Metway has done in its obvious obsession to maintain the MGSA by granting the applications against what clearly is strong and widespread support by support staff for the establishment of a federal award with the ABEU as a respondent."

Let me talk about the future of the staff association. The whole basis for existence of the Metway group's staff association will cease to exist on the making of a Federal award, because Metway's sole reason for forming and supporting financially the staff association was to prevent the Bank Employees Union achieving a Federal award. The whole concept of this amendment Bill before the House is to ensure that when we talk about enterprise bargaining we mean that people are on a level playing field. Opposition members would have some young person walk into Coles looking for a job. One can just imagine a 16-year-old male or female sitting down with the management of Coles to negotiate an employment contract. That is not something that members on this side of the House would condone under any circumstances. I support this amendment Bill.

Mr GRICE (Broadwater) (10.38 p.m.): The Government pretends that this legislation is all about improving the industrial relations system in Queensland. It has been written by a Labor Government dominated by union leaders to ensure that the money of Queensland workers is siphoned off to help Labor's campaign efforts. There is a lot of fine talk about efficient industrial relations systems, but very little is said about the reality of union power today—the use of union muscle and the manipulation of union members to achieve the ends of the old Labor heavies at the helm of the Labor Party. I want to say something about Labor in action. Rather, I want to say something about the sort of action that the unions—the industrial wing of Labor Party—want the workers to take. It is political action that is the most important as far as these people are concerned. They do not give a damn about the state of the economy or the need to keep production going. They do not give a damn about the fact that we are in the middle of the worst recession that anyone in this House can remember.

Mr Randell: A million people out of work.

Mr GRICE: There are certainly a million people out of work. Why should the Labor Party give a damn? The recession is the end result of Labor policies put into place at the highest level in Australia, in the economic settings that only a Federal Government can impose. The chief architect of our drama is Paul Keating. He is at the head of the Labor movement. He is the most important and most visible spokesman and apologist, but he has a lot of people helping him decide the direction that this nation will take until the next Federal election. Paul Keating is just the figurehead for the real power in the Labor movement—the union heavies whose only purpose in life is to manipulate the working people of this nation for their own political power ambitions. People such as Bill Kelty and John Halfpenny are the power behind the throne, and they derive their great power from compulsory unionism and the enormously rich unions which Labor in Government has created. Legislation such as this is just what the power seekers in the unions want,

because it aims for bigger and stronger unions through amalgamations. The people who can manipulate their way to the head of these super unions will have even more power to wield and, I dare say, a better chance of a better seat in Parliament.

Take as an example the national day of action that the Labor movement has called for next Monday. Look at the bold title on the fliers that they are sending around to the workers urging them to wreck the economy for a day. What are they saying to the workers? The front of the dodgers state, "Workers are under attack. Support your wages and conditions." That sounds terrific. But turn the page, and what does one see? A whole lot of emotive rubbish about the attempts by the Victorian and Tasmanian Governments to get their State economies back in order—a whole lot of garbage about the only honest attempts being made right now to ensure jobs for the ordinary working people in Australia. What else? There have to be more issues than that at the other end of the country, and there are. There is the real objective of that national day of action called for Monday. The real objective is the political one of getting Paul Keating out of the political trap that he has dug and then jumped into.

Mr Bennett: What does this have to do with the Bill?

Mr GRICE: I ask the honourable member to wait for it. He will get it. I might have to draw pictures, but he will get it. The union leadership is on about Fightback. It is onto the same old scare campaign that the Labor Party has been using in this House every day with Dorothy Dix questions to Ministers. Members know the types of questions to which I refer. They are the trick questions for which Ministers just happen to have prepared answers; the ones that bring out all the invention that 185 ministerial staff are capable of producing. The real motive of the national day of action has nothing to do with protecting working people. It has a lot to do with protecting the sinecures of the union leaders who have manipulated Labor's systems to get the endorsements for safe Labor seats—every time. Those people need to manufacture issues so that they can be seen to be leading the workers. No disputes means no jobs for union leaders, and no Labor Party. The union leadership and the Labor Party would go out of business without disputes. Labor has a vested interest in industrial turmoil——

Mr McGrady: Rubbish!

Mr GRICE:—including turmoil in the rubbish industry. I thank the Minister for his interjection. I now wish to say something about the death last night of Sir Leslie Thiess.

A Government member: Here we go.

Mr GRICE: The member says, "Here we go." That is not a very clever comment. That is an appalling comment about an 82-year-old man who was an icon in his industry and who will go into Queensland history. Our kids will read about that man. He developed an industry in this State like no other single man has done in that industry in any other State.

Mr Stoneman: And he created more jobs for genuine Queenslanders than the unions ever thought of.

Mr GRICE: He did indeed create jobs, and he also created towns. He created rail systems to cart his coal, and he created ports. He was a great man. The member's comment about the death of a man of that stature is despicable. It is ironic that the State should lose such a great Queenslander and a great Australian just a few days before the most senseless industrial action I have every heard of. I refer to the strike called for Monday by the Combined Mining Unions of Queensland. The industry which they will bring to a standstill on Monday is a lasting monument to the vision and sheer hard work of people such as Sir Leslie Thiess.

The coal industry is one of the most profitable in this State. It employs directly and indirectly thousands of honest, usually hard-working Queenslanders. It provides the State with huge wealth. It provides the Queensland Treasury with a huge proportion of the revenue it collects each year for spending throughout the State. It provides Queensland Rail with something like $3m a day in revenue. It has provided the impetus

for the development of a large number of new communities in Queensland. The coal industry is very valuable to this State, but union leaders have decided, for Labor's political purposes, to bring it to a halt. There are plenty of former union leaders in this House, and every one of them knows what a good deal the mining unions and their members have in Queensland. Thanks to people such as Sir Leslie and the people who have followed him in developing mines in this State, the wages and conditions of mine workers are all that could be asked for. I note that there are no interjections from Government members. The men and women working on the minefields are happy with things. They are happy with their lot, but their leaders have betrayed them into joining a fight that has nothing to do with them. They are merely joining their southern comrades. They have been manipulated into losing $1m in wages on Monday. They have been manipulated into losing their employers $13m in lost production on Monday. Thanks very much on behalf of Queensland in these times of recession! Their employers are losing $13m in one day on Monday.

Queensland will suffer a huge loss on Monday, and it will be the direct result of the alliance between the Australian Labor Party and the leadership of the unions in this State. It will not in any way reflect the real wishes of the working people of the State. Most of them, like the mine workers, will be well aware that the people they hurt on Monday will be the very people who provide them with the jobs they have for the moment. Labor—both the industrial and political wings—could not give a damn if those jobs disappear. It is interested only in power. It is being given more power by legislation such as the Government will force through this House tonight. It is sad.

Mr ROBERTSON (Sunnybank) (10.47 p.m.): Being a proud member of the United Firefighters Union, it gives me great pleasure to speak on this Bill. This debate has demonstrated the huge gulf between this Government and the losers of the last State election on the other side of the House. Fundamentally, the approaches to industrial relations of this Government and the losers on the other side of the House are entirely different. That is demonstrated by this legislation, which represents a positive approach to industrial relations—positively managing change during these difficult economic times. I am amazed that it has taken so long for the Opposition, speaker after speaker, to outline its disagreement with the Bill. They could have made their point much more quickly and much more effectively. They could have admitted that all that they are saying tonight is contained in the document that I have in my hand, the Jobsback document. We have heard no reference to this document.

Mr J. H. Sullivan: "Jobsack".

Mr ROBERTSON: I take that interjection, because that is all it represents—"job sack". As we have heard no reference to that document, we can only assume that Opposition members are embarrassed about it. There is no doubt about the commitment of the Opposition to that document. One needs only to turn to the third paragraph on page 5 of the document that states—

> "Australia has a dual system of state and federal industrial laws and tribunals. The Coalition's goals for reform are shared by the Liberal and National parties of the various Australian states and the Northern Territory."

On the next page, it states—

> "A future Coalition government"—

should we ever have one—

> "will seek complementary legislative action from state and territory governments to achieve the objectives of this policy. It will, if necessary, use whatever constitutional power is available to it, excluding the external affairs power, to ensure that the benefits of this policy are as widely available as possible to Australians."

What an awful, negative, destructive policy it is!

The provisions of this Bill promote a positive industrial relations environment. They promote union amalgamations, which is not the bogy that Opposition members would have us believe. In fact, the legislation is in direct contrast to "job sack", and I am proud to make that distinction. "Job sack" promotes the formation of enterprise unions. My colleague the member for Sandgate has outlined the very unfortunate, grubby history of the Metway Bank Staff Association. How unfortunate that was! If that is an indication of the unions that Opposition members want to promote for the future, God help us all, because we, and the workers of this State and this country, will be in deep trouble. When one looks at what that document envisages for enterprise unions, a number of questions arise. One question that arises is: what protection will be available to workers who belong to those enterprise unions? Again I refer to the honourable member for Sandgate's speech about the Metway Bank Staff Association. What protection, what independence does that staff association have from the employer that will protect the fundamental rights of the workers when times get tough?It is all very well to say that things are going pleasantly when the economy is okay, but, when things get tough, that union will not be in a position to effectively represent the interests of the workers. As honourable members know, prior to entering this House I was the State Secretary and national President of the United Fire Fighters Union. While I held that position, I attended a national conference. One of the visitors to that conference was the Secretary of the New Zealand Professional Fire Fighters Union. The observations made by the secretary of that union in relation to what had happened to workers in New Zealand were interesting because they related to the adoption of the policy that is being peddled by that mob on the other side of the House.

Opposition members interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! The House will come to order.

Mr ROBERTSON: The secretary of the New Zealand Professional Fire Fighters Union proudly announced to the conference that after one year of the New Zealand experience—the same experience that members opposite are promoting—they achieved zero wage growth in that year. In fact, that was seen to be a successful outcome for the workers of New Zealand to maintain their standards on a yearly basis because the experience was that most workers lost money under the package produced by the conservatives in New Zealand, which the mob opposite support in Queensland.

Mr Rowell interjected.

Mr DEPUTY SPEAKER: Order! The member for Hinchinbrook will cease interjecting.

Mr Budd: Shameful!

Mr ROBERTSON: It is shameful. It is shameful that they would peddle an industrial relations policy designed to reduce the standard of living and quality of life of workers in this State. I am confused about the contribution from the member for Clayfield in relation to his enterprise unions. My confusion arises from this Jobsback document. The member for Clayfield spoke passionately about a worker's right to choose whether he or she belonged to a union. On examining this Jobsback document, confusion arises as to what is actually envisaged. Page 18 of the document states that people who wish to belong to a union will be free to join the union of their choice.

Mr Elliott interjected.

Mr DEPUTY SPEAKER: Order! The member for Cunningham will have his chance to speak in a moment.

Mr ROBERTSON: What this document suggests is that if a majority of employees agree, they can form an enterprise union. The question arises: what happens to the minority of employees who wish to retain membership of their existing union? Are they given the right to choose to remain members of that union? If we are to believe the passionate diatribe from the honourable member for Clayfield about the right to choose, one would expect that it would, in fact, be the case that one could have an enterprise

union, and other workers could maintain their membership of existing registered unions. But, no; clause 4.3 is the crucial clause which states that it will not be permissible for there to be more than one registered enterprise union covering a particular workplace. One can only deduce from that clause that if a majority of workers choose to join an enterprise union, then the rights of the remainder of the workers to maintain their membership in existing unions is denied.

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

Quorum formed.

Mr DEPUTY SPEAKER: Order! The member for Clayfield and the Minister should leave the Chamber if they want to continue their conversation.

Mr ROBERTSON: We have a contradiction in this passionate diatribe about the right to choose, but some very crucial provisions in the Jobsback document deny workers the right to maintain membership of existing unions. What a contradiction!

An Opposition member interjected.

Mr ROBERTSON: I accept that interjection by the honourable member because he is denying clause 4.3 of his own party's policy. What a confused position that person has.I wish to support this Bill and, in particular, those provisions that assist unions in both elections and in amalgamations. They are positive reforms that are long overdue. They are provisions that the previous Government did not address in spite of the rhetoric that they went on with for years and years. I commend the Minister for his commitment to these reforms contained in the legislation, including the commitment to enterprise bargaining. It is a commitment that will deliver to workers in this State a managed industrial relations system promoting change, fairness and equity, unlike the policy promoted by the parties on the other side of this House.

Mr ELLIOTT (Cunningham) (10.58 p.m.): I do not want to hold the House up as everyone is obviously trying to get this business conducted by the end of the week.

Mr Mackenroth: You'll make a lot of friends!

Mr ELLIOTT: Yes, I think I would make a couple of friends by saying something like that. The first point I want to raise is that the members on the other side of the House think they have a mortgage on all things to do with people who work for a living and people who are in unions. I have belonged to the AWU. I held an AWU ticket, so the blokes on the other side of the House do not have some sort of mortgage on the union movement. I am not the slightest bit concerned about having held a union ticket. In fact, I am quite proud of the fact that I held a union ticket for some considerable time. Of course, that gives me some insight into the other side of the question, which brings me to the point that I find quite unbelievable. The Minister is trying to lead us up the garden path. He kept busily quoting section 13.5 (3) of the 1990 Act, so I obtained a copy of the Act and had a good look at the section. The section basically states that a person can have conscientious objection on religious and moral grounds. It does not say anything whatsoever in support of the argument that the Minister was trying to prosecute in this Chamber in relation to whether or not someone can enter into negotiations for a VEA in his or her own right.

Mr Foley: No, that is a different point. This provides for conscientious objection to union membership.

Mr ELLIOTT: When the member for Burdekin was speaking and when the member for Clayfield was speaking, the Minister was saying that members of the Opposition were telling lies. He said that members of the Opposition held a spurious, unfounded point of view. The clause says a number of things which I have already indicated, and the other thing it says quite clearly is that the industrial registrar or the industrial magistrate will hold a conference to decide whether the views are reasonably held by the person in question. It also states that the union delegate is allowed to attend and can be there to browbeat the person at the same time. Personally, I do not find that

acceptable because all honourable members would know what peer group pressure can do.

Mr Foley: You people go on as if there was no provision for conscientious objection, and in fact the 1990 Act specifically allowed for that.

Mr ELLIOTT: Yes, under the auspices of the section that I just spelt out to the Minister.

Mr Foley: That is right, but you conveniently overlook it and say that it does not exist.

Mr ELLIOTT: But it does not allow me, as an individual, to say that I do not want to join a union. For argument's sake, take the example of a person who—for reasons best known only to the strangest people because I would never find myself doing it—finds himself working in Victoria with Mr Halfpenny. One never knows why people do such things, but one cannot make a judgment without knowing the circumstances.

Mr Foley: Or with Jeff Kennett, either.

Mr ELLIOTT: Possibly not with him, either, but that is beside the point. Supposing that situation were to come about. I would say to myself that John Halfpenny was not a person with whom I would have anything to do because of his views and the way in which he has imposed those views on his membership. I would not have anything to do with a union led by that person. However, under the Act that would not be grounds for me to be a conscientious objector.

Mr T. B. Sullivan: Oh, we have to listen to you!

Mr ELLIOTT: It is a good thing that the people who live in Nudgee do not have to listen to the honourable member any more. They tell me that the greatest day of their lives was when he was elected a member of this Parliament—not because they wanted him to be a member of Parliament but because they wanted him out of Nudgee.

Mr T. B. Sullivan interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order!

Mr ELLIOTT: It is very important to understand that there is a huge labour force in areas such as my electorate that are producing the export income of this nation. Those people and their employees will be second-class citizens as a result of this legislation. The Minister knows as well as I do that there is virtually a non-existence of unions in rural industries. Hardly anyone is a member of a union, and the Minister is really saying that all those people are second-class citizens. Under this Act, they will not be able to enter into a VEA.

Mr Foley: Under this Act, it is in addition to all the award provisions. This enterprise bargaining is in addition to all the existing provisions of awards, which can be site-specific, and industrial agreements.

Mr ELLIOTT: I know all about that.

Mr Foley: This is an extra provision.

Mr ELLIOTT: But that is only if a person is a member of a union. A conscientious objection under section 13.5 (3) does not hold any water whatsoever, and the Minister knows that. The Minister used it because the Opposition member who preceded me in this debate did not have a copy of the Act and was not able to argue with him. The Minister used a clever courtroom tactic in his usual hypocritical way. The Opposition member was unable to fight back because he did not have the Act with him. The Minister used a clever courtroom-type tactic. He thinks that anything that he can get away with is fair enough. Unfortunately, at times, that is the way in which the union movement tends to work.

Mr Foley: Are you having a go at the Bar Association?

Mr ELLIOTT: I am having a go at the Minister in particular. Funnily enough, I used to have some admiration for the Minister. Mr O'Gorman used to tell me what a fine fellow

and conscientious person he was and that he used to stand up for individual's rights. Once again, the Minister has been exposed as not standing up for the individual in relation to legislation. Unfortunately, this is a regular occurrence because the Minister is not able to stand up for his principles. The bottom line is that the Minister is found lacking because he does not adhere to the principles he espoused before he became a member of Parliament. In relation to this legislation, the Minister is demonstrating his failure once again. I urge him to consult with various organisations such as the UGA, the Cattlemen's Union and Canegrowers and discuss the whole situation with them.

Mr Foley: I have had a number consultations with the UGA.

Mr ELLIOTT: The Minister has precluded the UGA from playing a part in this legislation and he has precluded all the people it represents. The Minister knows that the great majority of workers in rural industries are not members of a union. They have no desire and no good reason to be members of a union because they have reasonable conditions of employment. However, they will be unable to enter into a VEA or anything akin to it under this legislation, and that is the point I wish to make during this debate. I do not wish to labour the point. With those few words, I will leave further discussion of this legislation to other honourable members.

Mr BARTON (Waterford) (11.06 p.m.): I rise to support the Industrial Relations Amendment Bill 1992. The Bill is about many things, but the centrepiece is workplace bargaining. The Bill is about enterprise workplace bargaining, which provides for fair bargaining between employers or their industrial organisation, as it is termed in the Bill, and employees' industrial organisations, normally known as unions. Of course, both are known formally as unions. The Bill is about the certification of registered agreements by the independent umpire, the Queensland Industrial Relations Commission. It is about certified agreements based on improved productivity, ongoing improvements in the workplace, the attainment of best practices, improved job satisfaction for the employees and career paths for the employees—something that would be absolutely impossible under the Fightback provisions. The Bill is about agreements for a specified known duration; negotiations by a single bargaining unit; and an emphasis on single union agreements where possible. It is about protection of the public interest and provision of procedures for the settlement of disputes and grievances.

The Bill is about ensuring that employees have been properly consulted during the bargaining process and, importantly, about providing for agreements that can vary the awards—not simply add to award conditions, but genuinely vary the award. However, that must be done in a way that ensures that employees are not disadvantaged. That is the very real difference between the legislation and the Jobsback—or "jobs sack"—policy that is being promoted by the coalition forces, and that is the very real difference between the legislation and the voluntary employment agreements that were in existence in this State when members opposite were in Government. This legislation will work and it will live because, contrary to the view of some members who spoke earlier, the trade union movement in this State is extremely responsible. That trade union movement is held in very high regard by most of the employers in this State. If the opposition parties would simply go out and talk to a majority of the employers, they would find out that that is certainly the case. That is why the legislation will work.

The Bill is about providing the people in this State—the public, the business community and the work force—with a very clear demonstration of the choices that they have; that is, the choice of enterprise bargaining in a fair way by consultation and cooperation or what we are seeing in Victoria right now—the blatant removal of conditions by legislation, by the Kennett model, or the blatant removal of awards in totality under the Hewson/Howard model, if they were to come to power. In common with some others, I have been to New Zealand to have a close look at what actually takes place under that legislation, and it is a reduction of wages and conditions, not what members on the other side of the House have been espousing. The Bill was developed by consultation. It came out of the commitment in the Leading State document, which was developed in conjunction with the Council for the Economic

Development of Queensland. That body is representative not only of the Government but also of the union movement in this State and this State's business leaders. The Bill was developed very much in the process of consultation. The detail was then further developed in conjunction with the Industrial Relations Consultative Committee—again, a tripartite body that is representative of the major employer organisations in this State—along with the Government and the union movement.

Over the past five or six years, industrial relations in Australia, and in Queensland in particular, has been moving away from the very rigid centralised wage-fixing system towards enterprise or workplace bargaining. The Bill is part of that process. Of necessity, it has taken some time, because if the legislation is to be effective, people have to understand what it is about. They should not have it rammed down their throats, as the Opposition would do. People in this State are now ready for the next step. Clause 12 of the Bill, which provides for the insertion into the Act of the new Division 1A, will provide that step. The focus is for agreements between employers and employees involving industrial organisations of employees—in other words, unions. We on this side of the House make no apologies for that. The Bill is about fair bargaining. Individual employees or groups of employees cannot match the bargaining strength or the financial base of employers in this State without the support of their union. That is what the Bill is about—equalising the balance between employees and the strength of employers.

The Bill is not about a return to voluntary employment agreements. In an era when the Opposition was last in power, 57 or 58 voluntary employment agreements were registered in this State—including Power's and Metway—which all reduced conditions. Every single one reduced the conditions that would otherwise have applied under the award system. Yet members opposite try to tell us that that system will improve wages and conditions. The reality is that, in Queensland, we were the test model for the Howard proposals. We were the test model for the New Zealand proposals. In this State, the reality is that they were found wanting. Each and every one was inferior.

From a union perspective, the negotiations must be conducted by a single bargaining unit. More than one union may be a party, but they must agree on single representation for bargaining purposes. Unions that have the option of participating but refuse may be excluded. The Bill is about assisting to rationalise the union movement in terms of those certified agreements. That will help to achieve single unions in many workplaces. Those agreements must also be for a specific duration. They may be extended by agreement, but either party may withdraw at the end of the duration. That ensures that both employers and employees definitively know either their costs, from an employer perspective, or their benefits, from an employee perspective, for a known duration. At the end of that duration, the agreement may be either cast away or renegotiated.

Most importantly, the certified agreements may vary the award. Up till now, the registered agreements could only improve on existing wages and conditions. Regardless of how much improvement there was overall, no single wage or condition could be reduced. Under the certified agreements, award conditions may be averaged out. It may well be that some individual issues are lowered while others overall are improved. The provision ensures that, overall, the employees cannot be disadvantaged. This flexibility will greatly improve productivity and allow improvements over and above what was achieved in the landmark—I repeat "landmark"—agreements that were reached in this State between the trade union movement and employers during Expo 88 and at Sanctuary Cove. Two-day and three-day seminars are still being conducted interstate to examine those agreements, because they are seen as definitive models. Subsequent to those agreements were the offshore islands agreement and the Movie World agreement achieved by the Australian Workers Union. These provisions will mean that we can go even further in job flexibility. They mean that there can be even greater potential for productivity by agreement between employers and employees through their unions, and I stress "through their unions". The public interest is protected. The Minister may intervene in the first 18 months while the Bill and the experience are being shaken down.

But once all of the parties are fully familiar with the process, there should not be any necessity for that intervention or for the public interest to be tested. In addition, it is all about ensuring that these certified agreements are genuine single workplace agreements. The provisions ensure that. I will leave the certified agreements for a moment.

There are two other areas of the Bill that I would like to cover briefly on behalf of one of my colleagues who stood aside for me in this debate. I refer to the protection of injured employees. This is absolutely essential. It protects injured employees from being dismissed in the first three months after they are injured. Some people would ask, "Why is this necessary?" I can cite examples of employees who one week were injured and on workers' compensation being given a letter inviting them to the staff party as a valued employee of some 20 years' service, and the next week being given a very brutal letter giving them the sack because they were off on workers' compensation. This provision will ensure that that cannot happen in that three-month period.

Another amendment, although it might seem to be only a small change, ensures that an injured worker is paid a full day's wage for the first day of his injury. That provision used to be in the original workers' compensation legislation. However, in recent years that section was repealed and that provision was inadvertently dropped out. The proposed new section in this Bill puts it back into the legislation. In closing, I think it is essential to stress that the provisions in this Bill are good for employees; they are good for employers; and they provide enterprise bargaining with flexibility to provide improved productivity. This Bill will improve job satisfaction and career paths for employees. It will achieve more realistic and suitable wages and conditions for today's work force and work requirements. It will build on the good industrial relations developed in Queensland over the past three to five years, but more particularly over the past three years. It will demonstrate the good, positive working relationships between Government, employees and unions in Queensland. But most importantly, it will show the difference between what Labor can do in good industrial relations and what terrible industrial relations are achieved in other States under the model that the Opposition would inflict on this State. I support the Bill.

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (11.18 p.m.), in reply: The themes of the debate this evening have dealt with the four main areas which the Bill covers, namely, enterprise bargaining, amalgamation of unions, union elections and then sundry other matters such as long service leave in the sugar and meat industries, reinstatement provisions and the protection of injured workers.

I will deal firstly with the theme of enterprise bargaining. This appears to have occupied most of the attention of the House. The differences between the Government's viewpoint on this matter and the viewpoint that has emanated from the non-Government members really relate to two issues—firstly, the role of unions and, secondly, the role of the Industrial Relations Commission. We have heard a fair degree of discussion about the role of the unions. In summary, the Government says that it is important in enterprise bargaining to understand that enterprise bargaining opens an extra door, it does not shut off the other doors which are there by way of awards which may be enterprise specific, such as the Power Brewing award, or industrial agreements. This opens another door, the door of enterprise bargaining or workplace bargaining.

The argument from the non-Labor members, in short, has been that it should not be necessary to have unions involved in enterprise bargaining. The essential fallacy in that argument can be easily demonstrated. What that argument fails to deal with is the problem of inequality of bargaining power between the employer and the individual employee, which was so poignantly epitomised in the example cited by the member for Sandgate of the absurdity of suggesting that there could be equality of bargaining power between a 16-year-old employee of Coles and the management of Coles.

The issue of fairness is central to the Government's position on the involvement of unions in enterprise bargaining. Indeed, it is particularly important, given the flexibility

that enterprise bargaining offers, to reshape working arrangements, to reshape work practices and to reshape the time worked. Given the broad flexibility, it is more important than ever that the unions have a role to play in ensuring that there is genuine equality of bargaining power. When the non-Labor apologists speak of the freedom of contract, they speak as if the law of contract had not developed from the nineteenth century. They speak as if they had never heard of the law of equity; as if they had never heard how the courts of the land have been willing to intervene to avoid the harshness of contract by having regard to equitable principles such as the impact upon contracts of undue influence, of undue pressure, of unconscionable bargains—in short, what Lord Denning in the English Court of Appeal described by way of summary as inequality of bargaining power between the parties. That is the first point that separates Government members from non-Government members. The second point is equally important. This approach is not just a matter of ideology; it is a matter of evidence. The evidence is that this approach has delivered practical and positive results in boosting productivity.

The second issue on which there was division between Government and non-Government members was not really stressed in the contributions made by non-Government members. There is a good reason for that, which I will address in a moment. That second element is the role of the Industrial Relations Commission. It is the Government's contention that a genuine enterprise bargain involves the unions with the employer and that it also involves the important role of the independent umpire.

Mr Santoro: We made a very big point about that. You check in *Hansard.* What I said was it doesn't matter what you call it—the Industrial Commission, the employee advocate or any other independent umpire must be there. I made that point very forcefully.

Mr FOLEY: The curious feature of that argument is its direct inconsistency with the stated policy of the National Party, as announced prior to the last election. That policy stated that the State Industrial Relations Commission would be abolished and that the court system would become the avenue for settling industrial disputes. During his speech to launch that policy, Mr Borbidge stated—

> "I make no apologies for the fact that the National Party's industrial relations platform will abolish the State Industrial Relations Commission."

This evening, the honourable member for Clayfield outlined the view that was advanced before the election by the Liberal Party, which is entirely different from that adopted by the National Party. The important role of the independent umpire is one of the many divisions that exist on industrial relations policy within the coalition ranks. On industrial relations, the Opposition has more divisions than General Rommel.

I turn now to the second key of the debate, which is amalgamation. In relation to that, very little was covered by Opposition speakers, other than to ask why a need exists for amalgamation. If one simply entered the workplace and talked to employers who have to deal with the multiplicities of unions, one would discover that it makes a lot of sense for amalgamations to take place and, in particular, that there be single bargaining units. An important provision of this Bill is single bargaining units, which enable the parties to cut a deal which boosts productivity.

Mr Santoro: What is wrong with one employee being a single bargaining unit?

Mr FOLEY: I have already dealt with that point. I turn now to the issue of elections.

Mr Santoro interjected.

Mr SPEAKER: Order! The member for Clayfield will cease interjecting.

Mr FOLEY: Complaint was made about the issue of costs. It is perfectly clear that Commissioner Cooke recommended that unions have their elections conducted by the Electoral Commission of Queensland. That is being done. At the Commonwealth level, all of those costs are borne by the public purse. In a spirit of fiscal restraint, this Government has required unions of employers and employees whose elections are being conducted by the Electoral Commission of Queensland to make the contribution which they would not have made under the previous order of things, namely, pay for printing, postage and distribution. The result is that an important contribution is made by those bodies.

There are sundry other matters which I will deal with in addressing the contributions of honourable members. I welcomed the observation of the member for Clayfield about the importance of the Hanger report. I pay tribute to the fine work of Mr Ian Hanger, QC. The arguments advanced by the honourable member——

Mr Santoro interjected.

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

Mr FOLEY: The argument in respect of voluntary employment agreements may be easily disposed of. The only difficulty with voluntary employment agreements is that they were not generally voluntary. That is because, for the reasons that I discussed a moment ago, they were agreements between people in profoundly unequal positions of bargaining power. It was as a result of the great discredit into which those VEAs fell that a need arose to move towards these more progressive arrangements.

I turn now to the issue of terminology, and what is meant by "enterprise bargaining". By quoting some previous critical remarks on enterprise agreements made by Mr Barton, the former secretary of the Trades and Labor Council, now Commissioner Dempsey, and Mr Ludwig, the honourable member for Clayfield sought to point to inconsistencies on the part of those gentlemen. In this respect, it is important to understand that the two sides of politics use those terms differently. When Labor talks about enterprise bargains or workplace bargains, it speaks of them as including unions and the Industrial Relations Commission. Those honourable gentlemen opposite referred to the Liberal/National version of enterprise agreements or enterprise bargains, which ousts the unions, ousts the role of the Industrial Relations Commission and returns to the law of the jungle. The asserted inconsistency was not true and was quite unfair.

The honourable member for Clayfield referred to the desirability of retaining section 12.4. This is a truly extraordinary argument. Section 12.4 is commonly referred to as the "spooky deals" provision. It is the provision wherein the deal that is done is kept secret and is not exposed to the light of day. As for the suggestion that this is somehow cutting off a means of enterprise bargaining without involving unions—a study of the past 11 years reveals that, during that time, only one such order pursuant to section 12.4 has been made which did not involve a union. Firstly, the evidence does not support the provision and, secondly, there is a patent inconsistency in the argument that was put forward by the honourable member. On the one hand, he argued for public accountability, while on the other hand he argued in defence of that discredited "spooky deals" provision.

As for so-called compulsory unionism—the honourable member glossed over the provisions of section 13.53 which, indeed, was part of the legislation that was introduced by my illustrious predecessor, the Honourable Nev Warburton. It provides for conscientious objection to union membership. That provision galls the non-Labor members, because it is inconsistent with the cliches and the ideology that they wish to portray—a Labor movement that is insensitive to the conscientious objections of

persons. Indeed, it stunned the Opposition so much that the honourable member for Cunningham sought to make much of it.

However, I turn now to the issue of long service leave for seasonal workers, which was disparaged by the honourable member for Callide. It was truly remarkable to hear how hard-hearted the Opposition's approach was on this matter. We are talking about people who have to carry out the same seasonal work with the same employer not for one year, not for five years, but for 15 years in order to accrue that long service leave entitlement. The honourable member for Callide gave the example of the person who works in the cane fields for three months a year. Under the current law, that person would have to wait 60 years before he or she would be entitled to long service leave. How on earth the Opposition could countenance such a provision beats me. I am sure it beats the constituents of the honourable member for Burdekin. I am pleased to inform the House that the change in the long service leave entitlements to provide an incentive for sugar workers is supported by none other than the general manager of Canegrowers, Mr Ian Ballantyne.

Mr W. K. Goss: But not the member for Burdekin.

Mr FOLEY: Apparently, it is not supported by the member for Burdekin. It is an extraordinary state of affairs. The member for Burdekin spoke out in this House against legislation which provides workers in the sugar industry in his own electorate the long service leave opportunities that are welcomed by Canegrowers. In an article in the Home Hill *Observer* dated 12 November, Mr Ballantyne stated—

> ". . . the State's cane growers generally had excellent working relationships with their seasonal workers and few, if any, would begrudge them the ability to accrue long service leave earlier than before."

I table that extract from the Home Hill *Observer*.

As to the financial accountability of unions for their members, about which much was made—again we witnessed the example of the rhetoric not matching the research and the facts. In fact, section 13.84 of the current Act requires industrial organisations, that is unions, to prepare accounts. That section requires industrial organisations to supply information to members upon request. Accounts prepared under section 13.84 must include a notice drawing attention to the members' entitlements to access information.

As for union amalgamation—it should be observed that, currently, firms often have to deal with a multiplicity of unions. That leads to inefficient bargaining, demarcation disputes, and barriers to multiskilling. Union amalgamation leads to single bargaining units and it contributes to micro-economic reform. Across Australia, almost 500 agreements have been made with amalgamated unions or single bargaining units.

I turn now to the contribution made by the member for Mansfield. She gave a most thoughtful discussion of the impact of the Cooke inquiry and the provisions which were dealt with by that inquiry. Indeed, her remarks were so thoughtful that they presaged the comments that were made by the member for Callide. Had the honourable member for Callide sought to inform herself, she would have realised that she raised matters in respect of the Cooke inquiry which had previously been completely and eloquently dealt with by the member for Mansfield.

I turn now to the contribution that was made by the member for Burdekin. He did make a singular contribution to the debate and sought, in the midst of a tirade of vulgar abuse, to draw some comfort from an alleged inconsistency between the rights of the individual and the involvement of the unions. But what appears to have eluded the member for Burdekin is the right of the individual to a fair go; the right of the ordinary man and woman to have a fair day's pay for a fair day's work; the right of the ordinary

individual to have the opportunity to be represented by unions—not to be exploited or subjected to a gross inequality of bargaining power.

The honourable member for Redlands outlined the benefits of the long service provisions for seasonal workers in the meat and sugar industries, and dealt with those matters in a way which showed an understanding and a compassion for the position of seasonal workers in those industries. The member for Callide spoke of a range of matters. She made reference to the importance of job sharing as being good for working mothers. Indeed, in that respect I draw to the attention of the House the provisions in the Queensland Public Service for permanent part-time work. I assume that that was an implied attempt by the honourable member to give credit to the Queensland Government for its progressive policies in that regard.

As to the member for Sandgate—he drew attention to the Fightback proposals, gave a very telling account of the Metway Bank example and offered a stinging critique of the electoral processes involved in the ballot that was there conducted. Unfortunately, the member for Broadwater had been listening to some of the cliches that had predated him in the debate and recited those cliches without—in any obvious way at least—referring to the Bill. The member for Sunnybank made an important distinction between the important role of trade unions and the problems associated with enterprise unions, and drew attention to the importance of the legislation in assisting union amalgamation. The member for Cunningham, a former AWU ticket holder, showed just how far it is possible to fall from grace.

The member for Waterford brought the debate back to what it is about most importantly, namely, fair bargaining, productivity in the workplace, and career paths for people. This is not a mere puff or a mere slogan. This is happening out there. Just the other day, I had the opportunity of visiting the Southern Cross foundry in Toowoomba in order to look there at the spectacular advances that they have made through enterprise bargaining. There one has a foundry that is 120 years old, much of it supported by wooden stumps; a vast symbol of Queensland industry. There, as a result of enterprise bargaining, some very positive things have happened. The enterprise bargaining provisions under which the Southern Cross foundry operated its enterprise bargain are identical with these provisions, which mirror the Commonwealth provisions. They do so for a very simple purpose: because it makes it a lot easier for an employer to have the same provisions whether or not he or she is dealing with Federal unions or State unions.

What is happening out there? What is the evidence, if we can get beyond the sterile, out-of-date ideology with which this debate is sometimes constructed? There was a foundry that had peak demands at certain times of the year and slacker periods at other times of the year. There the union and the employer got together and worked out a deal whereby there was an averaging of working hours. Workers were able to increase their hours during the busy periods and bank the excess hours for use during the quiet months, so that a constant 38 hours per week pay rate was maintained. This led to reduced absenteeism and reduced wastage of materials. There is a shared management and staff commitment to quality, with a reduced reject rate. There is also an improved safety program, resulting in fewer accidents and less time lost through injury. There has been improved communication between management and staff. In short, what we have seen is evidence of what can be achieved if employers and employees can cooperate in the workplace in order to confront the great economic challenges of our State and our nation and work together in order to boost productivity through this sort of enterprise bargaining for which this Bill makes provision.

Question—That the Bill be now read a second time—put; and the House divided—

AYES, 49		NOES, 28	
Ardill	McElligott	Beanland	
Barton	McGrady	Connor	
Beattie	Milliner	Cooper	
Bennett	Nuttall	Davidson	
Bird	Palaszczuk	Elliott	
Braddy	Pearce	FitzGerald	
Bredhauer	Power	Gamin	
Briskey	Purcell	Gilmore	
Budd	Pyke	Goss J. N.	
Campbell	Robertson	Grice	
Casey	Robson	Healy	
Clark	Rose	Hobbs	
Comben	Smith	Horan	
D'Arcy	Spence	Johnson	
Davies	Sullivan J. H.	Lester	
Dollin	Sullivan T. B.	Littleproud	
Edmond	Szczerbanik	McCauley	
Elder	Vaughan	Mitchell	
Fenlon	Welford	Quinn	
Foley	Wells	Randell	
Gibbs	Woodgate	Rowell	
Goss W. K.		Santoro	
Hamill		Simpson	
Hayward	*Tellers:*	Slack	*Tellers:*
Hollis	Pitt	Stoneman	Springborg
Mackenroth	Livingstone	Watson	Laming

Resolved in the affirmative.

Committee

Hon. M. J. Foley (Yeronga—Minister for Employment, Training and Industrial Relations) in charge of the Bill.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! I remind honourable members that all further divisions on this Bill will be of two minutes' duration.

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr SANTORO (11.57 p.m.): The Opposition has severe difficulties with this clause, because it clearly is designed to create bigger and more powerful unions and is all about entrenching the role of unions and their power in the workplace, whether it is wanted or not. I do not want Government members to think that Opposition members are in any way biased against unions to the point that we want them to become extinct. One of the great lies that is perpetrated by Government members is that Opposition members are anti-union and that they want to see unions abolished. We are interested in freedom of choice. I have heard people on the other side of the Chamber very much deride the Opposition's position on this issue and suggest that we are totally against the existence of unions and a role for unions in the workplace. There is no document either from the Liberal Party or the National Party, or in combination, that will ever be able to prove that that is the Opposition's position. The philosophies of the two parties that make up the Opposition have an undying and total respect for the concept of freedom of choice.

A Government member interjected.

Mr SANTORO: I will take the interjection, because it finetunes even better what I mean, that is, that we favour people forming unions if they wish. That is what happened at Metway. The Opposition will attempt to have the majority of the staff at Metway present a statement to the Parliament on the issue.

Mr J. H. Sullivan: They can put their names on it.

Mr SANTORO: I am sure that those people will stand up and be counted and that they will be very comfortable to be associated with what I am saying.

Mr J. H. Sullivan interjected.

The TEMPORARY CHAIRMAN: Order! If the member for Caboolture wishes to interject, he should interject from his own seat.

Mr SANTORO: I am not saying that there will be 100 per cent agreement. In an organisation as large as Metway, which has over 1 000 employees scattered throughout the State, one will obviously have to——

Mr J. H. Sullivan: Are you declaring an interest?

Mr SANTORO: I declare an interest in supporting the rights of people to come together and form their own union, which seems to me to be something that the Labor Party is against. It seems to me that the Labor Party is against that concept. In referring to the case of Metway, I acknowledge that there was a small percentage of people within that organisation who did not agree with the formation of the staff association.

Mr Nuttall: The majority.

Mr SANTORO: I accept the interjection from the honourable member for Sandgate. He said "the majority". I take it very deliberately because I want this record to be explicit.

Mr Foley interjected.

Mr SANTORO: I am talking about the creation of unions, and the amalgamation of employee unions to form bigger unions. That is what clause 4 provides. I am happy to speak to all of these clauses for as long as members want me to. When nonsensical statements are made—such as those made by the member for Sandgate—I want it on the record because, in common with the Premier who threatened the honourable member for Burdekin with circulation of the record, we, too, will circulate the record. We are going to circulate it in its totality.

Mr J. H. Sullivan: Please do.

Mr SANTORO: I hear the honourable member for Caboolture plead. We will seek to obtain a response from those people. I think that the record will be set right in this place. I will not be callous enough to embarrass the honourable member for Sandgate by asking him to withdraw the statements that he made earlier, because he insulted a lot of people who sought to come together and amalgamate their free wills into a staff association, which then served that particular organisation well. What the honourable member for Sandgate did not do is what I challenge him to do: talk about the conditions and the benefits that that staff association won for its members. I listened to them all deliberately. They came together, they amalgamated, and very specific concessions were made. I am sure that the honourable member for Waterford will not mind if I repeat what he said. He said that one of the problems with the agreement of Metway and that of Power's was that they never really had a chance to come into effect so that there could be a clear appreciation and definition of benefits. Did I misinterpret the comments made by the honourable member for Waterford?

Mr BARTON: The short answer is, "Yes"—if the honourable member wants to put it into proper context.

Mr SANTORO: I do not really know what the honourable member for Waterford meant by that statement.

Mr Stoneman: Is it the case that he is a de facto Minister in this debate?

Mr SANTORO: What really happened was that I outlined the benefits. The member for Sandgate declared that he would take up the challenge. However, he was not able to explain the very real benefits that were gained by the staff association on

behalf of the vast majority of its members who chose to join that staff association. He did not contradict any of the benefits that I outlined. When the record is circulated to those people, they will have to agree that my analysis is the one that most appropriately described their best interests, which have been torn aside. I use this opportunity while discussing this particular clause to basically rebut what the member for Sandgate said. In the future, we will seek to enlighten the House further, not with my opinions—because I have already stated my case—and not with the opinions of honourable members, but with the opinions of the people who I believe have been deprived of real freedoms.

In getting back more specifically to this clause, perhaps the Minister can give us his opinion as to whether it violates the ILO provisions in relation to freedom of association. Why does he retain, within the almost amended legislation, the minimum membership requirement of 1 000 employees? It seems to me that all that this new section seeks to do is to entrench the power of unions by making them larger. During the second-reading debate, some questions were put to me by my Opposition colleagues by way of interjection. I did not respond to those interjections which seemed to suggest that one of the major reasons why this particular clause has been included is that it seeks to make unions more powerful and give them more industrial clout, and that it seeks to entrench the role and definition of the industrial relations club in this State. I will cease making comments at this stage and listen to what the Minister and other members have to say and, if necessary, continue my comments later.

Mr FOLEY: This clause relates to union amalgamations. With great respect to the Chair, it does not appear to bear upon a number of the matters that were traversed in discussion by the honourable member for Clayfield. In short, it adds to the object of the Act which sets out matters to which the court or a commission may have regard in construing or interpreting a provision if there is any doubt about it. It makes clear that part of the objects of the Act are to encourage and facilitate amalgamation of industrial organisations and, furthermore, to encourage and facilitate rationalisation. In practical terms, that means that it is possible for there to be a smaller number of bargaining units which assists in effecting positive productivity deals in the ways I discussed in my reply.

I point out in relation to the ILO decision that that matter related to a figure of 10 000. The current provisions are a very long way from that—namely, only 1 000—and in any event they are not dealt with in the terms of this particular clause.

Mr STONEMAN: I rise out of a great deal of concern over this clause because I think it is fundamentally a removal of the rights of individuals. I was interested to hear the Minister refer in his reply to the right of an individual to a fair go. This clause implicitly removes that right in situations in which an individual may be able to negotiate, and may desire to negotiate by his own hand, a fair go. He may wish to enter into an agreement that he sees as giving him the best opportunity as an individual, but this legislation specifically takes that right from him.

The question I want the Minister to address before I go into this matter in more detail is the meaning of “facilitate” in the part of the clause that states—

> “insert—
>
> > ‘(g) to encourage and facilitate the amalgamation of industrial organisations . . .’ ”

What does the term “facilitate” really encompass? Does it mean that the Government is, in effect, giving carte blanche approval to the funding—if that is the means by which facilitation is achieved—of amalgamation of industrial organisations which, of course, are

unions? Does that mean that an open-ended cheque will be given; that big is beautiful; that big is better? At the Federal level, millions and millions of dollars have been spent and have been given to union organisations, and this is public money. That is being done to achieve the aim of amalgamating industrial organisations. I would particularly like the Minister to explain in detail what "facilitate" encompasses.

Subclause (h) states—

". . . particularly by reducing the number of industrial organisations . . ."

As I said earlier, that provision takes away fundamental rights from the individual. I suggest that that is also the view of many clear-thinking and non-biased members of the community. It takes away the right of the individual to negotiate with an employer to achieve a fair go. In many instances, the negotiation could relate to a one-to-one situation, but these amendments seek to take away the right to achieve a fair go. I notice that in the Minister's reply he used a very emotive example of a 16-year-old person working at Coles. What a lot of rot! That was an insult to the intelligence of every normal person who was listening to him. I know of no-one in the Opposition who is seeking to send children up chimneys and down mines, which was the emotive example used by the Minister to evoke the appropriate response.

I draw to the Minister's attention the situation that would result from reducing the number of industrial organisations with a minimum of 1 000 members. Workers in specific and small establishments would be disfranchised. I note that the member for Barron River is present in the Chamber and I cite the example of Green Island. I understand that large numbers of people are precluded from living on Green Island, but it may well be that the people who work there would like to have a Green Island industrial agreement. They would be precluded from having a VEA and would come under the broad brush of some other agreement involving, possibly, a mega-union. They would not be able to consult their employer and come up with an agreement reflecting the specific access problems associated with the island. I hasten to add that I refer to Green Island as an instance, but not as a specific problem area. In the circumstances I have described, the employees on that island would not be able to get together and talk about the conditions that might be advantageous to them and that their employer might agree to accommodate. It would appear that the Minister is specifically precluding those people from entering into those negotiations.

The same could apply in specific mine sites. Across the State, different mine sites are in individual positions. They are individual because of their location. Every one is different. The awards or the agreements that might apply generally to the larger mining structures may not be appropriate in the finite sense to mines that employ only 30 or 40 people. In my electorate, some mines employ as few as 10 or 15 employees. But those places may well be able to come under the umbrella of an agreement worked out between those 15 or 20 people. The Minister could well say that they can be part of a larger organisation and come up with that agreement. I suggest that in theory that is possible, but in practice it is not possible. Mr Temporary Chairman, I seek clarification. Apparently there has been a change to the order of debate and we are into a 20-minute total time. Is that correct?

Mr TEMPORARY CHAIRMAN (Mr Bredhauer): Order! The honourable member can have 20 minutes; or two lots of 10 minutes; or one lot of 10 minutes and two lots of 5 minutes.

Mr STONEMAN: So it is a total of 20 minutes?

Mr TEMPORARY CHAIRMAN: Order! It is a maximum of 20 minutes. The honourable member can have 20 minutes; or two lots of 10 minutes; or one lot of 10 minutes and two lots of 5 minutes.

Mr STONEMAN: So I have 14 minutes left, divided by two, or two lots of 5?

The TEMPORARY CHAIRMAN: Order! The honourable member has two lots of 5 or one lot of 10.

Mr FOLEY: The honourable member asked about the meaning of "facilitate" within proposed new paragraph (g) of section 1.3, that is, to encourage and facilitate the amalgamation of industrial organisations, etc. What is the meaning of "facilitate"? It means what it says, and it must be read together with Division 7 of Part 13, which is in clause 24 and sets out the provisions for amalgamation of industrial organisations. Clause 4 is an object clause, and it sets out principles on which a court or a commission can receive guidance for understanding and interpreting the machinery provisions that are set out in Division 7 of Part 13. There, one finds the detailed machinery of how amalgamations are carried out by application to the commission and then a ballot, and so on.

Mr Stoneman: That doesn't mean money?

Mr FOLEY: It does not necessarily mean money.

Mr Stoneman: But it could mean money.

Mr FOLEY: No. It means that, when a court or a commission comes to consider the machinery provisions and asks itself what that means—does it mean that we do things in a very cumbersome way or do we do them in a way which facilitates the amalgamation—then the court or commission would be guided to do it in a way which facilitates the amalgamation. That needs to be read together with proposed new section 13.54 (b) which says that the Act should be applied, etc., for the attainment of those objects in a way which is fair, practical, quick and non-legalistic. That is to say, it is designed to cut through red tape so far as possible, to direct courts and commissions not to take a legalistic approach but to take the approach which gets things done.

In relation to the honourable member's second question about reducing the number of industrial organisations—that is set out as an object of the Act. That is to say, it is part of the purpose of the Act, so that when a court or commission comes to consider the machinery provisions of union amalgamations, it is aware that the object of the amalgamations provision is to achieve a reduction in the number of industrial organisations that are in an industry or enterprise. That is to say, it arises out of a common problem for employers, namely, that in the one enterprise or the one workplace, the employer may find that he or she has to bargain with half a dozen different unions. That makes life complicated.

Mr Stoneman: What about Green Island? What about the workers there?

Mr FOLEY: I do not follow the honourable member's point.

Mr Stoneman: There are only 15 workers, is the example I gave.

Mr FOLEY: This clause is not dealing with that problem. This clause is dealing with the problem that arises when we have a number of industrial organisations. This clause facilitates reducing that number. Other clauses in the Bill assist in ensuring that there can be only one union instead of half a dozen or a dozen unions.

Mr STONEMAN: I do not think that I have the answer that I am seeking. However, as I read it, the Minister is saying that, yes, at the end of the day, if it is seen to be the means by which facilitation is achieved, public moneys will be a part of that process. It is just so simple. It is either "Yes" or "No" that public moneys could well be directed towards assisting in the amalgamation of unions, in other words, the enlargement of unions. That question requires a "Yes" or "No" answer. I know that the Minister couched it in terms of being subject to all the other things. At the end of the day, it is "Yes" or "No" whether money will be utilised, as happens at Federal level.

Mr Foley: I will answer that.

Mr STONEMAN: That is fine. On the other hand, I am aware of the fact that the rules of the debate allow me to speak once more. I need to make some comments prior to the Minister's next query.

I am talking about the 15 workers on Green Island. I would support their being represented by one union. However, under this clause they cannot be represented by

the Green Island union of employees, they have to be part of a much larger union organisation. They are being compelled—indeed, people right across this State are being compelled—to effectively become part of a union, or else. It is interesting to reflect on some of the statements made by wise people, certainly people who are wiser than I am and maybe even wiser than some of the other members in this Chamber. Let us reflect on the words of Thomas Jefferson.

Mr Comben: Come on! It is a quarter past 12 and you are quoting Thomas Jefferson.

Mr STONEMAN: This is about the wellbeing of unionists, and if the Minister for Education——

The TEMPORARY CHAIRMAN: Order! I remind the member for Burdekin that this clause is about amalgamation, it is not about the wellbeing of unionists. If the honourable member wants to speak on the specific clause, he may do that.

Mr STONEMAN: With due respect, Mr Temporary Chairman, it is about facilitating the amalgamation of industrial organisations.

The TEMPORARY CHAIRMAN: Order! The Chair is ruling that the honourable member is drifting away from the intention of the clause. Either the honourable member will come back to the clause or we will seek an alternative redress.

Mr STONEMAN: With respect, Mr Temporary Chairman, I would say that the amalgamation of industrial organisations is about the wellbeing of the people represented by those organisations, and that is what I am getting at. In that respect, I refer to Jefferson, who said—

> "To compel a man to furnish contributions of money for the propagation of opinions which"——

The TEMPORARY CHAIRMAN: Order! I warn the member for Burdekin that if he does not return to the clause under discussion he will be asked to resume his seat.

Mr STONEMAN: This is very much a part of the clause. What I am getting to is the fact that this clause entrenches within the legislation the need to enlarge organisations and to cease the proliferation of small unions by—and this is what the clause states—"reducing the number of industrial organisations that are in an industry or enterprise". The legislation provides that there cannot be a union of only 15 people. It is as simple as that. I am referring to the wellbeing of the employees on Green Island. It is not a mythical island, but in this case it is a mythical union about which I speak. That union cannot be supported by the wishes of the 15 individuals on Green Island. What I am asking is as clear as a bell. Does this allow——

Mr McElligott: Sit down and let him answer.

Mr STONEMAN: This is my debate. If the honourable member wants to have a go, he should get up and have a go. I ask the Minister: are those people going to be facilitated at any stage to be able to enter into an agreement themselves? Will an individual ever be able to have any say? More particularly, will public moneys be used in any way, shape or form in the facilitation process?

Mr FOLEY: In response to the question in respect of the payment of public moneys, or the use of public moneys with respect to amalgamations—the answer, although it is not directly relevant to this clause, but it may shorten proceedings if I answer it now, is, "Yes." The Bill provides a scheme whereby the public service of the Electoral Commission of Queensland is used in this way. In the case of elections, the union of employers or employees pays for postage, distribution and printing. In the case of amalgamations, the Electoral Commission of Queensland, or the State, bears that cost. The answer to the honourable member's question about whether public money is involved is that the costs of the balance for union amalgamations are provided for in other clauses of the Bill to be met by the State. In that respect, that is a slight difference from the costs of elections.

As to the honourable member's second question—there is nothing in law to prevent those Green Island employees, with the relevant employer, from pursuing an award under section 10.1, which has the normal award provisions, which can be in a specified locality or for a specified period or in relation to one or more specified employers. That is what the Power Brewing firm did. The disadvantage of that is that it requires the commission to make an award, which is an exercise which requires a significant degree of effort, and the commission must satisfy itself for the making of an award. What the enterprise bargaining provisions do in this Bill is open a greater degree of flexibility to assist unions and employers in various workplaces to shape, if you like, awards to suit the particular needs of their workplace of which they are themselves particularly aware.

Mr STONEMAN: Unfortunately, I guess that confirms what I feared would be the situation. Those employees are not able under any circumstances to come to an agreement with their employer. We heard the honourable member for Clayfield enunciate that point earlier this evening. It closes the door on the small operations and it reduces flexibility. The legislation speaks about reducing the number of industrial organisations that are in an industry or enterprise. If the industry or enterprise has only a few employees, they have no option whatsoever. If in this State there is an industry with only 15, 20 or 100 employees that is an entity in its own right, under the terms of this clause and under the terms of the Act, they cannot either form a union or enter into an agreement with the employer.

Mr SANTORO: I will not speak for too long, unless I am provoked. One of the reasons why the Opposition is labouring this point and will keep the debate going for a little longer—not unbearably longer, but for a little longer—is that this issue——

Mr Elder: Tomorrow night.

Mr SANTORO: I am happy to stay tomorrow night. I have no problems with that. The point that I am trying to make——

Government members interjected.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! It may speed things up if Government members ceased interjecting.

Mr SANTORO: This clause and this entire Bill clearly represent one of the most significant areas of policy difference between the coalition and the Government. The coalition has a responsibility to clearly state its view, not just in general debate but particularly during the Committee stage. I remind Government members of what occurred a few hours ago in this Chamber. A Bill was introduced by a Minister and it was passed in very fast time. The Opposition was happy to cooperate with that process, because it supported that Bill. In this case, I support the honourable member for Burdekin. This clause supports other clauses throughout the Bill which will lead to amalgamations. It will encourage and, in some cases, force amalgamation. It encourages the creation of bigger and more powerful unions. One of the real travesties of this legislation is that this process is publicly funded. The Minister admitted that.

Mr Foley: The ballots.

Mr SANTORO: As I said to the Minister before, half a wrong does not equal a right.

Mr Foley: For amalgamations, the full cost of the ballot is borne by the State.

Mr SANTORO: The Opposition objects to that. As the honourable member for Burdekin stated a few moments ago, and as I mentioned during my contribution to the second-reading debate, the Minister has not defined what public benefit will be derived as a result of that public funding. I notice that one Government member is shaking his head. If the Opposition could be convinced that public benefit would be derived, the Opposition would be happy to support this clause. Unfortunately, the Opposition cannot see the public benefit. The Opposition will not divide on this clause. I rose for an extra two minutes to strongly underline the points made by the honourable member for

Burdekin. The Opposition has a fundamental objection to this clause. If necessary, I will address this clause again after the Minister provides amplification.

Mr FOLEY: The public benefit of union amalgamation generally is that it assists in overcoming inefficient bargaining practices; it overcomes demarcation disputes; and it overcomes barriers to multiskilling. As such, there is a public interest in union amalgamations, because they tend to promote productivity. That is the first point. The honourable member asked about the public benefit with respect to the conduct of union elections by the Electoral Commission. I should have thought that the answer to that inquiry was obvious. In accordance with the recommendations of the Cooke inquiry, there is a clear public interest in ensuring the probity of elections of unions of employees and employers. In the Government's view, it is not reasonable that that should lead to a windfall for those organisations. They should still have to bear the costs that they would otherwise have had to bear. As there is a public requirement, in the interests of probity, that the Electoral Commission conduct the election, a powerful argument exists that the public purse should fund not all of the cost but the extra cost required to be expended in order to achieve the public benefit of probity in elections, as recommended by Commissioner Cooke.

Mr SANTORO: I listened very carefully to the statements by the Minister. He basically stated that amalgamations would lead to the creation of bigger unions, and that was desirable. By definition, amalgamation will lead to the creation of bigger industrial organisations of employees. The Minister stated that, as a result, by implication, amalgamation will lead to multiskilling and increases in productivity. I am quoting the Minister's remarks as accurately as I can. That may be the case. I am not denying that, in some cases, that will be the case. However, as I stated during my contribution to the second-reading debate, those desirable objects were achieved by much smaller entities that were able to come together in a free situation. I cited two examples of that. I heard the Minister mention the Southern Cross Foundry. I am happy to acknowledge that some progress has been made there in terms of productivity gains. I am aware of some of the details of that case, and I agree with the Minister. The point is that in the Power's experience and in the Metway experience, as I clearly outlined in my contribution, increases in multiskilling and productivity were achieved by very small entities which, under this legislation, will not be able to exist and operate in that manner. This statement in rebuttal of the Minister's comments goes to the core of the differences between the Government and the coalition in relation to this Bill and in relation to the respective approaches to industrial relations.

When referring to the funding obligations of the State in relation to union elections, the Minister omitted to mention—and I do not know whether it was by intent or because the hour is late—that Cooke recommended that the union movement should be subject to the same regulations as apply to public companies. Commissioner Cooke stated that very precisely. The comparison made by him was a very precise one. Unless the Minister can correct me through a superior understanding of company law and the requirements on public companies, when it comes to conducting annual general meetings and elections of directors, they are funded not by the taxpayer but by the people who make up the company. From my reading of the Cooke report, that is my understanding. When the Minister says, "Yes, Cooke recommended that the Electoral Commission conduct elections", he is correct. However, Commissioner Cooke also said that in terms of expenses, favoured treatment or otherwise, the union movement should not be treated differently from public companies.

Mr Foley: I do not think that he dealt with that question.

Mr SANTORO: No. He said that unions should be subject to the same obligations as public companies in terms of conducting elections and conducting their affairs generally. Part of the obligation on public companies is clearly the meeting of expenses in relation to the conduct of their annual general meetings. I see that the Minister is seeking advice. I have with me a summary of Commissioner Cooke's recommendations.

I promise that I will not read that entire summary into the record because time is moving on. However, I will try to find the precise recommendation.

Mr Foley: My understanding is that Commissioner Cooke did recommend that the Electoral Commission——

Mr SANTORO: Yes, he did do that. That is a common understanding.

Mr Foley: However, he did not make specific recommendations as to who should bear the costs, and his reference to the analogy with corporations related to strict accounting requirements.

Mr SANTORO: I believe that he made a more general recommendation. That is why the Opposition has been pushing the line that the union movement should not be treated differently from public companies, as was recommended by Commissioner Cooke.

Clause 4, as read, agreed to.

Clause 5, as read, agreed to.

Clause 6—

Mr SANTORO (12.34 a.m.): Rather than seek to elaborate on the feelings of the Opposition in relation to this clause, for the sake of brevity I will put a series of questions to the Minister. If his answers to those questions do not require any further debate, I will be happy to let the matter rest.

This clause omits the definition of demarcation disputes as contained in the Act and it adds to it by giving the commission the power to arbitrate over any dispute on jurisdiction. I ask the Minister: how is the commission to act if a demarcation dispute is brought before it? Why does the new definition include the issue of representation by unions? Why should the commission have any right to determine which union should represent employees? That particular question strikes at the heart of the differences between the Opposition and the Government. Why should it not be the employees' choice to decide who joins a union and which union covers their interests and represents them? Why should it be the commission? Does that mean that the union can use that mechanism to try to involve itself in the affairs of a non-union enterprise?

I did not receive a tremendous response from small business in relation to the Bill, even though the major employer organisations had represented their views to the Opposition very forcefully. However, because of their interest in industrial relations policy initiatives by the Government, a couple of small businesses received copies of the Bill. One of their concerns was, will the Bill, and particularly this provision, enable unions to force themselves into enterprises? I would be happy to leave my queries at that and reserve my right to continue, depending on what the Minister has to say.

Mr FOLEY: These provisions are designed to overcome one of the sources of disputation and loss of productivity, namely, the disputes that can arise by way of demarcation between two or more industrial organisations. Clause 6 (2) sets out the definition of "demarcation dispute". In answer to the honourable member's question as to how the Industrial Commission is to deal with the matter—the broad answer is that it deals with the matter upon application by one of the relevant parties and then deals with it in accordance with the general provisions of hearing evidence and in a way which avoids cumbersome and legalistic methods. However, this clause also inserts a new section 4.25. In that regard, it is designed to facilitate the resolving of demarcation disputes. The proposed new section 4.25 requires the commission to consider, in relation to a demarcation dispute, whether it should consult with appropriate peak councils and industrial organisations. For example, it may wish to consult with bodies such as the Queensland Confederation of Industry, the Metal Trades Industry Association, the Trades and Labor Council and the Australian Workers Union in order to——

Mr SANTORO: The Opposition appreciates that the provision also encompasses employer organisations. That does not mean that the Opposition will necessarily agree

with it. Because the Bill also covers what the Minister would consider to be the traditional allies of the conservative parties, that does not necessarily mean the Opposition believes that it makes it any fairer, or that it should be acceptable.

Mr FOLEY: In any event, what this does is to assist the commission in dealing with these matters, and to do it not merely on the basis of an application by one of the relevant parties and then hearing it in an adversarial sense. It facilitates the commission to consult with the relevant peak councils and industrial organisations in order to inform itself as to the best way of resolving the matter and settling these industrial disputes which attract such public odium because they are wasteful of energy and wasteful of productivity.

Mr STONEMAN: In his reply, I assume that the Minister inadvertently glossed over the fact that part of the definition of "demarcation dispute" is—

"(a) a dispute arising between 2 or more industrial organisations"—

to which the Minister referred; but the important point is—

". . . or within an industrial organisation . . ."

In other words: or within a union. I fail to see how the commission can be expected to settle internal disputes or divisions, or even recognise the problems that might be occurring internally through some factional situation. Am I misreading that? How is the reference to "or within an industrial organisation" relevant to a demarcation dispute? The northern section of the AWU might be arguing one thing, and the southern section another; but surely it is a matter for the industrial organisation to get its act together if great gains are to be achieved by this amalgamation. We have already discussed the fact that by bringing those unions together there will be a greater single-mindedness of purpose. Here the Minister seems to be saying implicitly that they will have problems internally, so we need to recognise that.

Mr FOLEY: I think that it is merely a facilitatory provision to cover all possible areas of concern. The obvious one is the one between two unions, or more than two unions. It does make provision for the commission to play a role if there were a dispute within an industrial organisation about the coverage of that organisation and the proper demarcation between the coverage of that organisation and the coverage of other organisations. As to the other thing for which it makes provision, and which is a very important aspect of the provisions—proposed new section 4.25A (1) on page 10 of the Bill states that a Full Bench may make an order giving one industrial organisation exclusive coverage of a particular class or group of employees eligible for membership of the organisation. That would be of particular benefit on greenfield sites where the Full Bench may make an order that a particular industrial organisation has coverage and, in so doing, provide a single bargaining unit and, hence, cut through the problems associated with multiple coverage.

Mr SANTORO: As to the Minister's explanation for the inclusion of the new definition for "demarcation dispute"—he said that basically there is a loss of productivity that is due to jurisdictional disputation by employee organisations. The Minister need not respond to me on this matter, because I am quite happy to admit that this argument cannot be resolved. However, the Opposition's concern is that this is not the concern of the majority of employees who choose not to belong to a union. As to this particular provision and what it seeks to bring about within the workplaces of Queensland—as I said in my opening remarks, the majority of people do not want to belong to a union. Quite frankly, if unions want to have fights over who covers whom, they must bear responsibility for the loss of productivity. This obviously worries the Minister, and he seeks to overcome this by using a sledgehammer approach as opposed to the far more sensible approach that was able to be adopted by enterprises such as Power's and Metway when there was a far more sensitive Industrial Relations Act in existence. Again, I remind the Chamber of my commitment to seek opinions from those people who benefited directly from those particular enterprise agreements—VEAs as they were called.

Mr Wells: Windbagging until 2 o'clock in the morning.

Mr SANTORO: I take that interjection from the Minister. I want him to know that I am under no instructions to filibuster. In fact, the Whip came around before and said, "Are you making any headway in terms of getting some answers?" I said to him, "Look, depending on how we are going, we are looking at between 1 and 1.30." I am just letting members know what my frame of mind is. It is obviously much more lucid than the frame of mind of Government members not merely in relation to the Bill but in relation to their willingness or ability to pay attention to what is being discussed.

Mr Wells: I never expected to get a confession out of just one interjection.

Mr SANTORO: I have always been candid with the Attorney. Both in private and in this Chamber, we have always been able to have sensible discussions.

Mr T. B. Sullivan interjected.

Mr SANTORO: I take the interjection from the honourable member for Chermside. I have stated our position on that matter. The Opposition will not divide on the clause, but its feelings about the matter stand.

Mr STONEMAN: Following the comments by the Minister, it appears implicit that the inclusion of the words "or within an industrial organisation" acknowledges that there will be problems with the mega-union structure. Otherwise, the provision would be totally unnecessary. It is no business of anyone else what happens within an organisation. The provision acknowledges that there will be problems within that structure. As well, it underlines the need to have a range of unions that are more able to accommodate the needs of their membership if people desire and choose to be members of unions. However, as the honourable member for Clayfield said, we have a giant sledgehammer to smash the nut and take away the wishes of the 70 per cent or more of people who do not wish to be in unions.

Mr FOLEY: I think that I can relieve the honourable member for Burdekin of some of his anxiety. The phrase "or within an industrial organisation" appears in the definition of "demarcation dispute" in section 2.1 of the current Act, and it is merely repeated in the provisions which are currently before the Committee.

Mr STONEMAN: I acknowledge that the phrase could well be in the Act, but the Act is being very materially changed, and the meaning under these new parameters gives a much greater emphasis to that provision now than was previously the case.

Clause 6, as read, agreed to.

Clause 7, as read, agreed to.

Clause 8—

Mr SANTORO (12.47 a.m.): This clause provides for unpaid superannuation contributions to be paid into the Unclaimed Moneys Fund in the Treasury. Why is not that money going into a workers' compensation fund rather than into consolidated revenue? Can the Minister guarantee that this money will not be raided by the Government and returned to the unions? Why is it not put into the workers' compensation fund which is set up with the direct interests of employees at heart?

Mr FOLEY: This provision is an amendment or an addition to the existing section 5.4, which gives certain power to an industrial magistrate concerning unpaid superannuation. The provision arises in circumstances in which the employee fails to nominate a superannuation scheme or fund for the purpose of the order. That is the problem. If the relevant superannuation scheme is nominated, the problem does not arise. But if no such scheme is nominated, there has to be some provision for it to be dealt with, and that is what the provision cures.

Clause 8, as read, agreed to.

Clauses 9 to 11, as read, agreed to.

Clause 12—

Mr SANTORO (12.50 a.m.): I move the following amendment—

"At page 14, omit lines 27 to 29 and insert—

'10.3C (1) An employer or an industrial organisation of employers and an employee, group of employees or an industrial organisation of employees may make a memorandum of agreement about an industrial matter.' "

In moving this amendment, I briefly wish to signify that we desire to instil within this Bill—obviously, because the Government has the numbers, it will be to no avail—the role of the employee. The clause as it stands basically entrenches the role of industrial organisations, whether they be union organisations or employer organisations. It makes provision for a single employer to be able to strike an agreement, but it clearly deprives a single employee of the ability to strike an agreement. As I have said repeatedly during this debate, this Bill deprives employees of an ability to represent themselves before the commission or anywhere else where agreements are struck. I ask the Chamber to consider this amendment favourably, but I believe that it will not happen.

I want to speak a little more generally and ask a series of questions in relation to clause 12. I will ask them all now so that the Minister may reply, if he so chooses. Why does the definition of "single business" not include the operations within a single business which is similar to proposed new section 10.1? Proposed new section 10.3C provides that employer organisations can make agreements with organisations of employees, but not with individuals or groups of individuals. Will the Minister explain why those individuals are deprived of their freedom of choice? The Act is supposed to apply evenly to employers and employees alike. The Opposition contends that this amendment enshrines discrimination against employees by not allowing them to negotiate for themselves. Why are the unions so entrenched? Forty per cent of the work force belongs to unions, and only 30 per cent of the private sector work force belongs to the union movement. I add that a great percentage of the minority group—the people who do belong to unions—are there because of compulsion, if the Minister includes the situation of compulsion that is enforced on public servants.

Section 10.3C disfranchises over 60 per cent of the work force. Why do unions seeking to have an agreement certified have to consult only with their members? Again, this strikes at the very heart of industrial democracy, which this Bill addresses. Why does a union have to consult only with its members and inform them of what it is doing? Why does it not have to conduct a ballot to get majority support? The Opposition sees this as a major danger. I feel almost compelled to take 20 minutes just debating that point, but I am happy to quickly run through the concerns that the Opposition has, and then listen to the Minister's reply.

Mr Comben: Can't you just table it?

Mr SANTORO: This is one clause on which I am going to call a division; otherwise, I would table it.

Mr Comben: Is that the last one?

Mr SANTORO: We might make this the second-last division. The last will be on the third reading. However, I will see how it goes. I am not trying to be provocative. The Opposition has looked at the Bill in detail.

Mr Comben: What work do you want done on the Ascot State School? What time are we going home?

Mr SANTORO: I will not rise to the bait because I know that the Minister is a fair man. When I turn up with the delegation from that erstwhile school tomorrow, he will consider that case on its merits. I am sure that he will not let what we are saying or doing in this place influence decisions that need to be made in the best interests of constituents irrespective of partisan political viewpoints about issues such as this.

Mr Comben: You are right.

Mr SANTORO: I take the Minister's interjection just for the fairness and the completeness of the record, because I would hate to have the delegation from the Ascot State School read this particular debate——

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! I ask the Minister and the member for Clayfield to return to the amendment.

Mr SANTORO: I will immediately abide by that ruling. What are the reasonable steps that the Minister envisages the unions have to take to consult employees? Does this whole section mean that employees who want to work under a set, certified agreement have to join a union? Or would they be excluded if they decided not to? How does the union inform its members? Will it be in writing or verbally?

Mr Dollin: Carrier pigeon.

Mr SANTORO: The Minister may want to rebut that suggestion. I do not know whether the honourable member is on the Minister's advisory committee and whether that is to be part of the regulations. There is certainly a necessity for the Minister to give us some insight as to how this provision will apply.

In new section 10.3E (1), is the Minister referring to industrial organisations which are party to awards? Does this mean that all those unions mentioned in the preference clause are in the award? If so, why do all of the unions have to be involved if the employees do not want them to be involved? Again, I appreciate that these are questions to which the Minister may feel that he has already provided some general answers in debate. I particularly ask about that point regarding consultation and information as opposed to the necessity to receive agreement by individual union members. I have other questions, but I will stop to give the Minister an opportunity to answer the ones that I have asked already.

Mr FOLEY: The amendment is not acceptable to the Government.

Mr Stoneman: Down with the rights of the individual!

Mr FOLEY: Contrary to the honourable member's repeated assertions, and notwithstanding his vulgar abuse during the course of this debate, he must understand that the movement which this Government represents is deeply concerned about the rights of individuals. In particular, it is deeply concerned about the rights of ordinary working men and women to be able to live in this society, free from exploitation, and with real access to the opportunities to achieve productivity gains which will help this nation out of the problems that it currently faces.

This amendment represents the essence of the division between the Labor Government and the Opposition. The first point I make is that it goes to the matters that were discussed at some length during the second-reading debate. It also goes to the important policy which recognises that unions are parties to the certified agreement, the enterprise bargain, or the workplace bargain. The reason for that, as I outlined in my reply, is a desire to avoid the inequality of bargaining power which flows from failing to have the unions involved. The second point is that, as a matter of practice in operation, the enterprise bargaining arrangements provide the opportunity for very real productivity gains, as demonstrated by the experience resulting from the Commonwealth legislation.

Mr Elliott interjected.

The TEMPORARY CHAIRMAN: Order! The member for Cunningham will cease interjecting.

Mr FOLEY: Those arguments were debated at considerable length during the second-reading debate, and I do not propose to recite them again. In relation to consultation, I point out that the provisions are not exclusive. The union is at liberty to use ballots if it wishes. What it must do is convince the Industrial Relations Commission that it took reasonable steps to consult its members. Those "reasonable steps" will vary from time to time and place to place, but the union must satisfy the commission that those steps to consult members and inform them of the industrial organisation's intention to apply for the certified agreement were reasonable in the circumstances.

Mr STONEMAN: I rise briefly to support the amendment and, more particularly, to again make the point that the Minister and the Bill assume that all bargaining is adversarial. That is simply not the case and, except in rare situations, it never is. Each day there are thousands of agreements made in this nation between individuals and employers that stand the test of time and are a part of increasing and improving productivity. For the Minister to suggest that the interference of a union and the amalgamation of unions are necessary simply to protect the rights of the individual is plainly ludicrous. I resent the suggestion that otherwise is the case and reiterate that bargaining is not necessarily always adversarial, although it is on occasions. The rights of the individual have been completely written out of the Act. I agree with the Minister that there is a major division between the position adopted by the Government and that adopted by the Opposition in relation to that fundamental element. That is the very thing that will hold back the nation until it is overcome.

Mr SANTORO: With respect, the Minister has not really provided me with an adequate explanation which will convince me that I should withdraw my amendment. I wish to ask the Minister a few more questions while resisting the temptation to debate the issues. There are only a few more to ask, but I think this is the most controversial part of the Bill from the Opposition's point of view. This particular clause seems to treat one group of people in the industrial workplace more favourably than others. Some employer organisations that have contacted me have examined specific clauses of the Bill in relation to 10.3E (1), which states—

> "the agreement does not disadvantage the employees who are covered by the agreement in relation to their terms of employment."

The question that has been asked is whether or not any consideration has been given to the rights of employers in relation to any disadvantage that may accrue to them. Without wanting to make too fine or, indeed, too violent a point about this, I should make a point that I overlooked making during the earlier debate, that is, certain employer organisations believed they were not consulted in relation to the Bill. One very major employer organisation has claimed that it had not examined the Bill or even a draft of it until I supplied a copy. If the Minister wishes, I would be very happy to provide him with a list of organisations that the Opposition feels should be consulted in relation to matters such as this. I make the offer in all sincerity without wishing to be patronising. The Minister may wish to answer that question.

As I am sure the Minister would agree, from an employee's point of view, 10.3E (2) provides considerable inflexibility. It states as follows—

> "For the purposes of subsection (1) (a), an agreement is taken to disadvantage employees in relation to their terms of employment only if—
>
> (a) certification of the agreement would result in the reduction of any entitlements or protections of the employees under an award or an industrial agreement."

The point that has been put to me is: what would happen if other entitlements or conditions were increased? Why is there such inflexibility? In other words, if entitlements or conditions other than those contained under an award or industrial

agreement were increased, why is this inflexibility built in? Why do existing conditions become the base and one works up from there? Why is not a more flexible provision included in the proposed new section? Another question that was put about that new section is: what is the public interest? Will the Minister give honourable members an example or two of when the public interest may need to be protected under the provision? Again, that particular question was asked by an employer organisation that felt that the consultation process had not gone far enough. Perhaps the Minister could answer a few other questions. Again, I will not debate the questions. I will not put points of view; I will put the questions to the Minister. Why does the public interest test expire in 18 months' time? What is the reason for that time limit? What are the circumstances in which the Minister thinks that the commission should terminate an agreement? I have a few other questions, but I will leave it at that so that the Minister can catch up with the answers.

Mr FOLEY: Dealing with the last point first—the 18-month public interest test provision is in respect of single-enterprise sites. The public interest would not be required to be applied on those after them, but would be required to be applied in respect of enterprise bargaining agreements that cover broader or multiple enterprises. That parallels the Commonwealth provisions. There was considerable consultation, particularly on that point. A major employer group was closely involved. I am very surprised to learn that an employer group has expressed concern to the honourable member about lack of consultation, because that matter had been the subject of very extensive consultation with employer groups, employee groups and the Industrial Relations Consultative Committee, which is the statutory body representing those various groups.

In any event, the significance of the public interest test there for more than one single business is that it is designed to protect or assist those employers, for example, in the metals industry, who would otherwise be subject to very considerable industrial pressure if the public interest test were not applied. Those groups were particularly concerned to ensure that, in assessing whether to certify an agreement, the commission should have regard to the public interest in avoiding sweetheart deals and wage blow-outs. That was the concern that led to that. As to the reference to a particular provision to disadvantage an employer—that matter is regarded as within the bargaining competence of the employer. Having regard to the flexibility desirable in the scheme, it was not thought appropriate to put the Industrial Relations Commission in the position of second-guessing the employer, who is in the best position to determine whether the bargain is fair for him or her.

Proposed new section 10.3E is about a change in the role of the commission. That is central to the sort of flexibility that is necessary under the regime, or enterprise bargaining scheme. This means that the commission is not sitting there in a quasi-judicial role determining an award based on its own findings of fact. It means that the commission is there merely to certify that the parties were free agents to enter into bargains in the workplace, that those parties have complied with certain basic requirements as set out in new section 10.3E and, as such, that the result cannot be taken to be an award of the commission; but merely that the commission, in a quality control role, is certifying that the agreement complies with those provisions.

Mr SANTORO: I conclude the coalition's contribution to the debate on this clause by reiterating our very strong philosophical policy opposition to the denial of the right of individuals to represent themselves before the Industrial Commission and before other bodies where bargains are struck between employers and employees. It is because of that very basic philosophical difference that the coalition will divide on the clause.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 46		NOES, 27	
Ardill	McGrady	Beanland	Watson
Barton	Milliner	Connor	
Beattie	Nuttall	Cooper	
Bennett	Palaszczuk	Davidson	
Bird	Pearce	Elliott	
Braddy	Power	FitzGerald	
Briskey	Purcell	Gamin	
Budd	Pyke	Gilmore	
Campbell	Robertson	Grice	
Clark	Robson	Healy	
Comben	Rose	Hobbs	
D'Arcy	Smith	Horan	
Davies	Spence	Johnson	
Dollin	Sullivan J. H.	Lester	
Edmond	Sullivan T. B.	Lingard	
Elder	Szczerbanik	Littleproud	
Fenlon	Vaughan	McCauley	
Foley	Welford	Mitchell	
Gibbs	Wells	Quinn	
Hamill	Woodgate	Rowell	
Hayward		Santoro	
Hollis	*Tellers:*	Simpson	*Tellers:*
Mackenroth	Pitt	Slack	Springborg
McElligott	Livingstone	Stoneman	Laming

Resolved in the affirmative.

Clause 12, as read, agreed to.

Clauses 13 to 17, as read, agreed to.

Clause 18—

Mr SANTORO (1.19 a.m.): I move the following amendment—

"At page 28, after line 2, insert—

'11.37 (5) Such application must include evidence to support the employee's belief that the dismissal was harsh, unjust or unreasonable in the circumstances.' "

Before the debate started, the Minister and I had some discussions about this amendment. I am grateful to him for expressing a predominantly sympathetic attitude towards the concerns that I put to him. I remind those members who were hissing when I rose to make the small contribution that that in fact was the case. Obviously, they are not concerned about the genuine worries of employers.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! Government members would assist the passage of this Bill if they could keep the noise down a bit.

Mr SANTORO: The air of tolerance is so developed on the other side. A number of concerns have been expressed to me, and I will summarise them by saying that the employers who have approached me do not believe that the definitions of reinstatement, re-employment and dismissal and reasons for reinstatement and dismissal are explicit enough. I refer particularly to proposed new section 11.44. If an employee is dismissed because of unfitness and is replaced, this creates difficulty, especially for small businesses where multiple workers are not needed, if the former employee becomes fit in the future and is reinstated, It has been put to me that doctors have been known to provide certificates declaring that an employee is fit when he is not. Fitness for the particular job needs to be stressed.

What if the replacements or temporary employees suffer an injury? Will they have to be reinstated, too? What if the employer believes that the employee returning to work would cause injury to recur? The employer's duty under the Workplace Health and

Safety Act to care for the welfare of employees and prevent injury may in fact compromise the willingness of an employer to re-employ somebody under those circumstances. I will leave it at that and perhaps the Minister can make some statements. I do not intend to divide the Committee on this clause. However, I would appreciate the Minister's views so that those concerns of employers may be answered.

Mr FOLEY: The wording of the amendment is not, on its face, an unreasonable term of words. The difficulty with the proposed amendment is that it is advanced without the benefit of any analysis of the existing provisions or any evidence advanced by the honourable member as to the impact that the amendment would have upon the current development of case law in the area. The current provisions are set out in the Industrial Relations Act 1990 in section 2.2 and, in particular, at section 2.2 (3) (c) (iii). That section includes the power of the Industrial Relations Commission to hear reinstatement claims. It is expressed as—

> "A claim to dismiss or to refuse to employ any particular person or persons, or class of person, or whether any particular person or persons, or class of person, ought to be continued or reinstated in the employment of a particular employer, having regard to the public interest, notwithstanding common law rights of employers or employees;"

That section builds on the common law rights arising out of the contract of employment. In addition to that, it inserts a provision as to the public interest to which the commission may have regard.

It may or may not be that the term of words that have been put forward by the honourable member is a fair summary of the existing law, or it may be that it seeks to take the existing law in a different direction. In the absence of any analysis being provided by the honourable member, with great respect I do not believe that the honourable member has made out his case. Accordingly, the Government will not accept the amendment.

Amendment negatived.

Clause 18, as read, agreed to.

Clause 19—

Mr SANTORO (1.26 a.m.): This clause deals with the deletion of section 12.4. I suggest that this section is being deleted because the AWU and the TLC objected to the commission's ability to certify agreements between employers and their own employees without union intervention. This allowed real enterprise bargaining to occur, and that is why the unions opposed it and, I suggest, why the Government is repealing it. When the Minister replies to my comments, he may wish to give some reason as to why he is taking this step, particularly in view of the commission's very express views on the particular section which is being deleted. This evening, honourable members opposite have quoted the commission as the ultimate authority in terms of opinion on industrial relations matters.

Mr Foley: The Parliament is the ultimate authority.

Mr SANTORO: I take that interjection. The Minister is right. However, during this debate, the commission has been quoted ad nauseam. I want to place on record comments made by the commission about section 12.4, which this Government is deleting. The commission stated—

> "The provisions of section 12.4 may be useful in the case of a small enterprise with either a non-unionised or predominantly non-unionised workforce. Bearing in mind our experience in relation to second tier matters we believe that for various reasons, there may be some unions of employees which do not wish to get involved with enterprise bargaining agreements at workplaces where only limited union membership is involved."

For the benefit of those people who fear abuse by anybody involved in the system, I point out that the commission further stated—

> "We do not imply that section 12.4 was devised for this purpose. More that it appears to be an avenue for responding to the enterprise bargaining agreements to which this section refers."

It seems to me that those comments do not represent a resounding condemnation of the section which the Minister is repealing through clause 19 of the Bill. I just wonder how members opposite can seek to have it both ways, when that particular opinion has been expressed by the commission. The Minister may wish to make some comment.

Mr FOLEY: I will deal firstly with the questions of fact. The facts are that, over the last 11 years, this section has been used on only one occasion for the making of an order which did not involve a union. As a matter of fact and industrial practice, it is not correct to say that this was a section which allowed—to adopt the terms of the honourable member for Clayfield—"real enterprise bargaining" to occur, by which I understand him to mean bargaining without a union being involved. That is simply not a correct description of the industrial practice.

Secondly, this section—which does not have a parallel in industrial legislation elsewhere in Australia—is commonly referred to as the "spooky deals provision". It is a provision used for deals which are being conducted in secret. I am told that the section is often used, or it has been used by trade unions, to make provisions in respect of their own employees. It strikes me as passing strange that the honourable member would be advocating the continuation of the "spooky deals" provision, particularly in light of his advocacy of enhanced union accountability. In the circumstances, by ensuring that such a provision was disposed of, it would seem to be a useful step in that direction.

Mr SANTORO: The Minister is quite right in stating the facts. I have not sought to dispute those facts either during the second-reading debate or at any other time. However, I would like to correct the record, because the Minister has implied that I have suggested at some stage during this debate that this particular section has been used widely. I agree with the Minister in that it has not been used widely. However, it represents within the legislation that is being amended what could be described as a window of opportunity for employees who wish to represent themselves in a non-unionised context. The Minister has described the section as the "spooky deals" provision. However, from what he has said, it has not been used for that purpose. The statement that was issued by the commission made that point abundantly clear. It said that it did not imply that section 12.4 was devised for that purpose. Clearly, the commission acknowledged that it was not intended that the section be abused. From what the Minister has said, it must be clearly acknowledged that it has not been abused.

I am beginning to think twice about whether the Committee should divide on this clause. I want to stress that the decision as to whether or not to divide depends on the Minister's reply. If the Opposition decides not to divide, it is not because it is agreeing in any way with the extraction of this window of opportunity for employees to represent their own interests.

Mr FOLEY: This section is not a window of opportunity; it is a problem that needs to be solved. As a matter of fact, it is not industrial practice or a vehicle that was thought desirable to achieve that to which the honourable member referred. Obviously, for the commission to refer to it during the State wage case as a potential vehicle must show that it has undesirable aspects. As such, it is not supported by the Government.

Clause 19, as read, agreed to.

Clause 20, as read, agreed to.

Clause 21—

Mr SANTORO (1.34 a.m.): This clause embodies one of the major concerns that were expressed by the Opposition during the second-reading debate. It goes to the

heart of the findings of the Cooke inquiry, which found that there was massive ballot rigging in certain unions. The Opposition believes that there is no need for clauses that allow unions to apply to the registrar to be allowed to conduct their own elections. The Opposition also believes that this particular clause can lead to the advent of corruption or abuse by union officials.

When I referred to this particular clause during the second-reading debate, Government members were very quick to accuse me of saying something nasty about the possible politicisation of the registrar. I said that a Government of any political persuasion could appoint a registrar who was favourable to a union movement viewpoint, and from time to time, because of political bias or ideology, that registrar could grant favourable decisions to unions that are seeking to obtain exemptions from the Electoral Commission conducting their elections.

It is the Opposition's view that this particular clause defeats the whole purpose of requiring elections to be held by an external and independent authority. The Opposition also objects to the taxpayer having to shoulder some of the costs of those elections. I will not repeat the argument that was raised in relation to this matter because it was canvassed not only during the second-reading debate but also at the Committee stage. I ask the Minister: why should pensioners, small businesspeople and workers in other industries pay for union elections? I repeat that there is no public funding for company elections. Clearly, Commissioner Cooke suggested that public companies should not be treated differently from unions.

The Opposition opposes the provisions of this amending clause. It has not heard anything either during the second-reading debate or during the debate on specific clauses that has convinced it that it should support the provision.

Mr FOLEY: This matter has been the subject of debate during the course of the evening. The policy pursued by the Government is this, and it is set out in the provisions of clause 21: in accordance with the recommendations of the Cooke inquiry, union elections are to be conducted by the Electoral Commission of Queensland. When I say "union elections", I mean unions of employees or unions of employers. I should point out that there was considerable resistance on the part of unions of employers to this proposal—having regard to their concern that they believed that they had not been heard on the point during the course of the Cooke inquiry—and that although the recommendation of the Cooke inquiry relating to unions caught both unions of employers and unions of employees, they expressed a concern that it was an unnecessary provision which could cause expense to them and cost them time.

The Government has acted in this regard in accordance with the recommendations of the Cooke inquiry, but there is provision for the union of employers or employees to make application for an exemption pursuant to the proposed new section 13.24A (2). That application to the Industrial Registrar may lead to that union obtaining the relevant exemption. No doubt the Industrial Registrar will satisfy himself or herself as to the probity of the industrial organisation concerned. Proposed new section 13.24C provides—

> "The Industrial Registrar is to hear, in the way prescribed, the application and any objections properly made."

That enables those unions of employers and employees who have demonstrated sufficient and proper standards of probity to conduct their elections as they do at present.

In relation to the issue of expenses—it is proposed that the unions of employers and employees bear the costs which they would have to bear in any event, but that having regard to the very powerful argument that there is public interest in ensuring probity in the conduct of the election of industrial organisations by the Electoral Commission, those extra costs be borne out of the public purse.

Mr SANTORO: I have listened to the Minister, but despite his explanations the Opposition still remains convinced that this provision—and, indeed, many other provisions within the Bill—greatly and unfairly favour the union movement. It is a clear indication that, once again, as evidenced in this provision, the Labor Party Government is clearly beholden to its union friends. Because of the lateness of the hour, the Opposition will not divide the Committee on this clause. But I do stress the Opposition's most violent objection and reserve our right to divide the Committee on a subsequent clause that deals with similar issues.

Clause 21, as read, agreed to.

Clauses 22 and 23, as read, agreed to.

Clause 24—

Mr SANTORO (1.42 a.m.): I move the following amendment—

"At page 69, line 5, omit—

'State'

and insert—

'industrial organisation'."

This amendment seeks to give effect to the wishes of the Opposition that unions pay for the costs of their own ballots, their own elections and the costs of any moves for amalgamation. This clause clearly intends to make amalgamations easier. I have already canvassed extensively what the Opposition perceives to be a lack of need to amalgamate, when one considers the objectives of this Bill, or at least the objectives as stated by the Minister, that is, to increase productivity within the workplace. If one seeks to examine a reasonable definition of enterprise unions, that definition would certainly have to mean that smaller, not bigger, is the way to go. I mentioned ILO decisions against Federal Government amalgamation requirements. The Minister sought to justify the provisions of this Bill and this clause by saying that we are dealing with only 1 000 employees as opposed to 10 000 employees, which was the case at a Federal level. To a small enterprise which has anything between one and 50 workers—what the Minister is talking about really has very little relevance. The question still remains: why should the taxpayer foot the Bill for amalgamation ballots? I know that the Minister might talk about the public benefit being improved by increased productivity. The question may be asked: what is the difference between elections and amalgamations? Why do not the unions have to even pay for printing and distribution for amalgamations? Why is there this dichotomy within the Bill? Why are not unions

required to prepare and fund material to evenly present both “Yes” and “No” cases? Perhaps the Minister did not have time to respond to the second-reading debate, but they are serious questions which strike at the very heart of any reasonable concept of industrial democracy. From our point of view, the Minister is obviously skewed in favour of amalgamation. We would be willing to listen to his answers.

Mr FOLEY: The scheme of this Bill is to facilitate and encourage union amalgamations. The reason for doing so and the reason that the public purse is to be applied to the cost of union amalgamations is that there is a very great public benefit to be had from facilitating union amalgamations. By facilitating them, they overcome the inefficient bargaining that arises out of having a multiplicity of unions; they overcome the demarcation disputes that arise out of having a multiplicity of unions; and they overcome the barriers to multiskilling that arise from having a multiplicity of unions. The union amalgamation leads to the formation of single bargaining units, which facilitates, in turn, micro-economic reform.

Opposition members interjected.

Mr FOLEY: It may be that honourable members opposite think that there is some great virtue in an employer in the workplace having to deal with half a dozen or a dozen different unions. They may think that employers out there in the real world have nothing better to do with their time than negotiate with unions one after the other. But if the honourable members care to discuss this matter with real managers in real workplaces—real employers—they would discover that the issue of facilitating union amalgamations is one on which many people on both sides of the industrial fence say, “Thank goodness. What a breath of common sense that we are avoiding these multiplicity of unions so that we can get on with the job of making the relevant bargains to promote productivity.”

Mr FitzGerald interjected.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! If the member for Lockyer wishes to interject, he should do so from his usual place.

Mr FOLEY: I am asked as to why the Bill draws a distinction between union amalgamations and union elections, and I am happy to answer that question. The reason is that there is a genuine public interest in union amalgamations per se, and therefore it is appropriate to encourage unions to amalgamate; to make it easier for them to amalgamate; and to let them know that, if they wish to amalgamate, facilities will be there to assist in that process. By contrast, the conduct of elections on a regular basis is something which arises out of the normal course and normal duties of any organisation. As I indicated to the Committee, the enhanced public duty of conducting those elections through the Electoral Commission, that extra cost arising out of the public interest in having probity in union elections, will be met; but the cost which they would have had to incur anyway on a regular basis is something which they will be required to meet. In the case of union amalgamations, it is in the interests of the whole community to promote it, and that is why that provision is there.

Mr SANTORO: There was one question on which the Minister did not touch.

Mr Mackenroth: He did; you weren’t listening.

Mr SANTORO: I was listening. Why is there a difference between the "Yes" and the "No" case? The Opposition will divide on this amendment because it feels even more strongly about it than it does about the amendment that is proposed in regard to union elections. I assure the Minister that we have spoken to real employers in real workplace situations. We have distributed the Bill.

Mr Stoneman: Most of us have been employers.

Mr SANTORO: I take the interjection from the honourable member for Burdekin that most people here——

Mr Beattie interjected.

Mr SANTORO: If the honourable member for Brisbane Central cares to make an interjection, I might take it, so that we will be here even longer. However, I take the interjection from the honourable member for Burdekin when he states that most people on this side of the Chamber have been employers in their own right and they in a true sense and from a practical point of view understand the impact of the provision.

Mr FitzGerald: They were so well respected in their local community that they were elected to this Parliament.

Mr SANTORO: I take the interjection from the honourable member for Lockyer that they were so respected in their own community that they were elected to this Parliament. I conclude by saying that our consultation process was with real employers, and it was with real people who will be directly affected by the provisions of this amending Bill. I place on record that our consultation with constituencies, irrespective of whether they are politically favourable to us or not, will always be as thorough as it has been in this case. However, I add that I am most grateful to the Minister for his very comprehensive replies to all the contributions that we have made. In my three years in this place, I have sat here and watched debates take place in Committee where the Minister would simply look at a member making a contribution and not rise to answer, or where the Minister would totally ignore the contributions altogether. The Minister is not one of those people. I hope that his willingness to perform in this manner does continue because I think that, irrespective of the intensity of differences that we may hold about Bills such as the one that we have been debating tonight, it is always in the best interests of the democratic process that the debate take place and that the respective views of Government, the Opposition, and the various spokesmen go on the record.

Mr Wells: Is this a valedictory address?

Mr SANTORO: No, it is not a valedictory speech.

Government members interjected.

The TEMPORARY CHAIRMAN: Order! Government members would assist if they ceased to interject.

Mr SANTORO: The interests of the democratic process are enhanced when views that are expressed as extensively—and, in the case of most members, as sincerely—as they have been this evening are able to be displayed to the community at large. A better informed public, as a result of debates in this place, makes for a better voting public, irrespective of the election outcome. I sincerely thank the Minister. I hope

that he accepts the sincerity of the contributions from this side of the Chamber. I look forward to his summing-up on this clause.

Mr FOLEY: I thank the honourable member for his remarks. This clause relates to the expenses of a ballot, and it makes provision for the expenses of a ballot conducted by the Electoral Commission to be payable by the State. This clause does not relate to the "Yes" or "No" cases. Those "Yes" and "No" cases are governed by the provisions of the proposed new section 13.73E (1), which appears at pages 61 and 62 of the Bill. This funding provision is not in respect of the "Yes" case. I am advised that the Commonwealth does make funds available for promoting the "Yes" case. That is not relevant to the provisions of this Bill. This clause is concerned with the payment of expenses of a ballot for the reasons that I outlined before.

Question—That the word proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 45		NOES, 24	
Ardill	Milliner	Beanland	
Barton	Nuttall	Connor	
Beattie	Palaszczuk	Cooper	
Bennett	Pearce	Davidson	
Bird	Power	FitzGerald	
Braddy	Purcell	Gamin	
Briskey	Pyke	Gilmore	
Budd	Robertson	Grice	
Campbell	Robson	Healy	
Clark	Rose	Horan	
Comben	Smith	Johnson	
D'Arcy	Spence	Lester	
Davies	Sullivan J. H.	Lingard	
Edmond	Sullivan T. B.	Littleproud	
Elder	Szczerbanik	Mitchell	
Fenlon	Vaughan	Quinn	
Foley	Welford	Rowell	
Gibbs	Wells	Santoro	
Hamill	Woodgate	Simpson	
Hayward		Slack	
Hollis		Stoneman	
Mackenroth	*Tellers:*	Watson	*Tellers:*
McElligott	Pitt		Springborg
McGrady	Livingstone		Laming

Resolved in the affirmative.

Clause 24, as read, agreed to.

Clauses 25 to 38 and Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (2.02 a.m.), by leave: I move—

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

Question put; and the House divided—

AYES, 45		NOES, 24	
Ardill	Milliner	Beanland	
Barton	Nuttall	Connor	
Beattie	Palaszczuk	Cooper	
Bennett	Pearce	Davidson	
Bird	Power	FitzGerald	
Braddy	Purcell	Gamin	
Briskey	Pyke	Gilmore	
Budd	Robertson	Grice	
Campbell	Robson	Healy	
Clark	Rose	Horan	
Comben	Smith	Johnson	
D'Arcy	Spence	Lester	
Davies	Sullivan J. H.	Lingard	
Edmond	Sullivan T. B.	Littleproud	
Elder	Szczerbanik	Mitchell	
Fenlon	Vaughan	Quinn	
Foley	Welford	Rowell	
Gibbs	Wells	Santoro	
Hamill	Woodgate	Simpson	
Hayward		Slack	
Hollis		Stoneman	
Mackenroth	*Tellers:*	Watson	*Tellers:*
McElligott	Pitt		Springborg
McGrady	Livingstone		Laming

Resolved in the affirmative.

The House adjourned at 2.09 a.m. (Friday).