FRIDAY, 19 NOVEMBER 1993

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

REGISTER OF LEGISLATIVE ASSEMBLY COMMITTEE REPORTS

Mr SPEAKER: Order! For the information of members, I table a booklet prepared by the committee office titled *Register of Parliamentary Committee Reports 1976 to 1992*. This register is the first systematic attempt to catalogue legislative committee reports and make them more accessible to users, especially public service policy advisers and researchers. Over the years, information about each Assembly committee report has been recorded in the parliamentary papers series, but not published in a single volume. The register now provides a comprehensive listing of 123 committee reports, by chronology and by committee.

Sometimes, the fruits of our committee inquiries may be forgotten, not because they date or become irrelevant but because, over time, the reports are not easily accessible to the public service and academic researchers. I am pleased to table this register of reports, because it will make these important sources of parliamentary thinking on a host of issues more widely known.

DAILY TRAVELLING ALLOWANCE CLAIMS; TRAVEL BY PARLIAMENTARY COMMITTEES

Mr SPEAKER: I lay upon the table of the House the first annual report of Daily Travelling Allowance Claims by members of the Legislative Assembly for the year 1992-93.

I also lay upon the table a copy of details of travel by parliamentary committees.

STATUTORY INSTRUMENTS

In accordance with the schedule circulated by the Clerk to members in the Chamber, the following documents were tabled—

Transport Infrastructure (Roads) Act—

Notifications that access to land be limited—

Brisbane Valley Highway (Ipswich-Harlin) Esk Shire; Bruce Highway (Ingham-Innisfail) Cardwell Shire; Gateway Arterial Road (Eight Mile Plains-Murrarie) Brisbane City; New England Highway (Warwick-Wallangarra); and Pacific Highway (Brisbane-Helensvale) Albert Shire.

PAPERS

The following papers were laid on the table—

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

Environment Policy for Queensland Ports—November 1993

Queensland Department of Transport—Annual Report for 1992-93—Erratum

(b) Minister for Justice and Attorney-General and Minister for the Arts (Mr Wells)—

Annual Reports for 1992-93—

Freedom of Information

Queensland Law Society Incorporated.

PERSONAL EXPLANATION

Mr PURCELL (Bulimba) (10.05 a.m.), by leave: I would like to clarify the cultural report in today's *Courier-Mail.* For the sake of accuracy, I would like to report that I was not previously an organiser of the BWIU; I was a previous secretary of the BLF. It is a cultural exercise, and I think that that should be reported correctly.

QUESTIONS UPON NOTICE

1. Statutory Authorities, Redundancy Payments

Mr LINGARD asked the Premier, Minister for Economic and Trade Development—

"(1) What is the total number of public servants and Crown employees who have left the employ of statutory authorities between June 1990 and June 1993 on the basis of acceptance of offers of voluntary redundancy?

(2) What is the breakdown of the number of officers who have accepted voluntary redundancy from each statutory authority?

(3) What is the breakdown of the cost of redundancy payments, from each statutory authorities between June 1990 and June 1993?"

Mr W. K. GOSS: I seek leave to table the answer and have it incorporated in *Hansard*.

Leave granted.

As you are well aware the Register of Statutory Authorities for Queensland contains a listing of over 370 such authorities. For a body to be defined as a statutory authority it must meet one of the following criteria:

> constituted by an Act or is a description of an entity provided for by an Act; or
>
> member of an agency or a member of a governing body of agency is required by legislation to be appointed by the Government.

However, the Register does not include local authorities (of which there are 134), nor joint local authorities (of which there are 21), nor Aboriginal and Island Councils (of which there are 17 Aboriginal Councils and 14 Island Councils). In addition, major judicial bodies have been excluded.

On Wednesday 17 of November, I provided data to the questions raised by the Leader of the Opposition. Obviously, Opposition members have basic problems in understanding what I have already stated, but for the benefit of those members opposite who cannot and do not have the ability to understand the tenor of my response I will explain in simple terms the situation again.

I must reiterate that data are not held centrally on redundancies and voluntary early retirements (VERS) for Statutory Authorities.

In relation to the questions raised the following response is provided.

1. The total number of public servants and Crown employees (from the data available) who have left Statutory Authorities under various Voluntary Early Retirement Schemes (VERS) from 1 July 1990 to 30 June 1993 was 3,776. However, this includes data which has been incorporated in my response for departments.

2. The number of public servants and Crown employees who have left the employment of Statutory Authorities under VERS from 1 July 1990 to 30 June 1993, by statutory authority, is indicated below. Again, this includes data which has been incorporated in my response for departments.

STATUTORY AUTHORITY	No.
Board of Trustees of Newstead House	0
Bureau of Sugar Experiment Stations *(The Sugar Experiment Stations Board)*	0
Clerk of the Parliament	0
Egg Marketing Board	0
Electoral Commission of Qld	0
Capricornia Electricity Board	58
Far North Qld Electricity Board	0
Mackay Electricity Board	0
North Qld Electricity Board	0
South East Qld Electricity Board	152
South West Qld Electricity Board	0
Wide Bay-Burnett Electricity Board	0
Golden Casket Art Union Office and Casino Control Division	0
Grainco Qld Co-operative Association Ltd	0
Library Board of Qld	0
Livestock and Meat Authority of Qld	0
Parliamentary Commissioner for Administrative Investigations *(Ombudsman)*	0
Port of Brisbane Authority	0
Bundaberg Port Authority	0
Cairns Port Authority	0
Gladstone Port Authority	0
Mackay Port Authority	0
Townsville Port Authority	0
Public Sector Management Commission	0
Public Trust Office	0
Qld Art Gallery Board of Trustees	0
Qld Cane Growers' Council	0
Qld Corrective Services Commission	472
Qld Cultural Centre Trust	0
Qld Electricity Commission	0
Qld Electricity Supply Industry Superannuation Board	1
Qld Fruit and Vegetable Growers *(The Committee of Direction of Fruit Marketing)*	0
Qld Industry Development Corporation *(QIDC)*	0
Qld Institute of Medical Research Council *(The Council of the Qld Institute of Medical Research)*	0
Qld Investment Corporation *(QIC)*	0
Qld Museum Board of Trustees	0
Qld Performing Arts Trust	0
Qld Railways	2,775
Qld Tourist and Travel Corporation	41
Qld Treasury Corporation	N/R
Qld Treasury Corporation Capital Markets Board	N/R
Qld Sugar Corporation	0
Brisbane North Regional Health Authority	0
Brisbane South Regional Health Authority	0
Central Regional Health Authority	0
Central West Regional Health Authority	0
Darling Downs Regional Health Authority	0
Mackay Regional Health Authority	0
Northern Regional Health Authority	0
Peninsula and Torres Strait Regional	

Health Authority	0
Sunshine Coast Regional Health Authority	0
South Coast Regional Health Authority	0
South West Regional Health Authority	0
West Moreton Regional Health Authority	0
Wide Bay Regional Health Authority	0
Royal Qld Theatre Company	0
Suncorp Insurance and Finance Corporation	262
Totalisator Administration Board of Qld *(TAB)*	15

3. The total cost of payments made to people leaving the employment of Statutory Authorities for long service leave, recreation leave, leave loading and redundancies (including VERS) from 1 July 1990 to 30 June 1993, by statutory authority, is indicated below. Queensland Railways cannot provide full details of costings for redundancies for 1990/91 as there was a change to ledger details. This also includes data which has been incorporated in my response for departments.

STATUTORY AUTHORITY	
Board of Trustees of Newstead House	0
Bureau of Sugar Experiment Stations *(The Sugar Experiment Stations Board)*	0
Clerk of the Parliament	0
Egg Marketing Board	0
Electoral Commission of Qld	0
Capricornia Electricity Board (figure for 1989/90-1992/93)	1,200,000
Far North Qld Electricity Board	0
Mackay Electricity Board	0
North Qld Electricity Board	0
South East Qld Electricity Board	3,881,000
South West Qld Electricity Board	0
Wide Bay-Burnett Electricity Board	8,402
Golden Casket Art Union Office and Casino Control Division	0
Grainco Qld Co-operative Association Ltd	0
Library Board of Qld	0
Livestock and Meat Authority of Qld	0
Parliamentary Commissioner for Administrative Investigations *(Ombudsman)*	0
Port of Brisbane Authority	0
Bundaberg Port Authority	0
Cairns Port Authority	0
Gladstone Port Authority	0
Mackay Port Authority	0
Townsville Port Authority	0
Public Sector Management Commission	0
Public Trust Office	0
Qld Art Gallery Board of Trustees	0
Qld Cane Growers' Council	0
Qld Corrective Services Commission	13,630,000
Qld Cultural Centre Trust	0
Qld Electricity Commission	0
Qld Electricity Supply Industry Superannuation Board	43,380
Qld Fruit and Vegetable Growers *(The Committee of Direction of Fruit Marketing)*	0
Qld Industry Development Corporation (*QIDC*)	0
Qld Institute of Medical Research Council *(The Council of the Qld Institute of Medical Research)*	0
Qld Investment Corporation *(QIC)*	0
Qld Museum Board of Trustees	0
Qld Performing Arts Trust	21,704
Qld Railways (1990/91 figure incomplete)	123,294,000
Qld Tourist and Travel Corporation	1,553,443
Qld Treasury Corporation	N/R
Qld Treasury Corporation Capital Markets Board	N/R
Qld Sugar Corporation	0
Brisbane North Regional Health Authority	0
Brisbane South Regional Health Authority	0
Central Regional Health Authority	0
Central West Regional Health Authority	0
Darling Downs Regional Health Authority	0
Mackay Regional Health Authority	0
Northern Regional Health Authority	0
Peninsula and Torres Strait Regional Health Authority	0
Sunshine Coast Regional Health Authority	0
South Coast Regional Health Authority	0
South West Regional Health Authority	0
West Moreton Regional Health Authority	0
Wide Bay Regional Health Authority	0
Royal Qld Theatre Company	0
Suncorp Insurance and Finance Corporation	6,300,000
Totalisator Administration Board of Qld (*TAB*)	720,989

BACKGROUND

The current Cabinet approved Policy for the Management of Redundancy in the Queensland Public Service, which was then ratified by the Governor in Council in June 1991 does not automatically apply to all statutory authorities.

A number of statutory authorities have adopted the public sector policy by administrative arrangement, while others have their own arrangements to meet particular industry needs,

and others follow the policy of the Industrial Relation Commission.

The Electricity Industry has their own policy. I has similarities with the public sector policy with respect to the total payout. The Queensland Corrective Services Commission and Queensland Tourist and Travel Corporation have adopted the public sector policy administratively.

Queensland Railways (QR) has its own Cabinet approved policy which recognises "downsizing". It also recognises the fact that for many years QR employees were excluded from government superannuation. The QR policy also includes a retirement allowance.

Suncorp has their own policy which is better than the public sector. Redundancies occurred as a result of restructuring and merging of building society, insurance and regionalisation.

2. Australian Friesian Sahiwal Cattle

Mr LINGARD asked the Minister for Primary Industries—

"With reference to options taken out over crossbred cattle under the AFS project prior to the calling of tenders for the sale of the AFS herd in late August 1993, considering that only 700 head of such cattle were subject to options in the six months before tenders were called—

(1) Why, in a matter of only weeks before tenders were announced earlier this year, were a total of 3200 options taken out over AFS crossbred cattle?

(2) Did these options comprise 700 by a Dr Lu and 2500 by a Mr John McNamee?

(3) Were deposits paid in relation to these options; if so, how much in each case?

(4) If his Government is so keen to sell the AFS project, what contractual power exists with such options which requires the Government to keep paying money for agistment simply to get cattle to a marketable age when the same process could be handled by the successful tenderer?

(5) (a) Is Mr John McNamee one of the major growers of AFS cattle used by the AFS project and (b) how much was he paid in 1991–92 and 1992–93 by the Department of Primary Industries to run AFS cattle on his land?

(6) As indicated in the AFS divestment information booklet, why is it that Mr John McNamee and the department itself are the only producers with significant numbers of AFS cattle of marketable ages?

(7) Is Mr John McNamee a major marketer of cattle for export?

(8) Did the same Mr John McNamee submit a tender for the AFS purchase but later withdrew it?

(9) Does Mr John McNamee have business links with a Mr Peter Harburgh or the export manager of the Wacol AB Centre, Mr Brian Barker; if so, what is the nature of such links?"

Mr CASEY: I seek leave to table the lengthy answer and have it incorporated in *Hansard.*

Leave granted.

(1) Once again Mr Lingard is misinformed in relation to the number of cattle subject to options taken out before tenders were called. In fact options extending back to 1992 have amounted to 4,000 head. All were taken out well before tenders were called. These options followed a standard industry practice of exporters taking out options to secure supply in order to meet their marketing requirements.

(2) No—500 by a Dr Lu and 2,500 by a Mr John McNamee.

(3) Yes—total deposits in each case approximately 5% of the expected total sale price, and are payable in instalments.

(4) My department has a contractual obligation to satisfy the options which were not a part of the tender process. Upon the determination of a successful tenderer for the AFS program, the manner in which the options are to be effected by my department will be determined.

(5) Yes—he received no payments in either 1991/92 or 1992/93. He was paid $42,000 on 28 October 1993 for agistment of 420 crossbred cattle for the period 23 February 1993 to 30 June 1993.

(6) There are 29 rearers involved in the rearing and growing of AFS cattle across five States. Most of these are local calf rearers who collect and rear young animals in the dairy areas where they are produced by dairy farmers. There are currently 3 locations where older AFS animals are moved for growing out and mating. These include two in Queensland (Department of Primary Industries, Mutdapilly and McNamee's property) and one in Victoria.

(7) I am unaware of the full extent of his export cattle marketing activities.

(8) Yes.

(9) In a letter to me dated 4 November 1993, Mr McNamee indicated that he had entered into some arrangements with Mr Peter Harburgh.

I am further informed by my department that such arrangements only relate to those options already held by Mr McNamee.

Mr Brian Barker has advised me that he has no business links with Mr McNamee.

3. Australian Friesian Sahiwal Cattle

Mr FITZGERALD asked the Minister for Primary Industries—

"With reference to the tenders sought for the sale of the AFS herd and as between 3200 and 3800 head of crossbred cattle have been removed from the deal on the basis that the Government is contracted to spend some $1.5m a year on agistment and rearing fees for the next two to three years to get these cattle to market—

As such cattle would be the cashflow backbone for any successful tenderer (a) why are they not part of the deal and (b) on whose recommendation was the deal structured?"

Mr CASEY: I have prepared an answer. I seek leave to table the answer and have it incorporated in *Hansard*.

Leave granted.

The basis for Mr Fitzgerald's question is inaccurate. Several months prior to the preparation of the tender documents for the sale of the AFS program, options for the sale of AFS cattle were taken out as I have already indicated. These cattle were not included in the sale and this was clearly known to tenderers.

4. Australian Friesian Sahiwal Cattle

Mr FITZGERALD asked the Minister for Primary Industries—

"With reference to the State's practice of not selling any purebred stock from the Australian Friesian Sahiwal gene pool—

(1) Did an official visitor from Thailand visit the Wacol artificial breeding centre in July 1993?

(2) If so, is it correct that in late July, 250 registered AFS females were forwarded via air transport to Thailand?

(3) Were these stock purchased by Ruam Kaset Co Ltd; if not, who was the purchaser?

(4) (a) Who are the principals involved in such a purchase and (b) are any of them Members of Parliament in Thailand?

(5) What was the sale price per head of such stock in US dollar terms?

(6) (a) When did the DPI practice of not selling registered stud stock from the AFS herd change and (b) who made this decision?"

Mr CASEY: I have prepared an answer. I seek leave to table the answer and have it incorporated in *Hansard*.

Leave granted.

(1) Yes. Wacol AB Centre frequently receive visitors from Thailand and many other overseas countries.

(2) No registered Australian Friesian Sahiwal females were forwarded to Thailand. There were 256 registered crossbred females consigned on 27 July 1993 and air transported to Thailand.

(3) and (4)

No. They were purchased by Complete Agricultural System Company as importer on behalf of the Thai Department of Livestock Development.

(5) The Australian exporter was paid by the importer an amount of US$1098.65 per head (CFIC).

(6) The policy of the previous National Party Government to sell surplus registered stud stock has remained unchanged.

5. Sunshine Motorway

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

"With reference to the $15.5m interest free loan from the Government to the Sunshine Motorway Company to cover the company's interest bill—

(1) How much taxpayer subsidy will be paid by the Government in 1993-94?

(2) How many years will it be before this massive debt, currently in excess of $180m, is paid off?"

Mr HAMILL: To answer both questions—the amount of the equity payment to be made to Sunshine Motorway Company

for 1993-94 will be determined in the first quarter of 1994. The amount will be calculated having regard to financial modelling which will utilise up-to-date information on traffic growth, interest rates, inflation rates, the final cost of Stage II of the motorway, the actual date of opening of Stage II and the mix of traffic using the motorway. The amount currently provided in the department's budget as an equity payment for 1993-94 is $14.22m.

Current debt containment arrangements between the Director-General of Transport and Queensland Treasury Corporation—the lender to SMCL—provide for all debt to be repaid by the year 2014, that is, 20 years after the opening of Stage II. The facility will be handed over to the State free of debt—and operating at a significant profit—at the conclusion of the current franchise period, that is, 20 January 2020. This is in accordance with the franchise agreement entered into by the former National Party Government in 1988.

It should be noted that the Sunshine Motorway saw traffic increase by 20 percent last year and is operating at a profit. Stage II is soon to be opened and is being built within budget—unlike the Nationals' performance with Stage I—and will provide substantial new road infrastructure well ahead of when it could be directly funded from the public purse.

6. Third-party Motor Vehicle Insurance

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

> "With reference to the legislative amendments which return responsibility for workplace accidents involving moving registered motor vehicles from the Workers' Compensation Board to the third party insurer—
>
> What will be the effect on the cost of vehicle third party insurance policies to members of the public?"

Mr HAMILL: The determination of premiums for compulsory third-party insurance is a matter for the Insurance Commissioner and falls within the responsibilities of the Honourable the Treasurer, who administers the Motor Vehicle Insurance Act 1936.

7. Windsor State School

Mr BEATTIE asked the Minister for Education—

> "Is there any risk to children attending the Windsor State School resulting from the spraying of the school buildings for West Indian termites in January 1994?"

Mr COMBEN: I seek leave to table the answer and have it incorporated in *Hansard*.

Leave granted.

The presence of West Indian Drywood Termites has been discovered in the main building of the Windsor State School.

This termite is a serious threat to timber structures and was declared under the Disease in Timber Act 1975 in the state of Queensland.

The Department of Primary Industries is authorised to take measures for the extermination of the termite.

The cost involved is met by the State Government.

Over 300 infested buildings (including 17 at Queensland University of Technology, facilities at Kedron State High School, Baroona Special School and Sandgate Special School, Parliament House, suburban houses, 3 hostels, and the Governor's residence) have been treated by fumigation in Brisbane, Maryborough, Childers and Bundaberg.

It is intended that fumigation of the main building at Windsor State School occur in January 1994.

The fumigant used will be Methyl Bromide, which is a poisonous gas. Methyl Bromide has been widely used around the world to destroy a variety of pest insects over the last 50 years.

Fumigation is carried out by completely enveloping the building with air tight sheets and injecting the Methyl Bromide into the cocoon.

During fumigation the gas within the envelope becomes heated, and, when released, dissipates very quickly up into the atmosphere with no risk to the surrounding neighbours.

Strict supervision and safety specifications ensure set standards are maintained.

Tests are undertaken after release of the gas to ensure that there is no residual gas present before allowing reoccupation.

Medical studies have shown that 48 hours after the removal of the gas from the building by ventilation, there is no health risk to persons occupying those buildings.

The safety program adopted exceeds that stipulation in the Poisons (Fumigation) Regulations, 1973 under the provision of the Health Act.

The complete fumigation process is carried out in approximately two weeks with no residual activity of the chemicals used.

No post fumigation treatments are required unless the termites are reintroduced into the building.

There is no risk to the school students or staff from the fumigation.

8. Tick Eradication Program

Mr BEATTIE asked the Minister for Primary Industries—

"What progress has been made in relation to the Tick Eradication Program in Queensland?"

Mr CASEY: I thank the honourable member for the question. It is important that the House is aware of what is happening with the tick eradication campaign in Queensland. The member for Brisbane Central is well aware of that program and the effect that it will have on his electorate. The Brisbane Central electorate is the headquarters of the hotel and restaurant trade in Queensland, and it is where most of the good products that come from rural Queensland finish up. The Brisbane Central electorate also contains the commercial agribusiness support services and head offices. The tick strategy will result in producing better quality beef for the plates of the consumers of Queensland.

The tick eradication program is a key initiative of the second Goss Government and is part of a long-term vision to ensure that Queensland's beef industry reaches its full potential as an efficient producer of high-quality, clean product. Our target is to extend Queensland's tick-free area north to the Townsville-Mount Isa railway line in the next 10 years. We are gaining ground on expanding Queensland's tick-free areas, thanks to the substantive cooperation between the State Government and the cattle producers of this State. It has been done with the cooperation of industry by means of the tick advisory council, chaired by Mr Des Whittle, a former State president of the Cattlemen's Union. He is doing an excellent job, as are the other industry representatives who formulate part of that committee. A recent creation of the north-west Queensland cattle tick protected area from Cloncurry to the Queensland/Northern Territory border is evidence that the strategy can produce real benefits for producers today and well into the future.

There have been notable changes to the tick line in the Wandoan, Crows Nest and Kingaroy areas, with 198 additional properties given tick-free status. In a special pilot program in the Taroom area, the Government is proposing to meet 75 per cent of the costs associated with inspections for the first stage in order to attract producers who are willing to come in and are cooperating in this particular measure. Ticks cost the $1.6 billion beef industry more than $100m annually in stock losses and associated control measures. The success of the program will assist us to maintain our edge as an increasingly competitive domestic and export market.

The tick program follows the highly successful brucellosis and tuberculosis eradication program—proof of what Government and industry can do when they put their collective heads together.

QUESTIONS WITHOUT NOTICE

Mabo

Mr BORBIDGE: I direct a question to the Premier. I refer to the Federal Government's Mabo legislation and the Premier's intention to implement complementary State legislation——

Honourable members interjected.

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

Mr BORBIDGE: I refer to the Federal Government's Mabo legislation and the Premier's intention to implement complementary State legislation. I ask the Premier: does he or does he not support a national land acquisition fund?

Mr W. K. GOSS: We are still to get details from the Commonwealth of what it proposes in relation to the national land acquisition fund. As members are probably aware, the rationale behind it is that the High Court decision on Mabo will have a limited benefit in terms of Aboriginal people in this country. The Prime Minister and the Federal Government propose that there should be some funds to do something to redress the injustice to other Aboriginal people who will not be able to benefit in any way from the High Court's Mabo decision.

Mr Borbidge: Do you support that in principle?

Mr W. K. GOSS: I am happy enough to support it in principle, but the $64 question is the money—both how much and who pays. I do not think the States are in a position to do this. I think that, if the Federal Government wants to do it, it should be a national responsibility. I have made that view plain to my interstate colleagues and to the Prime Minister.

The other aspect of the acquisition fund that needs more attention—and in respect of which we will be seeking talks with the Federal Government and our counterparts in other

States and Territories—is the capacity to acquire land, for example, and in particular pastoral leases, and then have that converted to native title——

Mr Stoneman: That's a sham.

Mr W. K. GOSS: One would obviously have to monitor that very closely in terms of the capacity to remove significant tracts of land from the productive process, but it is early days, as far as we are concerned, in terms of the Federal Government proposal. We will continue to talk to the Federal Government. However, I believe the attitude of most States is that, if that is something the Federal Government wants to do, that is fine, but the States have little or no capacity to contribute to it.

Prostitution Laws

Mr BORBIDGE: I direct a further question to the Premier. I refer to increasing criticism within the ALP of the Government's prostitution laws and a call from both the ALP President and the President of the Queensland Labor Women's Organisation for an urgent policy review. I ask: will the Premier now order a review of this useless legislation?

Mr W. K. GOSS: The short answer to that question is: no. What the party president said yesterday or the day before is that there should be healthy debate on this matter at our conference next year. I support him entirely. We are a party that is able to have a conference about policy issues. These characters on the other side of the House do not even have a policy. Mr Braddy told honourable members the other day what their policy is. He said that Mr Cooper, who was Police Minister, Premier, and now Opposition spokesman, still has not got a policy—four years later. What a hopeless case he is. We have a policy, and that policy has brought about a set of laws which Mr McLean said were a great improvement on what was there before.

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Crows Nest.

Mr W. K. GOSS: The laws are not just directed to prostitution. The policy is also directed to other matters, such as social health and welfare programs that previous National/Liberal Party Governments did absolutely nothing about. They never had a policy. What they did was let some people run prostitution in the State on a franchise basis—a "Kentucky Fried Chicken" type of franchise—for graft and corruption.

Mr Borbidge: What are you doing?

Mr Cooper: You're the Government, you do it.

Mr W. K. GOSS: What we have done is bring in the law. We have also started to implement those social and health programs that I spoke about. Also, an exit program was opened a few days ago by Bishop Gerry. He had some very complimentary things to say about the policy and, in particular, about the social and health programs. I would also like to quote from a social worker, Ms Leisha Host, who is employed in this program. She has a social work degree and is involved in field work.

Mr Borbidge: What are you doing?

Mr W. K. GOSS: The member is hearing it.

Mr SPEAKER: Order! I warn the Leader of the Opposition under Standing Order No. 123A. I am going to listen to the answer. I cannot hear it with the member prattling on.

Mr W. K. GOSS: I will not quote from all of this, but basically the work that we are doing with the exit program, opened by Bishop Gerry, also involves this field worker and a cooperative effort with SQWISI—Self-help for Queensland Workers in the Sex Industry. SQWISI describes it very positively as only one of three exit programs worldwide, so it is a very progressive policy. The Leader of the Opposition and his predecessor go on and on about how the laws do not work. Let us see their policy. We have a policy that is working. It is an improvement on any policy the previous Government had. Members opposite claim to be the alternative Government. What a joke! They are all over the place.

The challenge that I would throw out to the members opposite is simply this: we have a set of laws that are not perfect, but they are a big improvement on the graft, corruption, and neglect of the oppression and exploitation of prostitutes that occurred under the National Party, and sanctioned by it, because people who worked for them were cleaning up on it. That situation has improved under this Government. If the Leader of the Opposition has a genuine policy contribution to make, let him tell this House and the public. Let him tell the House about a set of laws on prostitution in this country or in the world that works. There are none, and he knows it. He is just a knocking, whingeing whiner with nothing positive to contribute.

Mabo

Mr PITT: I direct a question to the Premier. I refer the Premier to comments by the Federal Leader of the Liberal Party concerning security of existing land titles in Australia. I ask: can the Premier offer an assurance that existing titles will be secure? Is the Federal Leader of the Liberal Party justified in raising doubts about the security of everyone's land?

Mr Borbidge: Yes.

Mr W. K. GOSS: The statement last night by the Federal Leader of the Opposition was pretty disappointing and, in relation to the question mark that he tried to place over the validity of citizens' titles, it was particularly disappointing. It does not surprise me to hear the Leader of the Opposition in this place calling out "Yes" in support of Dr Hewson when that was mentioned in the question. The situation in relation to validation of title is crucial. It is very important. Part of the argument I had with the Prime Minister earlier this year in respect to the Weipa leases was about that very issue. The Federal Government, in response to those concerns, has promised to deliver validation of title. Last night, Dr Hewson said in part that other Australians would want to be sure that they do, indeed, own their own home or their farm. However, he said that home and farm owners would not have to go to court to defend their properties. The legislation that has been introduced and is currently before the Federal Parliament makes a distinction between valid grants of title and invalid grants of title.

Mrs Sheldon interjected.

Mr W. K. GOSS: I ask the member to listen, because she might learn something. Recently, I tried to tell the deputy leader of whatever that party is called now that validation was crucial and that it would be delivered. I am going to give the honourable member some detail. I know that detail is a bit hard for her to come to terms with and to grapple with, but I ask her to listen to a bit of detail and we will see how she goes.

The legislation makes a distinction between valid grants of title and invalid grants of title. Validity depends on whether the native title was dealt with appropriately at the time of the grant. Dealing firstly with valid grants of title—the High Court decision in Mabo says that a valid grant of title extinguishes native title. So there need be no concerns there. That is recognised in the Preamble of the Federal legislation. I refer members who have a genuine interest in this matter to the Preamble where that is set out. I will not read it out.

In respect to the second category, that is, grants of title that are invalid as a result of the Racial Discrimination Act—the native title Bill will validate them. If they were made by the Commonwealth, it will validate them. The legislation will allow State and Territory Governments to validate their own grants. When those grants of title that might otherwise be invalid are validated by the legislation, they will extinguish native title. Freehold grants will extinguish native title. Commercial, agricultural, pastoral and residential leases will extinguish native title. In respect of mining—ordinarily, mining leases do not extinguish native title; they coexist. But in this legislation there will be provision that mining will continue uninterrupted and unimpeded for the period of the mining lease and any extension. All Australians who have, in good faith, bought houses, mines, farms or whatever will have their titles validated either because they were originally valid and have extinguished native title or, by virtue of this legislation, will be validated.

As an example of how far out of touch with their traditional base members on the other side of the House are, I note that yesterday's *Queensland Country Life* contains a report stating—

> "Queensland's pastoral leases and freehold land are safe from Mabo-style land claims under new legislation unveiled in Canberra this week."

In other words, *Queensland Country Life* has caught up with this, but those characters on the other side of the House have not. They are still on the low road. I remind members that the National Farmers Federation has supported this legislation and the Commonwealth package. I quote from Graham Blight—not Mr Farley. Mr Blight said that the Commonwealth's package satisfied most of the farm sector's concern. The National Farmers Federation has supported the Federal Government's Mabo legislation as it affects the farm sector.

Members opposite are behind the times. It does not matter whether it is prostitution or native title, they do not have a policy and they do not present an alternative. That is why they are going backwards every day. They will keep going backwards until they are prepared and able to make a positive contribution. Until they do, they will not be seen as an alternative Government. That is why one in five is all the support that they can get in their own traditional base.

FOI Request for TAFE College Budget Allocations

Mr PITT: In directing a question to the Minister for Employment, Training and Industrial Relations, I refer to an article in today's *Courier-Mail* under the headline "FOI Request Delayed", and I ask: what is the status of a freedom of information application made to the Minister's department by the member for Clayfield about specific budget allocations for TAFE colleges?

Mr FOLEY: I am informed by my department that the application from the member for Clayfield, Mr Santoro, for access to documents related to the budget allocation of each TAFE college in Queensland, with identification of operational allocations, special capital works allocations and special projects allocations was received on 11 October 1993. That application included a request that an officer of my department contact the honourable member to discuss the request prior to commencing research action. The application was formally acknowledged on 13 October. I am informed by an officer of my department that, despite a number of attempts to contact Mr Santoro, he was unable to contact him until 19 October 1993, at which time the honourable member clarified his application, stating that he was seeking the details outlined in his written application for the current year plus the two previous years.

Mr Santoro's implied accusation that I have deliberately delayed the processing of his application for freedom of information is false, scandalous and insulting. It is a slur not only on me but also on the integrity of officers of my department. I reject it out of hand. Mr Santoro's accusation shows his usual reckless disregard for the truth.

Mr Santoro interjected.

Mr SPEAKER: Order! The member for Clayfield will cease interjecting. The next time he interjects, I will warn him.

Self-government for Torres Strait Islands

Mrs SHELDON: In directing a question to the Premier, I refer to negotiations regarding self-rule for islands in the Torres Strait and the absence, as usual, of a clear statement from the Queensland Government as to where it stands on the issue. Given the sensitivity of the Torres Strait and its importance as a barrier against infectious diseases, pests and other problems, I ask: does the Premier support the Islanders' favoured path of self-government with free association as applies in the Cook Islands? If so, what added costs will such a course impose on the taxpayers of this State?

Mr W. K. GOSS: The Queensland Government has not adopted a policy of support for self-government of islands in the Torres Strait. Apparently, this latest suggestion from the Commonwealth follows a visit by Mr Tickner to the Torres Strait, as a result of which there have been some requests to the Federal Government. On 30 September, the Prime Minister wrote to me—and I am happy to table that correspondence for the benefit of the honourable member and any other member who is interested—saying that, in June, the chairperson of the Island Co-ordinating Council, Mr Lui, had written to him seeking the Commonwealth's assistance in increasing the devolution of decision-making powers to Torres Strait Islanders. The Prime Minister went on to say that Mr Lui also seeks discussions on the application of the principles of the Mabo decision, and so on.

In that letter, the Prime Minister said that the Federal Government had recently agreed that the ATSIC legislation should be amended to provide for a Torres Strait regional authority within the framework of the Act. The Prime Minister goes on to ask that there be discussions between officers. We have given no support or encouragement whatsoever for a self-government proposal. I believe it is fraught with difficulties. Similarly, I believe that, within the islands themselves, there will be significant differences of opinion, both in respect of self-government and in respect of the proposal for a special regional authority. I imagine that the Torres Shire will have something to say about that as well.

In response to the Prime Minister, all I have done is acknowledge his letter and say that we would be happy for our officers to talk to those officials to see what they are on about. This is very preliminary. I do not know where it will go. We will see what they have to say. Certainly, we have adopted no particular position in favour of self-government, and I am not sure that it will go anywhere. For the benefit of the honourable member, I table that letter from the Prime Minister to me dated 30 September, and a letter of the same date to Mr Lui from the Prime Minister.

Brisbane City Council Debt

Mrs SHELDON: In directing a second question to the Premier, I refer to the existence of a State Cabinet document which indicates that the level of Brisbane City Council indebtedness is even greater than the level of State Government indebtedness, and

I ask: will the Premier confirm the existence of that document and its findings that the Brisbane City Council debt has blown out under Labor, and will he make that document public so that the people of Brisbane will know the true state of council finances?

Mr W. K. GOSS: As the Treasurer indicated in answer to another question earlier in the week, a study was undertaken. The Treasurer referred to it as a desk-top study, which simply indicates that it was drawn from existing published public material and did not involve any in-depth inquiry or investigation of council finances. I believe that the basis of that study being undertaken at the time was media reports or complaints from various sections of the community or allegations from certain sections of the Liberal Party that the Brisbane City Council debt had "got out of control". Figures were quoted that purported to show that there had been a substantial and worrying increase in debt under the Liberal administration of Mrs Atkinson and that this had continued under the Labor administration. As I understand the position from the Treasurer, the study undertaken by Treasury did not indicate any serious concerns in relation to the state of the council's finances. It did not indicate any serious concerns with the level of debt. I think that the situation has probably been alleviated to a substantial degree by the reduction in interest rates that has occurred from the time of the Liberal administration when the council started to incur very high levels of debt, and from the early days of the Labor administration.

As I understand it, the study is simply an internal document that is held within Treasury. There has been a request from the Brisbane City Council for it, but, as the Treasurer said, it did not reveal any particularly serious concerns. It was undertaken because those concerns had been raised publicly and because ultimately the State Government stands behind local authorities as a guarantor for all of them as a consequence of their borrowings through the QTC.

Small Business Employment Growth

Mr LIVINGSTONE: In directing my question to the Premier, I refer to the repeated claims by the Opposition that the Government's policies are stifling employment growth, particularly in the small-business sector. I ask: is the Premier aware of any evidence that contradicts those claims?

Mr W. K. GOSS: I am very pleased to be able to advise the House that in a study published just this week by Coopers and Lybrand on employment prospects within Australia, there are some very favourable comments in relation to Queensland's prospects. Indeed, it shows that the Queensland Government's policy in support of business, and small to medium-sized business in particular, is succeeding and is well targeted. The study said that the survey revealed that employment prospects in Queensland next year are likely to be nearly twice as good as those of the next best State. That is not twice as good as the national average—twice as good as the next best States of New South Wales and Western Australia. It states that Queensland has the best employment prospects for next year, with the best prospects being for technical and professional staff; organisations in the retail trade with up to 50 employees; computing and telecommunications; and the construction industry. These are all good jobs, some of them reflecting a growing quality in the diversity of the Queensland economy. It must be remembered that in economies such as Queensland's it is the small to medium-sized companies that provide most of the growth and provide most of the employment. This is a very welcome survey, and it knocks for six the repeated doom and gloom from the knockers of Queensland opposite. They have tried to talk down Government initiatives at every turn. They have tried to talk down the prospects of growth and the prospects for optimism in this State at every turn.

The Coopers and Lybrand survey shows that this State's economy is going gang busters; that our policies are delivering. Another Coopers and Lybrand study, released earlier in the week, showed that over 1 000 people per week are coming into this State. Why? The predominant reason is clear: this State has prospects. The figures back this up. I am hearing more knocking from the Leader of the Opposition, but the figures back it up.

Mr Borbidge: They're coming here because they think you're so wonderful!

Mr W. K. GOSS: Did the honourable member say that I am wonderful? He gets it right occasionally. I will give the member some figures. Recently, the job creation figures for this country were released and the past month's figures show that in the past two years in this State we have created 73 000 new jobs more than the rest of the States of Australia combined. That is the sort of track record that Queensland has. It is about time that people stopped moaning about some of the things that they repeatedly moan about. Those people should reflect on the fact that the State is going well and try to make a

positive contribution that might just make this State go even better. Even though our growth is outpacing that of the rest of the States, the Government is determined to try to increase it even more.

In terms of the Coopers and Lybrand survey, I say for the benefit of members that it is also backed up by the Australian Bureau of Statistics labour force figures and the Queensland Confederation of Industry's Pulse survey. The QCI Pulse survey says that the results are "some of the most encouraging they have seen for years." In conclusion, one specific sector that I would like to single out is the manufacturing sector.

Mr FitzGerald interjected.

Mr W. K. GOSS: Members of the Opposition cannot stand good news, because the place is going well. What are members of the Opposition going to talk about? They can talk about their own internal troubles. It is all over the place. It is the "crushed pineapple party". In fact, it is so all over the place that it is in pieces. I think that we will call the Opposition parties the "pineapple pieces party" instead. Honourable members should look at what is happening in this State, look at the successes, and look at the Opposition's contribution.

Mr FitzGerald: You're the "banana split party"—split down the middle.

Mr W. K. GOSS: First it is pineapples, now it is bananas.

Mr SPEAKER: Order!

Mr W. K. GOSS: I will wind up my answer, because they are obviously sensitive about it. I do not care whether the Opposition calls itself pineapples or bananas, it has reduced itself to a fruit salad outfit.

Spirit of the Outback

Mr LIVINGSTONE: I ask the Minister for Transport: could he inform the House about Queensland Rail's new tourist train, the Spirit of the Outback, which will be formally launched this afternoon?

Mr HAMILL: It is with great pleasure that I inform the House of the latest initiative of Queensland Rail to build up tourism in Queensland. The launch of the Spirit of the Outback's inaugural journey will take place this evening. Already, there is great expectation in central Queensland, particularly in the Longreach area. Tourist operators are already reporting, as is the media, that occupancy in motels and other accommodation in the area is at record levels. The operators in Longreach are saying that this is normally the low season for visits to the area, but that the Spirit of the Outback is changing all of that. The Spirit of the Outback service has been an initiative of Queensland Rail this year. Some $900,000 has been spent upgrading rolling stock to provide a world-class tourist attraction for visitors to Rockhampton and the central west. The service will operate twice weekly and Queensland Rail, consistent with its marketing approach——

Mr Elliott: How much is it going to cost?

Mr HAMILL: I am sure that the honourable member will be able to afford the fare. A special deal is currently available of which, perhaps, the member for Cunningham would like to avail himself. The cost is $159, which is very good value. I am sure that the patronage levels will reflect that it is very good value. I pay tribute to the excellent work that has been done in the Ipswich Railway Workshops in the refurbishment of the train. I also recognise the very good work of Denise Corcoran, the person who was responsible for the interior decoration of the Queenslander. Again, she has excelled herself with the exciting decor that the Spirit of the Outback will feature.

Toowoomba Rail Line

Mr HEALY: I ask the Minister for Transport: given his department's refusal to allow the preservation of the historical Holmes Railway Station on the main range railway line near Toowoomba and the gutting by his department from that station of historical railway equipment despite an assurance that local societies may use that equipment for future display purposes, what future plans does his department have for the main range line? Is it true that several historical tunnels along the line will be demolished?

Mr HAMILL: What plans do we have for the main line up the Toowoomba Range? Of course, the main line continues to operate. If the honourable member took care to look at the report that was presented this week by the Rail Task Force, he would see that the operations of QR through Toowoomba to western Queensland will be maintained. With respect to the particular issue raised by the honourable member in relation to the Holmes Railway Station, I also draw his attention to the very significant cooperative initiative taken by Queensland Rail with respect to the maintenance of a major tourist attraction, Spring Bluff. If members of the National Party had their way, the legacy inherited by this Government in Queensland of a historical

railway would still exist. Every aspect of the operations of Queensland Rail was historical.

This Government is making provision to preserve a number of aspects of Queensland Rail's rich heritage while striving to modernise Queensland Rail. Whereas Holmes Railway Station will not be preserved, Spring Bluff has been preserved. As honourable members would be aware, Spring Bluff is a major attraction in the Toowoomba district. Queensland Rail is very proud of its role in preserving that attraction for the community.

State High School, Wilsonton

Mr HEALY: I ask the Minister for Education: given his Government's pre-election promise in 1992 that a new high school would be built at Wilsonton in Toowoomba and his department's subsequent backdown, which was said to be caused by growth figures in other areas of the State having outstripped those of Wilsonton, and Wilsonton having slipped down the priority list, how far down the list has it slipped? What action has his department taken to re-evaluate the situation?

Mr Johnson: Answer that!

Mr COMBEN: I will have no difficulty whatsoever.

Mr Springborg: Is that a frog in your throat?

Mr COMBEN: No, it is a cane toad. Frogs would not do nasty things to me. Wilsonton State High School was certainly a very high priority of the department and of the Government in terms of the increases in student attendance at the high schools in Toowoomba. However, over the last two years, the numbers of students attending the existing high schools have declined. It is as simple as that. The demand is not there.

Mr Johnson interjected.

Mr SPEAKER: Order! The member for Gregory!

Mr COMBEN: When one has regard to the Statewide priorities and when one looks at the number of students attending high schools in Toowoomba, it can be seen that there is no need at the moment for relief in the form of a new Wilsonton high school. We will continue to monitor the situation. At this time of the year, a lot of work is being done and we are looking at these matters currently. But in terms of Statewide priorities, they will be in areas behind the Gold Coast and up around the Caboolture and Hervey Bay areas. If the member were to examine the growth in student numbers in those areas, he would be able to see the basis on which the priorities are listed. They change daily and there are no politics involved. They change in relation to where the students are. Presently, the student population in that area cannot justify a new school.

Queensland Economy

Mr DAVIES: I ask the Minister for Business, Industry and Regional Development——

Mr SPEAKER: Order! As I am having a bit of trouble hearing, I ask the honourable member to speak up.

Mr DAVIES: Can he outline any recent indications which accurately indicate Queensland's economic direction?

Mr Connor: The Premier just did that.

Mr ELDER: I can inform the member and the House just where Queensland is heading and what the private sector thinks about Queensland's economy and its economic direction. The Premier outlined competently Coopers and Lybrand's view of Queensland and its economy. I wish to quote from that report, which shows that job prospects in some 72 per cent of the companies surveyed were good and that the companies were planning to put on more staff. As the Premier outlined, the report shows that small to medium-sized businesses will be where the jobs will grow and where job prospects will be best.

I also wish to mention to members opposite other comments that have been made recently about the Queensland economy. In particular, I wish to mention the AMP's investment report and quote the comments made by the head of the company, Andrew Threadgold. He stated—

> "We have felt that there are good opportunities to try and get good small companies in Australia"—

in other words, to bring them into the portfolio—

> "and those smaller companies tend to thrive in the more dynamic parts of the country so through that process we have picked up more companies in Queensland."

I repeat, "the more dynamic parts of the country", which is Queensland. That is where AMP's activities will be based.

Those comments build on evidence from the Australian Bureau of Statistics which

provides further information on the growth of employment and of the small and medium business sectors in Queensland. The ABS figures showed that Queensland has the highest rate of small business growth at 4.7 per cent as against a national rate of 3 per cent, and the highest rate of growth in small business employment of 4.1 per cent as against the national rate of 3 per cent.

As the Premier said: why is that the case? I can tell members opposite that it is because this State has the right economic settings; it is because we are a low-tax State; it is because we attract businesses to this State through the management of the economy and by having our business culture; and it is because this State provides opportunities for business to thrive across all sectors.

The Premier mentioned the manufacturing sector, which provides darned good evidence of the type of growth to which I refer. In that sector, there has been an increase of some 40 000 jobs over the last three years, which means that the number has increased from 130 000 to 170 000. There has also been a growth in output and in exports. Over the last three years, manufactured goods exported increased from $3.2 billion to $5.2 billion.

The investment in the manufacturing sector has been monitored by the Australian Manufacturing Council, which states that in the March quarter the rate rose by 36 per cent. All the other States pale into insignificance in the face of that type of increase. At the end of the day, the gloom and doom merchants opposite will have to stop knocking, because what they are in effect saying to the people of Queensland is, "Coopers and Lybrand have got it wrong. The AMP has got it wrong. The QCI Pulse survey has got it wrong. The Australian Manufacturing Council has got it wrong. The Yellow Pages survey has got it wrong." Apparently, everyone has got it wrong except members of the Opposition. What they have to do is stop being the Uri Gellers of the Queensland Parliament. They have to stop bending the truth.

Industry Commission Report on Regional Development

Mr DAVIES: I ask the Ministerfor Business, Industry and Regional Development: will he outline to the House the Queensland Government's response to the Industry Commission report on regional development?

Mr ELDER: I thank the honourable member for the question, which is an important one. There are two aspects to regional development. The Industry Commission recently released a report on regional development, and the Kelty task force is in the process of reporting to the Federal Minister. This Government has played a very active role in ensuring that this State's case is put strongly to the Federal Government.

I have a very strong view in relation to the Industry Commission report. In my view, the report is deficient and does not address the real problems faced by regional Australia. I point out that I am hardly isolated in my response because the Federal Minister has expressed his disappointment and has indicated that he is not happy with the report. Lest members opposite think that this might be some sort of Labor Party plot because the Federal Minister and I are not happy with the report, I point out that the Victorian Minister for Regional Development, Mr Hallam, also rejected many of the recommendations contained in the report.

The reason for this reaction would be very obvious to most members in the House. One of the key recommendations fails to differentiate between regions. All honourable members would agree that the problems faced in Charleville, Cunnamulla, Cairns or Brisbane are quite different not only in terms of comparisons between areas of this State but also in terms of comparison with other parts of Australia, but the report's key recommendation did not differentiate between areas. It also placed too much emphasis on the wages system.

Opposition members interjected.

Mr ELDER: Even the Victorian Minister—one of Jeff Kennett's men—assured Parliament that his department and his Government would not seek separate industrial systems for different regional areas. The report also addressed other specific problems. It discourages people from moving to regions that have low job prospects.

Opposition members interjected.

Mr ELDER: Hang on. Are members opposite serious about regional development in this State or not? Regional areas of Queensland are the National Party's constituency. It is about time that National Party members were serious about it and responded to these types of reports and put their names on paper in relation to it.

An Opposition member: Sit down!

Mr SPEAKER: Order!

Mr ELDER: What I can say is that this Government is concerned about regional development, and we will act.

Mr FitzGerald: Mr Speaker, you were on your feet and he defied you.

Mr SPEAKER: Order!

Mr Elder: You asked the question.

Mr FitzGerald interjected.

Mr SPEAKER: Order! I point out to the member for Lockyer that I am on my feet now. I ask him to withdraw his remark.

Mr FitzGerald interjected.

Mr SPEAKER: Order! The comment made by the member is a reflection on the Chair and I ask him to withdraw it.

Mr FITZGERALD: I certainly withdraw it.

Noosa Hospital Site

Mr DAVIDSON: I direct my first question to the Premier. On 8 July 1993, in an interview on Sunshine Television with Shane Dougherty, and in reply to a question from Mr Dougherty, the Premier stated—

> "Noosa will get its new hospital. We would hope to find a site that has no objection from the council and has the support of the local community and I am confident we will do that."

I ask the Premier: could he advise the House what he meant by such a statement and advise when the hospital site will be secured?

Mr W. K. GOSS: I am reliably informed—in fact within the last 15 seconds—that—

> "Health Minister, Ken Hayward said today"—

that is, if we take "today" as being 22 September—

> "a decision on when construction will begin on the proposed Noosa Community Hospital will be made at the completion of detailed growth projections currently underway.
>
> Mr Hayward said, however, it was unlikely that the hospital would be built before 1998, which is in line with a commitment he gave prior to the 1992 State Election.
>
> 'In August 1992, I told a public meeting at Tewantin that Noosa didn't have the population to justify a hospital, but that I would expect to see work started on a Noosa Hospital in five years.' "

If the member would like to see the press release, I will make it available to him.

In relation to hospital facilities—I think that all members are well aware of the fact that this Government is in the process of spending a record amount to rebuild the hospital system. There is still considerable pressure on the need for infrastructure because of two factors: firstly, the neglect over a long period by previous Liberal Health Ministers and National Party Health Ministers between 1983 and 1989; and, secondly, the unprecedented growth in population, particularly in the south east of the State. The reason for this massive new hospital rebuilding program is that we want to restore Queensland's free hospital system to the standard that Labor believes it should be, and we will do that. It is also necessary, given limited resources—limited even within the context of record spending—to target spending where the need is the greatest, and that is what the Minister is doing.

As the Minster has said, the Government is in the process of completing work in relation to demand and population needs. The decisions that will be made in the rolling programs—the program that has been announced for this financial year is a rolling program for the next three years, and will continue through the 1990s—will be made on the basis of need, and those population and needs studies.

Noosa Hospital Site

Mr DAVIDSON: I direct my second question to the Minister for Health, and I ask: is it not a fact that the Sunshine Coast Regional Health Authority was negotiating in July this year with a Noosa Heads real estate company for the purchase of land in Noosaville for a Noosa hospital site? It is not a fact that funds were available earlier in the year for the purchase of land for a Noosa hospital site, and that those funds have now been withdrawn? How can these facts be reconciled with his assertion that there was never any intention to purchase the land?

Mr HAYWARD: I did not quite hear all of the question. However, it was, basically, that somehow money was available for a hospital site and that money has been redirected to somewhere else. Let me be absolutely frank. If anyone had any idea of how the Budget system works, that person would understand that, very simply, money is not set aside to sit

idle until it is spent on some future project. Budget priorities are determined very clearly on the basis of forward planning.

Honourable members interjected.

Mr SPEAKER: Order! Do we need to end question time so that members can go outside and natter?

Mr HAYWARD: I make the point very clearly that money does not sit in a pot waiting for a decision to be made. As the Premier said, we have to deal with the substantial population growth that is occurring in south-east Queensland. That point was made recently during the debate on the Estimates for Health, in which the member for Mooloolah said in this Parliament that he would like a hospital built in Buderim. The member for Noosa would like a hospital built in Noosa. However, the reality of life is that, despite having a record capital works budget of $1.5 billion to spend over the next 10 years, priorities have to be allocated on the very clear basis of proper planning.

I will make some points about what has occurred in the member's area. Firstly, he would be aware that extra beds were allocated to the private hospital at Cooroy. Of course, he would also be aware—certainly the member for Mooloolah is aware of this—that recently I opened the Buderim Private Hospital. So, certainly through the private sector, facilities are available within the member's area to cater for population growth.

The Premier has opened the extensions to the Nambour Hospital, which will build up that hospital and which will provide a service in that area that is second to none on the Sunshine Coast.

Mr W. K. Goss: Is that a Labor seat?

Mr HAYWARD: I would hope so but, unfortunately, it is not. However, a substantial amount of money has been committed towards ensuring that those services are available from that hospital. It should be recognised very clearly that, within the context of the money that is available immediately under that $1.5 billion program, nearly $1.4m has been set aside for the construction of a Noosa community health centre. The Opposition Leader said that nothing ever happens in electorates that are not represented by Labor MPs. Again, to put the lie to that assertion, I point out that the Noosa community health centre will be built through the planning process. It will provide expanded clinical services, which will ensure that people who live in the Noosa area have access to such services. In the context——

Mr SPEAKER: Order! The Minister is starting to debate the question.

Mr HAYWARD: In closing, I make the very important point that there is $1.5 billion available to be spent on health, and that spending has to be conducted in the context of budget priorities.

Door-to-Door Sales

Mr T. B. SULLIVAN: In directing a question to the Deputy Premier and Minister for Consumer Affairs, I refer him to certain concerns raised about door-to-door salespeople and, in particular, those who are targeting elderly residents such as those who live in the Chermside/Wavell Heights area, and I ask: can he outline a consumer's rights in relation to door-to-door selling?

Mr BURNS: Recently, a number of complaints have been received about door-to-door salespeople. Of course, as it is getting near Christmas, those people will be out again. The Fair Trading Act provides legislative protection for persons who deal with door-to-door salespeople. However, I have to advise that, currently, one operator is placing an advertisement in the newspapers asking for people to contact him about cheaper goods. It is important to remember that, if people invite a salesperson into their homes or answer a general advertisement such as one that is appearing in the newspapers, or even in the yellow pages, they will not be protected by the door-to-door sales provisions of the legislation.

The legislation covers all contracts in excess of $50, with the exception of contracts for insurance or the provision of credit. It is important for people to remember that the Act provides that contracts must be in writing; that a copy of the contract must be given to the consumer after signing; and that the consumer must be given statutory forms explaining rights with respect to cancellation, and the contract and forms used for such cancellation. It is important for consumers to remember that there is a cooling-off period of 10 days, and that salespersons should not be accepting money or providing services during that period.

I suggest that, when dealing with itinerant salespeople, consumers remember to obtain the person's identification. People have to know who these people are. It is very hard to chase these salespeople about which complaints have been received because the consumers have not taken the time to identify them and obtain some identification from them as who they are, or their address.

People should make sure that they are not rushed into buying something that they do not really need. They should also make sure that they see what they are buying. Many salespeople come to the door with all sorts of brochures, but they have nothing physical to demonstrate. So people should make sure that they see what they are buying. They should also know the full cost of what they are purchasing, including any credit charges, insurance and delivery costs.

Finally, they should make sure that any guarantees or warranties are in writing. It must be remembered that these people generally do not have much to back them up, and that they are at people's doors and are offering five-year or 10-year warranties. Consumers should not rely on verbal promises alone. If consumers have any doubt about a particular operator or have a specific complaint about the activities of door-to-door salespeople, I encourage them to contact the nearest branch of the Consumer Affairs Department.

Home Buyers Nights

Mr T. B. SULLIVAN: I ask the Minister for Housing, Local Government and Planning: would he outline the success of the home buyers nights and how the area offices of his department are helping this program?

Mr MACKENROTH: The first home buyers night run by the Department of Housing some two years ago at Wavell Heights was launched by the Premier. Since then, we have had 27 home buyers nights throughout Queensland attended by over 15 500 people. I would like to thank the banks, the building societies, the Housing Industry Association, the Queensland Master Builders Association, the Real Estate Institute and the Law Society for their support, which has ensured the success of the home buyers nights that we have held. Throughout next year, we will be holding another 12 or so home buyers nights throughout Queensland. I am sure that they will be as successful as the nights that we have held over the last two years. They assist people by advising them about the best ways to go about purchasing a house, about the traps to look out for, how to go about getting finance, the different institutions that lend money to people, and of all of the various other things about home buying that people need to know.

In relation to the area offices—the area office program that was started by the Deputy Premier for the Department of Housing is almost complete. I think there are two more offices throughout Queensland still to open. We will then have 17 area offices. In the honourable member's area, the Chermside office area manager, Lex Thompson, does a really good job. I know that members who have dealt with the area offices know that they are getting a far better service than they got when the Housing Commission operated as a centralised body. I congratulate all of the staff on the work that they are doing.

Closure of Rail Lines

Mr ELLIOTT: I direct a question to the Minister for Transport in relation to the Rail Task Force report that recommended the closure of lines and mothballing of others, such as the Oakey-Cecil Plains line, and I ask: what consideration was given, not only to the arterial roads leading from areas adjacent to the Cecil Plains line, for which a paltry $800,000 has been here earmarked, but also the increased delivery pressure on the Brookstead and Malu silos? This will add significantly to the time and expense of growers' deliveries to Brookstead and Malu. Secondly, how many railway employees will lose their jobs, not just in these areas but right across the State? Thirdly, what chance have these employees of finding employment again in the current economic climate?

Mr HAMILL: There were several questions rolled into one, but I will endeavour to deal with them in the order that I can remember them. Firstly, with respect to the Rail Task Force report—the honourable member would be aware that there was extensive consultation with the grain industry and the local community with regard to all of those branch lines, including the Oakey-Cecil Plains line. I convened the meeting in Dalby at which representatives of Millmerran Shire and Jondaryan Shire discussed those matters with me.

There was a lot of consideration given to the future needs of the grain industry in the area. A significant amount of grain produced in that area is now finding its way into feedlots and is not being exported. Over many years, the Oakey-Cecil Plains line has deteriorated. The area is black soil country, and under those circumstances it is difficult to maintain the top of the line. Following discussions with the grain industry, QR will put in place a number of incentives for producers to direct their grain to the mainline operation—towards Dalby, or to the Millmerran branch line. The honourable member mentioned Brookstead, which is one of those depots in point.

The task force report that was adopted also saw funds made available for the

upgrading of the secondary road network in the area to facilitate that movement of grain. With respect to employment impacts—if my memory serves me correctly, there are no permanent staff on the Oakey-Cecil Plains line.

Mr Elliott: Two at Mount Tyson.

Mr HAMILL: If that is the case, I stand corrected. The same guarantee given to all rail staff as a result of the restructuring process has been given to those people affected by any branch line closures. All told, it is expected that about 127 rail staff around the whole of the State will be affected by Cabinet's recent decision to adopt the recommendations of the Rail Task Force. Those staff will not be sacked or retrenched; they will be found alternative employment within Queensland Rail. That is consistent with our practice to date. We have no plans to change that policy, and railway workers around the State understand and accept that policy.

Sunshine Motorway Bridge

Miss SIMPSON: I ask the Minister for Transport: will he give me an assurance that after the toll goes back on the Sunshine Motorway Bridge over the Maroochy River that he will come for a drive with me across the goat-track alternative bridge on the David Low Highway to see how dangerous it is and how desperately it needs urgent upgrading?

Mr HAMILL: Unaccustomed as I am to being invited out by the honourable member for Maroochydore, I had better ask my wife first.

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

JUDGES (SALARIES AND ALLOWANCES) ACT

Disallowance of Statutory Instrument

Hon. D. M. WELLS (Murrumba— Minister for Justice and Attorney-General and Minister for the Arts) (11.08 a.m.): By section 12 of the Judges (Salaries and Allowances) Act 1967, the Salaries and Allowances Tribunal is obliged to inquire into, determine and report to me the salary and allowances payable to all Queensland judges. On Wednesday, 10 November, I formally laid the fourteenth report of the Salaries and Allowances Tribunal on the table of the House and, as advised then, I move—

> "That the determinations made by the Salaries and Allowances Tribunal pursuant to the Judges (Salaries and Allowances) Act 1967 in relation to salaries and allowances payable in respect of holders of judicial office in Queensland and also in relation to salaries in respect of Stipendiary Magistrates in Queensland, tabled in the Parliament on 10 November 1993, be disallowed."

Legal advice, including that from the Crown Solicitor and senior counsel at the independent Bar, is that the determination of the tribunal pursuant to section 12 (4) of the Judges (Salaries and Allowances) Act 1967, must be tabled before the Legislative Assembly pursuant to section 12 (5) of that Act. It must also be notified in the *Queensland Government Gazette* pursuant to section 40 of the Statutory Instruments Act 1992.

The determination has both been tabled and published in the *Queensland Government Gazette.* Included in my advice is that this disallowance motion is the most effective process for correcting the error of law contained in the determination. In essence, the error of law is thus: in failing to permit the president and judges of appeal an allowance, the tribunal is acting contrary to section 102 (3) of the Supreme Court of Queensland Act 1991. The tribunal is obliged by law to provide for a general allowance and a jurisprudential allowance to be paid to the president and judges of appeal.

Mr Veivers: You sound a bit tired—probably because you are.

Mr WELLS: We had a fair bit of legislation last night. We created a bit of history last night.

Mr Veivers: Yes, it was well done. Good legislation!

Mr WELLS: I thank the honourable member for that accolade.

But now we have to turn to a much more technical matter. Neither of the allowances that I have just referred to can be taken away and added to the judges' salary. It is in this regard only that the tribunal has erred as a matter of law in the exercise of its jurisdiction.

The legal advice I have received indicates that, although the determination contains an error of law, it is nonetheless subordinate legislation and, as such, it cannot be allowed to continue in force in its present form. Only the Salaries and Allowances Tribunal itself can correct that error and, by moving this motion, I am enabling the matter to be returned to the tribunal so that it can correct the error and present a new determination to me as soon as possible.

The Salaries and Allowances Tribunal is an independent body and its determinations take effect as soon as they are implemented. The determination of the tribunal is not subject to prior approval before it becomes effective and the Judges (Salaries and Allowances) Act does not provide for consent or approval. This determination is not being disallowed because of the nature of the determination that has been made. This necessary action is being taken merely so that a technical error of law can be rectified.

By way of background information for honourable members, a general allowance had been payable to judges before the tribunal was established in 1980. The allowance was previously adjusted annually, in accordance with the variation in the average minimum weekly wage rate for adult males in Queensland. In 1988, the then Salaries and Allowances Tribunal made a special determination for judges known as a jurisprudential allowance. The determination contained in the fourteenth report of the tribunal now before members abolishes the separate jurisprudential allowance and the general allowance and includes these separate allowances as part and parcel of the judge's salary.

The determination has much the same effect whether or not the allowances are paid separately or as part of the judge's salary. In terms of total payments made to judges by the Government—except in the case of the four judges of appeal, who were appointed under the provisions of the Supreme Court of Queensland Act—the determination is within the prerogative of the tribunal. The payment of a separate jurisprudential allowance to judges is a payment that is unique to Queensland. In essence, the tribunal's determination would have brought Queensland in line with the other States. The only restraint upon the tribunal making such a determination is the matter identified above.

I seek the support of the House for this motion of disallowance so that this matter can be returned to the tribunal and resolved with a minimum of delay.

Mr PYKE (Mount Ommaney) (11.12 a.m.): I formally second the motion.

Mr BEANLAND (Indooroopilly) (11.12 a.m.): I rise to speak to this disallowance motion. At the outset, I make it quite clear that the Opposition opposes the motion. We do so for a number of very good reasons. I was very pleased to hear the outline that the Attorney-General gave on this matter. The role of the tribunal—whose determination the Government is seeking to overrule by this motion—is set down in the Act. With the exception of that aspect of its determination that relates to the Appeal Court, the tribunal is in order. I want to spend some time outlining why this course of action was taken by the tribunal.

In this case, the Government is applying double standards. The role of the tribunal is to make determinations as it sees fit. The tribunal has done an excellent job over a long time, and it is still functioning very well. The report before us is excellent. Instead of moving this disallowance motion, the Attorney-General should be moving an amendment to the Supreme Court of Queensland Act. This problem could be overcome by amending the sections of the Supreme Court of Queensland Act that relate to the Appeal Court. In that way, the salaries and allowances paid to Appeal Court judges would be determined on the same basis as those paid to other judges. However, in making its determination, the tribunal overlooked certain provisions of the Supreme Court of Queensland Act 1991 which have the effect of prohibiting certain nominated benefits for judges of the Appeal Court, including the jurisprudential allowance. Therefore, the tribunal's determination is contrary to the provisions of that Act. That is where the error of law has occurred. That is why this Act should be amended to allow the salaries and allowances of Court of Appeal judges to be determined in the same manner as those of all other judges.

Mr FitzGerald: Hansard want to know: is that the Supreme Court Act you are holding?

Mr BEANLAND: It is the Supreme Court of Queensland Act 1991. If that Act were amended, this problem would be overcome. Quite clearly, a set of double standards applies here. Unfortunately, that is the case in relation to the Appeal Court in general.

The Salaries and Allowances Tribunal is an independent body. Although it has made this determination in good faith, according to the Attorney the error of law cannot stand. Therefore, he has moved this disallowance motion. I want to emphasise that the Salaries and Allowances Tribunal is an independent body. We ought to be allowing it to get on with the task that it has to undertake. In the past, it has performed that task effectively without this type of interference.

I want to refer to certain sections of the tribunal's report to this Parliament. It is very important to read that report in order to gain an understanding of this matter. It stated—

"We are aware that His Excellency the Governor, acting by and with the advice of the Executive Council, on 24 October 1991, approved a number of appointments to the Supreme Court of Queensland and the Court of Appeal and in addition made a number of determinations in relation to the Court of Appeal and at the same time created the position of Senior Judge Administrator. It is noted that part of the decision relates to the salaries of members of the Court of Appeal, and to that of the Chief Justice and members of Supreme Court.

It is further noted that under Clause 5 of the Determination relating to the remuneration of the President of the Court of Appeal:—

(a) The Salary and Allowances of the President of the Court of Appeal are to be increased at intervals of not more than one year;

(b) The first such increase is to occur not later than 1 July 1992;

(c) (i) The minimum increase on each occasion is to be proportional to the increase during the period since the previous increase in the Consumer Price Index (All Groups) for the City of Brisbane as published by the Australian Statistician."

That provision is additional, because similar determinations apply to judges of the Appeal Court. The report continued—

"The Tribunal draws attention to the fact that these determinations significantly restrain the discretion of the Tribunal in terms of section 29 (2) of the Act"—

that is, the Act under which the tribunal is set up. In relation to the allowances paid and the application of the increase in the CPI, different standards apply to Appeal Court judges. I appeal to the Attorney to consider those provisions. If the tribunal is to operate, the same set of standards should apply to all judges and magistrates.

The report of the tribunal stated further—

"We further note that in the case of New South Wales, which is the only other jurisdiction in which a separate Court of Appeal exists, there is no difference in salaries between Appeal Court Judges and Supreme Court Trial Division Judges. This position differs markedly from the determination of the Governor in Council"—

In other words, the Government. That emphasises and clarifies the point that I just made. The report continued—

"Also, although it is unusual in today's salary determination climate to have automatic adjustments in accordance with the Consumer Price Index, because of the inter-relationship between Appeal Court Judges and Supreme Court Judges' salaries imposed by the above determination, the Tribunal is bound by this decision and thus is forced to adopt automatic Consumer Price Index adjustments as a minimum."

Once again, the Government is restricting the independence of the tribunal. With respect, I do not believe that the Government is showing the level of confidence in the tribunal that it should be. The report of the tribunal stated further—

"It is further noted that His Excellency the Governor"—

meaning the Government—

"made a number of determinations in relation to pension entitlements, long leave and other expenses in relation to Judges of the Court of Appeal. It is noted some of these differ from those applicable to members of the Supreme Court and District Court."

I will not go through those differences, because they are outlined in the report. Some of those differences are quite marked. Again, the tribunal is pointing out that a set of double standards applies in many respects. That scenario is unlike anywhere else, particularly New South Wales, which also has a separate Court of Appeal. The report continued—

"The Tribunal is of the opinion that there is a lack of equity in the conditions provided to members of the Appeal Court in relationship to pensions and long leave as compared with other members of the Supreme Court and District Court.

The Tribunal does not have power under the Act to make a determination on pensions or long service leave to overcome these inequities but it strongly recommends conditions be made uniform across all members of the Supreme and District Court."

The Opposition and the tribunal share the view that uniform conditions should apply. The report continued further—

"The Tribunal has given consideration to the position of Senior Judge Administrator and has determined

> that no additional remuneration above that of a Justice of the Supreme Court (Trial Division) should be provided.
>
> . . .
>
> The tribunal notes that it is not the usual practice in other jurisdictions to provide a separate allowance and has determined that the Jurisprudential Expenses and General Allowances henceforth shall be included in Judicial salary."

Again, that highlights the situation. After due regard to these matters, the tribunal then goes on to indicate how it has arrived at its decision and how it shall apply.

I also refer honourable members to the following section—

> "The Tribunal is conscious of the proposal from the Federal Government that State authorities such as this Tribunal should accept a relativity between the remuneration of their respective Supreme Court Judges and Justices of the High Court of no more than 85%."

Again, the tribunal has tried to do the correct and proper thing. It goes on—

> "The adoption of a mechanical relativity would be inconsistent with this Tribunal's statutory obligations given the large number of factors which are covered in the submissions received by the Tribunal and in the relative responsibilities and jurisdictions of the respective Justices. However, the Tribunal has been mindful of this suggestion in its deliberations."

From that, it can be seen that the tribunal is independent. It is attempting to follow its beliefs and get away from the double standards that this Government has applied in regard to Justices of the Court of Appeal.

There is a principle at stake here in relation to judges' salaries and conditions, no matter which court or jurisdiction they operate in. The tribunal also sets magistrates' salaries and conditions.

Honourable members will remember that at least two of the justices who were appointed to the Court of Appeal were given special conditions on their pension or superannuation entitlements. Services performed by those judges that were unrelated to the Queensland Court of Appeal were taken into account.

Time expired.

Mr FITZGERALD (Lockyer) (11.22 a.m.): I join this debate to express my opposition to the motion moved by the Minister for the disallowance of the statutory instrument that is before this Parliament. Members of this House may recall that I have spoken on a couple of occasions about the provisions of the Supreme Court of Queensland Act that are now causing problems.

The Minister advised that it was the transitional provisions of the Supreme Court of Queensland Act that had caused problems with regard to the fourteenth report of the Salaries and Allowances Tribunal that was tabled in this House. The Minister has quite correctly pointed out that that tribunal erred in law. I believe that this Government has erred in a matter of principle. The way to fix up that error is to support what the member for Indooroopilly has suggested. He said that the transitional provisions of the Supreme Court of Queensland Act are wrong. That is where the problem lies.

The problem with these transitional provisions is that they allowed the Government to set the allowances and salaries for the justices of the Supreme Court who were appointed prior to 30 June 1992. The salaries and allowances of those justices who were appointed to the Court of Appeal after 30 June 1992 were set by the Salaries and Allowances Tribunal. That tribunal could only increase the salaries and allowances only of those justices of the Supreme Court who were appointed before 30 June 1992 but could not decrease them.

I am advised that the two justices appointed before 30 June 1992 are Justice Tony Fitzgerald and Justice Pincus. In the past, I have had something to say about this, because I believe that this Parliament and the people of Queensland have every right to know what salaries and allowances are paid to all members of the judiciary. We all have a right to know. That is why the tribunal was established, and that is why the report of the tribunal is tabled in this House—so that everybody knows the amount of those salaries and allowances.

The Minister has taken over this portfolio from the Honourable Glen Milliner. When he was the responsible Minister, Mr Milliner gave me an undertaking that when the report of this tribunal was tabled, he would explain to me in detail the allowances and salaries paid to those two justices. That is my interpretation of his words. In a moment, I might read some excerpts from *Hansard* in relation to this matter.

What I would like to know is: who introduced the Supreme Court Act which contained provisions that were included in the legislation as a result of a secret deal? Who introduced it? It was introduced by none other than the Premier himself! The Premier introduced this piece of legislation. The quick, glib answer was, "We had to get the best judges for the job." I do not doubt that we have excellent judges. Nevertheless, the community has a right to know what all of our judges are being paid.

During a debate in this House in April 1992 in relation to the pensions received by judges, I said that there was a problem with the Supreme Court of Queensland Act. *Hansard* states—

> " However, the special deal that was done for those justices who were appointed was designed to be secret.
>
> **Mr Milliner:** It wasn't.
>
> **Mr FITZGERALD:** The Minister says that the deal was not designed to be secret. When I raised this issue in the public forum, the Premier quickly defended the deal because he had put the legislation through the House. The Premier said that the deal was not designed to be secret. I ask: what is the deal? If the Minister says that it is not secret, will he undertake to table the salary and remuneration package that was offered to those judges?
>
> **Mr Milliner:** I will not drag the judiciary into a political bunfight. When it comes to the remuneration tribunal, that is where the arguments will be put forward, not in here in the political environment.
>
> **Mr FITZGERALD:** I do not wish to drag the judiciary into a political bunfight. However, details of the salaries and remunerations of all other judges, including their pension deal, are tabled in this House. The Minister will not do that for those judges who are appointed to the Court of Appeal prior to 30 June 1992.
>
> **Mr Milliner:** It will be done properly.
>
> **Mr FITZGERALD:** Will the Minister table the information?
>
> **Mr Milliner:** It will be done by the tribunal when the tribunal meets, and I refuse point blank to drag the judiciary into a political brawl.
>
> **Mr FITZGERALD:** The Premier said that the deal is not secret.
>
> **Mr Milliner:** No, it is not secret.
>
> **Mr FITZGERALD:** If it is not secret, can the Minister tell me what it is?
>
> **Mr Milliner:** I will when the tribunal brings down its finding."

The Minister's predecessor gave an undertaking that he would tell us what the deal was between the Government and Justice Fitzgerald and Justice Pincus. The Minister was a member of Cabinet at the time. He knows that Ministers do give undertakings such as that on the floor of Parliament.

There is a lot of speculation as to what perks those justices were given. I do agree that a very learned person was needed for the job, and Justice Fitzgerald is a very good judge. However, as I have said, the community has a right to know what deal was done. Did the Premier, who was responsible for the inclusion in the Supreme Court of Queensland Act of a provision relating to the transitional period, do a deal to get Justice Fitzgerald there? The suggestions are that his superannuation took into consideration his service on the Federal Court Bench. We all know that Justice Fitzgerald was at one time a Federal Court judge. However, he then, of his own volition, went back to private practise. After that, he conducted the commission of inquiry in Queensland. I understand that the period of the inquiry was taken into consideration. Eventually, he was appointed to the Court of Appeal. There are strong suggestions around that all this previous service was credited towards his superannuation. If that is the case, the public has a right to know.

Justice Pincus was an active, serving judge on the Federal Court Bench at the time he came to Queensland. However, if the Government wants to appoint a judge, who has already accrued some benefits over a period, and who has not resigned of his own volition to go back into private practice, to the Queensland Court of Appeal, not many people could have an argument with that. Obviously, a very experienced judge was required. The principle is: was there a secret deal? Milliner says, "No, there was not." I asked him what it was, and he said, "I won't tell you." Then he indicated that, when the fourteenth report was tabled, he would tell me then. There has now been a change in the Ministry. I simply ask the Minister: will he please tell the House what secret deal was done?

In common with many other people, I believe that Justice Fitzgerald was well paid for the job that he did with the commission of

inquiry. It was going to be for a very short period and then it was extended for a lot longer than was earlier anticipated. I understand that a rate of pay was negotiated at the time and that was continued. I make no criticism of Justice Fitzgerald. My criticism is of this Government if it will not now make public what that deal was. There are no provisions in the Supreme Court of Queensland Act 1991 to the effect that it has to remain secret. It is just a Government that is running away from freedom of information. The Minister referred to it in his speech.

Under that very same legislation, the Supreme Court Act, to which the Minister referred, the Litigation Reform Commission was formed. That body is exempt from freedom of information. Why? During a previous debate in this House, and during another session, the Minister told members that this was because the chairman of the Litigation Reform Commission requested that it be exempt. Who was the chairman of the Litigation Reform Commission at that time? Justice Fitzgerald!

Time expired.

Mr WELFORD (Everton) (11.32 p.m.): It is disappointing that the Opposition has chosen this disallowance motion to raise matters that are really irrelevant to the disallowance motion. Quite frankly, it was a pretty grubby effort by the member for Lockyer to attempt to intrude upon the independence of the members of the Court of Appeal. The Supreme Court Act, which provided for the Court of Appeal, is quite transparent. Far from there being any so-called secret deal, the reality is that the Supreme Court Act specifically provides the components of the salary and allowances which members of the Court of Appeal are entitled to receive.

All we are talking about today is rectifying an error of law. It is really not to the point for the member for Indooroopilly or the member for Lockyer to say that there is a problem with the Act. That may well be the case. If it is a matter of policy, and Opposition members wish to argue for changes to the Supreme Court Act, they are entitled to do so. But that does not rectify the error of law inherent in the subordinate legislation which has been gazetted in relation to the salaries of judges of the Court of Appeal. Frankly, on behalf of members of the Court of Appeal, I take umbrage at what I believe is a most undignified slur upon them by the member for Lockyer.

Mr FitzGerald: Do you think it should be public or not, like every other judge?

Mr WELFORD: I ask the member to allow me to respond. The member for Lockyer went beyond the issue of simply exposing what the salaries were. He implied that payments that were in some way improper were made to judges of the Court of Appeal. He implied that, in relation to the superannuation of judges of the Court of Appeal, they were receiving payments which it was not appropriate for them to receive. That really is an improper and unjustified slur upon those judges. I believe that it is a most unparliamentary incursion upon the independence of judges of the Court of Appeal. It really is quite out of order in this debate.

Amendments to the Supreme Court Act do nothing on this occasion to rectify the error of law which this disallowance motion is designed to address. As the member for Indooroopilly ought to know, because he is a member of the Subordinate Legislation Committee, we cannot rectify an error of law in subordinate legislation that has already been committed by amending the substantive Act. We have to rectify the error in the subordinate legislation itself to ensure that that legislation complies with the principal Act under which the subordinate legislation is made.

In terms of this particular debate, both members of the Opposition have really used—or rather abused—the opportunity to raise issues that are irrelevant to the disallowance motion. While they might justifiably raise matters of principle in relation to the Supreme Court Act, I believe that they have done so in a way that is quite improper, quite undignified and quite unjustified by the reflections that they have cast upon the reputations of judges of the Court of Appeal. Those judges have served this State absolutely immaculately since they took on the responsibilities of the Court of Appeal and the Litigation Reform Commission itself.

For members of the Opposition to raise in this debate not just a proposal that the principal Act, namely, the Supreme Court Act, be amended, but to cast adverse reflections upon the Court of Appeal, in the way that the member for Lockyer——

Mr FitzGerald: Only on the Government.

Mr WELFORD: The member is now running away from it. He quite clearly made reflections upon Mr Justice Fitzgerald in particular. The member made the improper suggestion that not only was Mr Justice Fitzgerald receiving payments pursuant to some secret deal but also that he was receiving payments to which he was not entitled. That was an improper slur upon Mr

Justice Fitzgerald, and the member for Lockyer ought to have the good grace to withdraw it.

The simple fact is that the Supreme Court Act is quite transparent. While, as a matter of argument, it may be appropriate to give the salaries and allowances tribunal absolute discretion in the way that it packages the remuneration of members of the judiciary, the simple fact is that the structure of the package for judges of the Court of Appeal is quite transparent. It is there in the legislation for everyone to see that there must be a salary component and an allowance component.

This is the first occasion on which the tribunal has sought to make this adjustment. Although it may be the desire of the Opposition that the Court of Appeal have its remuneration structured in the same way as the remuneration of other judges, the simple fact is that, as a matter of law, the Parliament has no choice other than to ensure that the subordinate legislation handed down by the salaries and allowances tribunal is in accordance with the principal Act—in accordance with the law. The law is quite clear. That law simply says that, in respect of judges of the Court of Appeal, there must be a salary and an allowance component. We cannot combine them and not provide specifically for an allowance component.

The proposition that there is anything secret about this is nonsense. I believe that members of the Opposition are quite foolishly abusing this debate to raise issues that are unfair to the justices and an abuse of the process of this disallowance motion to rectify something which, quite clearly, must be rectified as a matter of law. We do not have a choice. It is simply not open to us to change the Supreme Court Act and believe that that rectifies the error that we are trying to address. That is a separate issue. If members want to propose amendments to the Supreme Court Act, they should do so at another time when it is more appropriate.

Question—That the motion be agreed to—put; and the House divided—

AYES, 47—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Campbell, Casey, Clark, Comben, D'Arcy, Davies, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, Milliner, Nunn, Nuttall, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, Woodgate *Tellers:* Livingstone, Pitt

NOES, 31— Beanland Connor, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Perrett, Quinn, Randell, Rowell, Santoro, Sheldon, Simpson, Slack, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

LIQUOR AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 9 November (see p. 5470).

Mr VEIVERS (Southport) (11.46 a.m.): When the Honourable the Minister, Mr Gibbs, delivered his second-reading speech to us here last week, he proffered the value and benefits of this further amendment to the Liquor Act. And so, for the third time since the introduction of the Liquor Bill into this House, I am forced to speak in defence of the hotel industry in Queensland.

In April 1992, the Minister introduced his supposedly revolutionary Liquor Bill. He then came before the House earlier this year, moving an amendment to the Act. He boasted at the time that the Act had fostered the establishment of a number of innovative practices, yet he sought to introduce an amendment which would stop the hoteliers from using those innovative and creative practices to boost their economic base.

Thus, the first measure of his hotel rationalisation program backfired on him. He admitted that in the second-reading speech he delivered to us last week. He admitted that the measure which enabled licensees to apply to relocate their licences was "deleted from the liquor legislation in 1992 after misuse by entrepreneurs buying and selling liquor licences". This was failure No.1.

Mr Gibbs now presents us with an amendment which represents failure No. 2. He now wishes to abolish the provisions for payment of compensation for general licences surrendered in accordance with the Government's innovative and marvellous rationalisation program. When the Liquor Act made this offer of compensation, a period of three years was specified within which licensees could decide whether or not to surrender their licences. In his second-reading speech, Mr Gibbs explained that the legislation specifically stipulated a finite period for the program in order to encourage licensees to make a decision whether or not to stay in the industry.

Now, with 18 months to go until the original deadline which was set by, and is currently enshrined in, the Liquor Act of 1992,

Mr Gibbs wishes to withdraw that offer immediately. He tells us that the rationalisation program is not working and therefore should be scrapped. Mr Gibbs believes that because only 19 of the 1 200 general licences issued in Queensland have been surrendered, this is evidence to suggest that the rationalisation program should be abolished. He believes that licensees are applauding his rationalisation program, but they are unwilling to surrender their own licences. If it is such an excellent scheme, offering compensation to non-viable hoteliers, I am amazed that many more would not have rushed to accept the Government's generous offer.

A licensed victualler's licence, under the repealed Liquor Act, entitled the hotelier to a form of exclusive franchise for the sale of liquor products in a certain nondescript area. For this licence a premium was paid and it was recognised that such a licence added value to the property. Hoteliers were, therefore, prepared to pay the premium, because they believed that their licence had tangible value by reason of the compensation provisions. After the introduction of the new Liquor Act, Mr Gibbs made it clear that the grant of a licence would no longer carry any implied guarantee that the successful applicant has gained some sort of franchise, yet he retained the requirement for applicants to pay a premium for the licence, payable into the Liquor Act Fund—a trust fund.

So, with the introduction of the new Act in 1992, the Minister on the one hand removed the implied guarantee of some sort of franchise but continued to collect a premium with his other hand. Remember, a new general licence does not provide a right to compensation. It was only existing licensed victualler's licensees who have the right to compensation—supposedly for a period of three years from the commencement of the Act.

So why has Mr Gibbs suddenly decided to abolish the rationalisation program? As I stated before, his excuse is that it has apparently been rejected by hoteliers. While they support his motives, of course, they are apparently unwilling to surrender their licences. The Explanatory Notes to the Bill tell us that only 1.6 per cent of the total number of general licence holders have taken advantage of this program and surrendered their licences in return for compensation.

It seems to me to be quite reasonable that so few licences have been surrendered to date. The simple fact is that the deadline is still 18 months away, and it is quite logical to assume that many hoteliers would have deferred their decision to leave until they had sufficient time to test the viability of their premises.

Mr Gibbs: Do you think the hotels would like that?

Mr VEIVERS: Not always, but in most cases. This trend is even suggested by the Minister's figures. He stated in his second-reading speech that only 19 licences had been surrendered, but that 10 applications were under consideration, so we can assume that one-third of the applications for compensation have been received fairly recently. Either that, or the department is working as efficiently as ever!

It would be completely irresponsible and unjustifiably unfair to hoteliers who have postponed their decision, believing they still had 18 months in which to make that decision, to suddenly, and without warning, withdraw the offer of compensation. Many licensees would be caught out by this amendment Bill and would lose the opportunity to lodge the necessary application. The Minister's amendment Bill so kindly makes provision for applications currently under consideration, but fails to provide any warning to those licence holders who are currently debating whether or not to stay in the industry. Those licensees who have some spirit and desire to make their business succeed, in spite of the Goss Government's lack of incentives, and who have deferred their decision in the hope of improving their business, will suddenly find the door to compensation slammed in their face. It is this attempt to trap hoteliers without any warning that is most repugnant about this Bill. The Minister now wants to pull out the safety net that many would have looked to when the time came to make the decision whether to surrender their licence or to continue trading.

If my colleagues in this House believe in fairness, fair play and even-handed dealing with Queensland hoteliers, the Bill should be amended only to advance the date for completion of the rationalisation program. At least that way, licence holders would be encouraged to make their decision more quickly, but would not be unfairly disadvantaged without notice. Alternatively, upon termination of the rationalisation program, the Minister should, to replace the revenue necessary for those programs dealt with in section 222 of the Act and clause 5 of the amendment, abolish the premium payable on the general licence and increase the fees for applications for all licences. One should not

go without the other. The Minister says so in his second-reading speech and Explanatory Notes to the Liquor Act 1992 and in the extracts I read earlier to the honourable members. I call on all Members of both sides of the House to stand up for fair dealing with hoteliers on this occasion.

Mr Gibbs interjected.

Mr VEIVERS: The Minister has done a deal with the industry and he knows he has. Moreover, he has done so at the expense of the poorer people in the AHA.

Mr Gibbs: What absolute garbage!

Mr VEIVERS: The Minister has so. He sold them out. He went in and did a deal. The old "bazooka" went in and crushed them again! The cost to Queensland will be negligible if the Government has not raided the Liquor Act trust fund and if the funds collected for rationalisation of the industry remain intact.

That brings me to a question that begs an answer. What has happened to the moneys earmarked for the payment of compensation? When the Liquor Act was introduced, a trust fund known as the Liquor Act Fund was set up for the rationalisation of the industry. It contained some $9m, and it was to be continued by the collection of licence premiums, as previously discussed. The Honourable the Minister told us in his second-reading speech that the State has spent almost $2.2m in buying out what he terms "essentially failed business operations". That leaves approximately $6.8m, plus the premiums which have been collected since the operation of the new Act, and which should have been directed to this trust fund.

I know that the trust fund, according to section 222 of the Act, is also to cover expenses incurred by the chief executive in connection with the payment of compensation, and also to be used for educational and health programs associated with the consumption of liquor. But surely that could not account for the millions of dollars we are discussing. It is quite obvious that the Government has raided the rationalisation cupboard for moneys to put into consolidated revenue. Once again, we are witnessing the Minister for Tourism, Sport and Racing promising money that he cannot provide, and the easiest way is to abandon the rationalisation scheme immediately. He knows that if he leaves the scheme in place, or even if he brings the deadline forward, thereby giving licensees some time to submit applications for compensation, he may find himself in hot water yet again. My guess is that the coffers are empty, and Gibbsey desperately needs a way out.

Another question which immediately comes into my mind is: why has the Queensland Hotels Association been suspiciously absent in the debate over this dismantling of the rationalisation program? Perhaps the Minister can answer that question. Why has the association been so quiet? The answer is that the Minister has done a deal. "Bazooka" should tell the truth! He sold them out.

Mr Gibbs interjected.

Mr VEIVERS: Tell the truth!

Mr Gibbs interjected.

Mr VEIVERS: He did, fair dinkum! If the QHA was so much in favour of its introduction, maybe Gibbsey would be able to tell us about it and maybe we would believe him. According to my sources, the Minister resorted to an underhand trade-off in order to push his amendment through and save the Government's precious money. He has enticed the Queensland Hotels Association to forsake this right to compensation with a promise that he would change the gaming machine legislation to probably permit hotels to have more gaming machines. The Minister has done a deal. He is always doing a deal. He is the best dealer in the business. The deal will harm all the little operators. Every time he does a deal, he definitely harms the poor people—the trusting hoteliers who think that the Liquor Act actually works for their benefit.

Under current gaming machining legislation, hotels are limited to 10 machines whereas clubs have an open limit. Under the Minister's promises, hotels would be given the same rights as clubs via changes to the regulations of the Gaming Machine Act. In addition, he intends introducing a provision which for the first two years of operation will prevent newly formed clubs from applying for a gaming licence. In his second-reading speech on the first Liquor Act Amendment Bill, which was presented earlier this year, the Minister admitted that the combined effect of the Liquor Act and the Gaming Machine Act resulted in an enormous growth in the club industry, and produced a high level of competition in the industry. In response, the hotels sought creative arrangements with the clubs; hence this year the Minister introduced the first amendment to the Act in order to prevent the struggling hoteliers from finding means of saving their declining revenues. Obviously, he has received such a backlash from the Queensland Hotels Association that he is forced to pacify them with changes to

the Gaming Machine Act. At the same time, the Minister is able to achieve his goal of reducing expenditure by abolishing the rationalisation program. He does it all so swiftly. This is real Bolshevik stuff.

There is a further matter which I find most peculiar in this Bill. It is not mentioned in the Minister's second-reading speech and it receives only passing mention in the notes accompanying the Bill. I refer to clause 4 of the amending Bill. The particular section of the Act to which the clause relates requires amendment to make it workable, but the Minister has failed to use this opportunity to do so. The amendment changes the wording in subsection (2) from "an entertainment machine" to a "public amusement". The section requires greater amendment than just that. It deals with a licensee bringing onto licensed premises "any machine, apparatus or device capable of being used for betting or gaming". It excludes TAB facilities and machines under the Gaming Machine Act. Quite obviously, it must do so. However, it does not exclude such things as pool tables, dart boards and other such devices which are innocent on their own, but are "capable of being used for betting or gaming".

Section 151 (1) is the subsection in question, and it should carry a rider that is the same as in section 151 (2). Subsection (2) allows the chief executive to give approval to a licensee to bring or keep on his premises a "public amusement". However, “bazooka”, subsection (1) currently does not carry the same rider. Arguably then, any licensee presently operating a licensed establishment with any apparatus capable of being used for betting or gaming could be the subject of prosecution resulting in a fine up to $15,000.

Mr Gibbs: You’re going to give me a complex.

Mr VEIVERS: He knows it is true.

Mr Gibbs interjected.

Mr DEPUTY SPEAKER (Mr Bredhauer): Order!

Mr GIBBS: I rise to a point of order. I find this reference to me as “bazooka” highly offensive. If the honourable member refers to me as the Honourable “bazooka”, I will be prepared to cop it.

Mr DEPUTY SPEAKER: Order! There is no point of order. However, I remind the honourable member for Southport that he should refer to the Minister by his correct title.

Mr VEIVERS: Thank you, Mr Deputy Speaker. In that case, I inform the Honourable “bazooka” that a simple amendment giving the chief executive the discretion to approve an apparatus or otherwise, as is provided in the second part of this section but not the first, would cure the dilemma. I suggest a further amendment to the Bill to amend section 151 (1) by inserting the words "without the Chief Executive's prior approval or otherwise than in accordance with the conditions of such approval", after the words, "A licensee or permitee". To do otherwise than amend this provision is to further penalise all hoteliers who simply permit pool tables and dart boards onto their premises. I thank the Honourable “bazooka” for his attention.

Mr WELFORD (Everton) (12.01 p.m.): The aspersions cast on the Honourable the Minister by the member for Southport are most unsporting. The member for Southport ought to appreciate that Governments cannot go on providing subsidies and hand-outs for failed businesses. The last person who I would expect to be advocating that Governments should be subsidising failed businesses is the member for Southport. I mean, he has often risen in this place to tell us what a magnificent business operator he has been in his time.

Mr VEIVERS: I rise to a point of order. Under no circumstances have I ever stood up in this place and said that I was a brilliant businessman.

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

Mr VEIVERS: I reject it, and I ask that it be withdrawn.

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

Mr WELFORD: I withdraw the assertion that the member for Southport was ever a brilliant businessman. It is quite clear that the honourable member is making an appropriate confession.

A Government member interjected.

Mr WELFORD: The crowd realised that before they ate it, and today the member for Southport is struggling to shed the excess.

The rationalisation program was initiated in 1989, following an increase in the licence fees by the previous Government in that same year. There was no specific provision for the increased licence fees to be allocated—or what is now called in technical terms, hypothecated—specifically for the rationalisation scheme. However, at the time it was indicated that up to 50 per cent of the first year’s increase would be allocated towards the scheme, which was designed to encourage licensees in areas where there was an oversupply of licences to surrender or remove

their licences. At the same time, the department would assess hotels throughout the State and impose requisitions, which would see generally that standards were maintained or, in circumstances where it was required, there would be upgrades of hotels to ensure that a minimum standard was maintained for the benefit of patrons throughout the State. It was never the intention of the previous Government, or this Government, that the rationalisation scheme should compensate failed businesses forever and a day. The proposition of the honourable member for Southport that somehow this is a sudden withdrawal of a perk is a nonsense. The scheme has been going for four years. During that time, hoteliers had the opportunity to take advantage of it. If they have not decided within four years that it is going to suit them, then they will never decide. If the honourable member managed to live any of his life with his head out of the sand, he would appreciate that, over 12 months ago, the honourable Minister made very clear in introducing the 1992 Liquor Act that this scheme would be under review in the next 12 months. Consequently, those hoteliers who wanted to avail themselves of the opportunity to be compensated under the rationalisation scheme and remove themselves from the industry had ample opportunity to do so.

Mr Veivers: How do you make four out of one and a half? You're cutting off one and a half years of their opportunity to come to the Government for the payout for the licences. You are. That's what you're bringing the Bill in for.

Mr WELFORD: I will address the point that the honourable member raises. I will pay him the courtesy—a courtesy that he rarely pays other members of Parliament—to explain to him that there really is no disadvantage suffered by any hotelier.

Mr Veivers: How would you know?

Mr WELFORD: The honourable member cannot indicate to the House one hotelier who has complained about the withdrawal of the scheme. If he had any understanding of the scheme, he would know that only about 1 per cent of the hoteliers throughout the State have taken advantage of it. At the time of its inception in 1989——

Mr Veivers: I don't want to be nasty.

Mr WELFORD: I am pleased to hear that. He has just spent 20 minutes being nasty to the Minister. So it is a welcome change of heart that the honourable member now does not want to be nasty.

In 1989, 1 100 general licences existed, and in the four-year period since then, only 19 have been surrendered. This year, only three have been surrendered. The last one was surrendered last month with no compensation at all. It was just handed in. In four years, only 19 licences have been surrendered. If any hotelier was in a position to take advantage of the compensation available under the scheme, that hotelier would have done so well before now. Hoteliers were aware 12 months ago that the offer was going to come to an end. They knew that the scheme was going to be reviewed.

It really is ridiculous. The honourable member is not arguing for anything other than a continuation of an absurd subsidy, which he would not advocate in any other sector. I have never once heard the honourable member say that Governments should be squandering money, such as it would if this continues, if the circumstances were that no-one was taking advantage of it. It is a nonsense.

Under the 1992 legislation, the scheme removed the ceiling on the number of hotel licences that could be enforced under the previous legislation. Market forces are now operating to determine what numbers of hotels there will be throughout the State, which is the most appropriate way to manage the number of hotels that will exist in the future.

So we really cannot say that the compensation scheme has been a roaring success. Sure, $2.2m has been spent on buying out business operations. The amounts paid in compensation have ranged from, as I said, nothing in the most recent surrender to $200,000. Most of the compensation that has been paid—and the honourable member could, at least, have had the grace to acknowledge this—has been paid to retiring hoteliers in amounts way and above the market value of their hotels. The member should at least acknowledge that, to the extent that payments have been made, they have been very generous.

The member's most unsporting remark that some sort of secret deal has been struck to bring this scheme to an end really demonstrates where the member is coming from. When all else fails, the king of conspiracy fabricates a conspiracy theory, and tries to lay it on the Honourable the Minister. Now that the rationalisation scheme will come to an end, in common with any other business person in any other sector, a licensee who wants to retire from the industry, or remove his or her hotel licence, will need to develop

innovative ways in which to move out of the industry, to restructure his or her finances and become involved in some other activity. What an extraordinary turn-up for the books. The advocates of the free market, the wild free marketeers, the ardent supporters of a Federal Opposition which advocates the law of the jungle in business, is saying that we should continue paying an absurd, very generous subsidy, and one for which no hotelier has indicated any need.

With those comments, I support the Bill and commend the Minister for acting in response to market conditions. The market has taken its course. The compensation scheme which sought to rationalise the hotel industry has run its course. The Government can really do no more by way of appropriate intervention to advance the existing position. The market will determine what will happen. For the Opposition to advocate otherwise is a betrayal of its traditional position. It is quite an extraordinary about-face.

Members who can recall the sporting days of the honourable member for Southport would be aware that he often ran in different directions and did not know which try line he was heading for. So reversals of form and direction are really nothing new for the honourable member for Southport. He might as well be blindfolded when he comes into this place, because he does not see commonsense when it is before his eyes. He spends half of his time dreaming up fabrications—a strange concoction of conspiracies—in order to fill in the time of the House and to contrive some excuse for calling another division.

Mr BEANLAND (Indooroopilly) (12.12 p.m.): I rise to make a few points in relation to the Liquor Amendment Bill (No. 2). The rationalisation program commenced on 1 July 1989. The Liquor Act 1992 continued the program for the hotel industry. However, it seems that the Minister is throwing out the baby with the bathwater. When one studies the Minister's speech and the briefing notes, one finds that no indication at all is given as to why the scheme is being abolished.

The Minister indicates—and we have heard this from the honourable member for Everton—that not a great deal of use has been made of the scheme. This may or may not have been the case to date. However, it may be very correct to say that business has been advised that the scheme still has 18 months to run. The scheme is being cut off halfway through its prime; it still had 18 months to go. Maybe the hoteliers have been advised that they ought to continue in their current practice and that they still have 18 months during which they can apply to join the scheme. One cannot say that there may not be a large number of hoteliers out there with that in mind. I am sure that, despite the Minister's arm-twisting to get certain agreements to this arrangement, there has been no real indication given by many of the battlers in the hotel industry that they may not be planning to apply in the 18 months remaining for this scheme.

It was mentioned by the honourable member for Everton that there was some 12-months' notice. I am not sure where that figure came from. Were all hoteliers in the industry written to 12 months ago and informed that the scheme had only 12 months to run? If that was the case, it seems pretty foolish for the Government to extend the scheme for another three years by amending the Liquor Act. Certainly, it was a very well-kept secret at the time. I have not struck anybody who was aware of it. If such a letter has been sent out, perhaps it went to a select few.

The other point made by the honourable member for Everton was that somehow the Government was squandering money. I do not see any money being squandered under this scheme. I think it is very appropriate that the struggling hoteliers be given every opportunity to participate in this scheme. No indication has been given as to what will happen to any surplus funds paid into this trust scheme, or where those moneys will be placed. There is some indication about what might happen if the fund falls below a certain figure, but there is no indication as to what would happen to any surplus money.

It is quite apparent that the Minister has a number of issues to answer here that were not answered in his second-reading speech. Firstly, what is the rationale for cutting the scheme off in its prime with 18 months to go? What will happen to any additional funds currently in the trust scheme? I understand that some agreement has been reached with the industry on this subject after a great deal of arm-twisting. But I do not believe that, at the end of the day, this amendment assists the people who it was originally set up to assist. I am not aware how, by cutting the scheme off, the Government has assisted those people, and how they will get out of their problems; what other schemes the Government has in place to assist the hotel industry, and why this scheme is being abandoned.

A number of very pertinent points need to be answered, because the hotel industry, as we are all aware, is one of the great industries of this State. It employs thousands of people. It makes a great contribution to society. At times, the industry is unfairly attacked and criticised, but I am sure that we all agree that it does make a very fine contribution to the State and to the community of Queensland—and also through the various charities and organisations it supports to help those in the community who are not so well off. Therefore, when we are talking about a rationalisation scheme into which they are paying part of their own funds, we do need to get a clear message from the Minister about the real reasons why this is happening. Why is there a rush to close the scheme down? Where are all of the additional funds that were in the scheme going?

Ms SPENCE (Mount Gravatt) (12.17 p.m.): I would like to echo some of the comments of the honourable member for Everton and say that I, too, am surprised that the Opposition is not supporting the Liquor Amendment Bill (No. 2). I agree that it is an extraordinary position for it to take. I would have assumed that it would have supported this move to stop Government interference in the free market. The Opposition advocates free enterprise, and it continually complains about Government interference in the marketplace. This Bill is really a recognition that the marketplace should be allowed to determine supply and demand in the hotel industry.

The honourable member for Southport displayed a poor understanding of the history of this Bill, so I thought I would spend a couple of minutes talking about the history of this legislation. The program of hotel rationalisation commenced in July 1989.

Mr Veivers: You do not like me at all, do you?

Ms SPENCE: I have no opinion about the honourable member at all. It involved a two-pronged strategy aimed at achieving a better spread of hotel liquor facilities to serve the public throughout Queensland. Under the first strategy, licensees were provided with the opportunity to make application to relocate their licenses to another locality within the State.

The second part of the strategy, and the one which is now the subject of this Bill, dealt with the payment of compensation to surrendered licences. With 1 116 hotel and tavern licences in Queensland in 1989, the aim of the rationalisation program was to achieve a more viable trading environment and a better standard of premises, services and facilities for the hotel industry in Queensland by decreasing the number of licences through voluntary surrender.

Since the rationalisation program's inception in 1989, some 19 licensees have surrendered their liquor licences, and this has resulted in compensation payments totalling approximately $2.2m. This figure includes the seven licences surrendered since the introduction of the Liquor Act in 1992.

Mr Veivers: I beg your pardon.

Ms SPENCE: Seven! The low incidence of surrendered licensees was equated to the attitude displayed by a number of licensees, that is, " I am all right; the bloke down the road will go." However, this was not the case. On 11 November 1993, an article appeared in the *Courier-Mail* advising that the rationalisation program was to be abolished.

In reaching a decision to cease compensation payments, the Government had to take into account a number of components. The member for Indooroopilly stated that he could not understand the reasons for the scheme being abolished, so I will go through them one more time. Queensland has been the only State to offer compensation payments to unsuccessful businesses. Only the hotel industry was privy to this benefit. No other industries in Queensland are offered compensation if their failed business enterprises go to the wall. The hotel industry was receiving preferential treatment from the Government in this regard. There is not a lot of equity in such an arrangement. The Government has decided that the market should dictate the number of hotel and tavern licences and their viability. Finally, the small number of licensees who made applications for compensation indicates that the industry was really not looking for this rationalisation and Government assistance.

The likelihood of the rationalisation program being abolished was not unknown to licensees. The member for Southport has claimed that this legislation has been introduced with no warning. He talked about doors being slammed in people's faces. On 7 May 1992, in reply to the second-reading debate on the Liquor Bill, and in commenting on the rationalisation program, the Minister stated—

> ". . . by the time this Act comes up for review in 12 months' time, the program will have been operating in Queensland for almost four years . . . I sincerely hope that over the next 12 months those in the

> industry who wish the take the opportunity that is available to them under that rationalisation program do so."

During that speech, which was made in May last year, the Minister signalled clearly to the industry that it had 12 months to take up this opportunity and that the Act would come up for review in 12 months' time. I really cannot see much evidence in the proposition advanced by the member for Southport that today's action is being taken without any warning.

Those comments by the Minister were supported in the Volume 4, May 1992, edition of the *Liquor Licensing Bulletin*, in which the division informed the industry that the compensation provisions would be examined during the review of the Act and would be subject to further scrutiny. Thus, the industry was kept fully informed that a review was to be carried out after 12 months.

I congratulate the Minister on yet another reform of the liquor industry, one that I believe is in the best interests of the people of Queensland. The Minister has consistently shown great interest in and understanding of the hotel industry. This is reflected in the industry's support of the legislation before the House. The member for Southport calls this doing deals. I believe that he confuses doing deals with proper consultation. Talking to people, getting agreement and finding out what people want is not doing deals. That is what the member for Southport's lot did when in Government. This Government does not use the jackboot tactics to which he is accustomed. This Government consults with people, talks to the main players and conducts proper consultation, and that is what has happened in this case. I commend the Minister and his department on that consultation. I support the Bill.

Mr JOHNSON (Gregory) (12.24 p.m.): Many country hoteliers, especially in some of the western towns, will be very anxious to hear the outcome of this legislation. Hotels have been a big part of rural Queensland and Queensland in general, but this Bill will pull the rug out from under struggling hoteliers. The member for Everton, who has left the Chamber, stated that the Government cannot go on providing handouts for struggling businesses. Nobody is asking the Government to provide handouts for struggling businesses. Originally, hoteliers were given three years to prove their worth or leave the industry with dignity. Now, that time is to be reduced to 18 months. That is most unfair.

The member for Mount Gravatt referred to consultation. As the shadow spokesman pointed out, there has been no consultation with hoteliers on the whole. I assure the House that, because of this legislation, many hoteliers will go out the door backwards.

Mr Veivers: It's industry money. It's not Government money, anyhow.

Mr JOHNSON: That is right—the industry has injected money into this fund. Once again, this Government is exercising its heavy hand. In his second-reading speech, the Minister stated that, of the 1 200 licences issued in this State, to date nine have been surrendered and 10 applications are pending. Has the Minister stopped to think that those businesspeople may be trying to cut back their debt structure before they take advantage of the compensation program?

Government members interjected.

Mr JOHNSON: Government members may laugh, but they do not realise how tough some of these people are doing it. I can see two members of the Government back bench who are laughing. The member for Maryborough and the member for Hervey Bay have been around this State for a long while. They should accept more responsibility and display more compassion for the people who operate country hotels. It is not a laughing matter. I find it strange that Government members think that people being pushed out the door backwards and facing bankruptcy is a laughing matter.

The Minister stated that this legislation will expose non-viable hoteliers to commercial realities. Rather, this legislation will expedite the process of bankruptcy that many hoteliers have been trying to avoid. The cut-off period for the rationalisation program has been brought forward, and the Government is selling out those hoteliers without consultation. I will emphasise that point again and again. I did not think that the Labor Government's agenda of stealth was alive and well in the Department of Tourism, Sport and Racing, but this legislation proves that to be the case.

Country hoteliers who thought that they may still have time to take advantage of the rationalisation scheme have been cut short. In case some Government members have never visited some of the places that are doing it tough, I will mention just a few. In places such as Mitchell, Charleville, Blackall, Barcaldine and Winton, where there is a large concentration of hotels. In years gone by, those towns were vibrant and had very vibrant economies. Because of low commodity prices, the ongoing drought and a recession that we

had to have, hoteliers in those towns are in the same predicament as all other business operators and the people who support them. This scenario is not unlike the railway debacle that we have witnessed in the past three or four months.

Government members interjected.

Mr JOHNSON: Government members should just listen. These hoteliers also want time to prove their viability. If they discover that their operation is not viable, they can depart the industry with integrity. The Rail Task Force has given the people in some country towns six to 12 months to prove the viability of their rail lines. The scenario with rail lines is not unlike that applying to rural town hoteliers. If some hoteliers decide that they want to depart the industry, they should be allowed to do so with integrity. In this day and age, that is only fair. At present in Queensland, many rural producers are trying to depart the industry with dignity and with some form of integrity. Are not these hoteliers in the same category? Surely the Minister can show some compassion by allowing the rationalisation program to run its full course.

Mr Budd: You wouldn't know what the word "compassion" means.

Mr JOHNSON: I take that interjection from the member for Redlands. There would not be one member of this Parliament who is more compassionate than I am. Every day, people who are doing it tough come to the door of my electorate office. They are wondering what the future holds for them and for their families. I say that people who come out with that sort of dialogue—that sort of nonsense—are irresponsible. I know that the Speaker does not condone such nonsense and I know that everybody on this side of the House——

Mr BUDD: I rise to a point of order. I would like the member for Gregory to withdraw that statement. I did not say that I found the people in his electorate lacked compassion. I said that the member for Gregory was not a compassionate person.

Mr DEPUTY SPEAKER (Mr Bredhauer): Order! There is no point of order.

Mr JOHNSON: The point I do make is that every member of this Parliament should show compassion, and I believe that we all do. However, I believe that the Liquor Act treats clubs throughout Queensland more favourably than hotels. An example of that is poker machine licensing. Under the regulations in respect of the licensing of poker machines, hotels attract a far higher fee than do clubs. The hotels do not have a chance to increase their profit margins. The Government says that if people take advantage of this extra benefit, it may enhance their business. The problem is that they may not be in a financial position to do so.

In closing, I just urge the Government to show compassion and understanding to the people in this industry. Hopefully, the Government will assist those who want to get out of the industry to do so with dignity.

Hon. R. J. GIBBS (Bundamba— Minister for Tourism, Sport and Racing) (12.32 p.m.), in reply: During the course of debate last night and today I have been referred to constantly as "bazooka". I am somewhat familiar with the weapon, but I looked up the dictionary definition of the word. Honourable members opposite might be interested to know that the dictionary defines a bazooka as—

> ". . . a cylindrical rocket-launcher, an individual infantry weapon that fires a rocket capable of penetrating several centimetres of armour-plate, used to destroy tanks and other armoured military vehicles."

Bearing in mind that the honourable member for Southport bears a striking resemblance to a tank, it is probably appropriate that I am called the "bazooka", because I have certainly destroyed him on a number of occasions. However, I thought that, given my quiet personality, the latter description in the dictionary probably suited me more. A bazooka is also defined as—

> ". . . a lulling musical instrument."

As a person who appreciates good music and who on so many occasions has lulled the honourable member for Southport into such a false sense of security that he has been meat for the sideboard during debate in this Parliament, I thought that description suited me.

Firstly, I think it is appropriate to remind the House that it was the previous Government—the National Party Government—that introduced the rationalisation scheme. The scheme was introduced as a cover-up, so that that Government could reap additional funds from the hotel industry. I think that it was Premier Ahern who announced the increase in licensing fees from 8 per cent to 10 per cent. That was a massive slug on the hotel industry at a time when it was not travelling particularly well. The Government of the day came up with this rationalisation scheme in order to

cover its tracks when buying out non-viable hotels.

The position is that the scheme has been in operation for four years. In the majority of cases, people who have taken advantage of the scheme to have their licences bought back have done so because their property was destroyed by fire or was in such a poor state of repair that upgrading it would have cost an excessive amount of money, or because the site was required for some form of redevelopment. People in circumstances such as that have always been looked after.

A very valid point needs to be made. What has been said by the Opposition is simply not correct. A quote from my department's *Liquor Licensing Bulletin* will again show the absolute ignorance of the captain of the Australian boring team, the member for Indooroopilly, who says that nobody knew about it. The only person who did not know about it was the member for Indooroopilly. He gets up in this House pretending to be a great person for consulting people, a person who goes out and talks to the community, but he is known in his electorate as a sloth who sits in his electoral office and does absolutely nothing. He would not even go into a hotel and consult with people. He would not know how to.

Mr BEANLAND: I rise to a point of order. I find those words personally offensive and ask that they be withdrawn.

Mr DEPUTY SPEAKER: Order! I suggest that the Minister withdraw those comments.

Mr GIBBS: If the member for Indooroopilly is so thin-skinned, I withdraw the comment. I draw the attention to the House to Volume 4 of the *Liquor Licensing Bulletin* issued by the Department of Tourism, Sport and Racing. This bulletin, dated 4 May 1992, went out to every licensee. Part of it states—

> "Licensees of hotels and taverns will continue to be able to surrender their licences for compensation for a period of 3 years. (As mentioned, the Act will be reviewed in 12 months, and this area is one which may be subject to further scrutiny)."

That is a very clear, loud message to licensees that, 12 months after the introduction of the Act, it would be reviewed. I also made the point in my speech that year, as was pointed out by the honourable member for Mount Gravatt, that I issued a clear warning that this scheme ultimately was going to come to an end.

The Opposition raised the issue of what people actually get as a result of the premium that they pay? Generally speaking, under this Government, premiums have dropped to the lowest they have ever been. Considering the benefits that the hotel industry has gained under this Government, is it any wonder that this industry, which for years was notorious for supporting the National Party, in the short space of three and a half years has become a great supporter of the Australian Labor Party in Government? They love this Government, and why would they not love it? This Government has given them bottle shops, poker machines and PubTAB. This Government has protected this industry from the onslaught from chain stores, something that the Opposition would have caved in to. This is the Opposition that allowed bottles of wine to be sold in the supermarkets. I will tell honourable members why the Opposition would have caved in—because the hand would have been in the back door again. It would have been corrupted once more by the big operators in the supermarket chains. It actually indicated that before it went out of office in 1989.

There have been 10 applications from licensees to pick up the option of having their licences bought out since we made the announcement that this scheme was to be wound up. Those matters are now being investigated. Ultimately, those applications will be honoured if they stack up in the proper way.

A question was raised about what will happen to the funds that are not utilised in this scheme and are left over. The simple fact is that they will go into consolidated revenue. However, as always happens with a proportion of moneys from liquor licensing fees, they will go to a number of social and rehabilitation programs for people who have alcohol problems. A significant contribution is also made to the road safety program through the department of my colleague the Honourable the Minister for Transport. A portion of that money goes through that department as well.

This Government has always been very conscious of looking after country hoteliers. Where rationalisation has been suggested in country hotels, we have always been very willing to assist. For example, only recently, there were two hotels in Charleville that surrendered their licences on a voluntary basis. A third application is now before us. This was done of their own volition.

I must say that I was not only surprised but bitterly disappointed by the performance

of the honourable member for Gregory. Only a couple of months ago when I was travelling through Winton, I stopped at one of the local hotels. People there told me that, if the honourable member would pay for his beer, they would be a lot better off. They reckon that he drops in and insists on freebies all the time. He has got to lift his game.

Mr JOHNSON: I rise to a point of order. That is one thing that I have never reneged on in my life. My father always taught me: pay your way. I ask the Minister to retract that statement.

Mr DEPUTY SPEAKER: Order! The Minister will withdraw.

Mr GIBBS: I withdraw it, but I can only say that the licensee told me that the honourable member would not shout if a shark bit him.

Mr JOHNSON: I rise to a point of order. I find that remark offensive and ask that it be withdrawn.

Mr DEPUTY SPEAKER: Order! The Minister will withdraw it and return to his speech.

Mr GIBBS: I withdraw the remark. The honourable member for Southport also raised the issue of the other amendment. It is a machinery amendment that was inserted by the Parliamentary Counsel. It is consequent upon amendments to the art unions legislation. That was the reference that the honourable member made to pool tables. I do not like to repeat stories about people, but the member has a horrendous reputation for his skills with a pool cue on a Friday night in his local hotel. He should be very wary of his habits in his own electorate.

The legislation before the House is important. People have had four years in which to utilise the option to have their liquor licences bought out. I commend the legislation to the House.

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

AYES, 44—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Budd, Burns, Campbell, Clark, D'Arcy, Dollin, Edmond, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, Milliner, Nunn, Nuttall, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, Woodgate *Tellers:* Pitt, Livingstone

NOES, 32—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Perrett, Quinn, Randell, Santoro, Sheldon, Simpson, Slack, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

Committee

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

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr VEIVERS (12.49 p.m.): This clause relates to section 139 (2) of the Act, which continues the rationalisation program and offers compensation for three years after enactment. I believe that this clause should not be amended, because of the gross unfairness that such a change would present for those licence holders who have been under the belief that they had a further 18 months within which to make a decision on the issue. If it is necessary to bring forward the deadline for compensation applications, it should be no sooner than 1 July 1994, to provide sufficient time for all hoteliers to be notified and given a reasonable opportunity to take advantage of the rationalisation program as introduced by the Liquor Act. I believe that this is one case in which the Minister is doing it wrongly.

Mr BEANLAND: I ask the Minister what will happen to any surplus funds within this rationalisation scheme. I understand that there are some surplus funds. Are they to be paid into consolidated revenue? Elsewhere in the legislation the sum of $2m is mentioned. Are the funds surplus to that to be paid into consolidated revenue?

Mr GIBBS: When this Government came to office in 1989, I checked with Treasury whether a specific amount of money had been set aside for this scheme after the previous Government had announced and introduced it. I was told, "No." We made sure that there were sufficient funds to cover any licensee who sought to surrender his or her licence on a voluntary basis. Licensees have had four years within which to do that. I have consulted with the Queensland Hotels Association, which understands the Government's action. Any moneys that are in there are part and parcel of liquor licensing fees, and they will go into consolidated revenue.

Mr VEIVERS: In regard to that—considering that it is not continuing, does the Minister not regard that those moneys that have been paid into that fund do partially belong to those licensees who put the money

in there? The Minister is cutting off the fund 18 months early. Would it not be too much to ask whether some of that money could be refunded to some of those licensees?

Mr GIBBS: Yes, I think it is a pretty big ask. I am moved by the honourable member's newfound compassion now that he is a member of the Opposition. After all, it was when his party was in Government that the liquor licensing fees were increased by 2 per cent, from 8 per cent to 10 per cent. Because of the outcry in the industry, that Government thought it could buy off the hoteliers by offering a soft option. They said, "We'll put 1 per cent aside as a buy-back option for those who want to surrender their licences." It would not matter if this scheme were to keep going for another 10 years, there would continue to be a drip-fed situation where some licensees would surrender their licences. However, broadly speaking, people will not get out of the industry even though they have been given the opportunity to do so.

Mr Johnson: How do you know?

Mr GIBBS: They have had four years to do so and only 19 applications have been lodged. Those figures speak for themselves. The honourable member should do his sums. Out of those 19, the majority have been hotels which have burnt to the ground, been destroyed, were almost falling over, or for some other purpose, and the hoteliers were not prepared to repair them because the cost would have been exorbitant. Instead, they took the option of buying out. Only a small number of cases in that 19 have been hoteliers who say, "We no longer believe that our business is viable and we will take advantage of the rationalisation scheme." I am sorry to say that the honourable member's newfound feeling for these people does not move me.

Mr VEIVERS: Now that the Minister has returned to the "bazooka" mode—I like to see him that way rather than seeing him soft and quiet—I ask him how much money is in that trust fund and is this action his and the Treasury's move on those funds similar to the Auctioneers and Agents Fidelity Fund grab, when the Government grabbed all of the money in that fund? I ask the Minister how much is in the trust fund.

Question—That clause 3, as read, stand part of the Bill—put; and the Committee divided—

AYES, 44—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Budd, Burns, Campbell, Clark, D'Arcy, Dollin, Edmond, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, Milliner, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Pyke, Robertson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, Woodgate *Tellers:* Pitt, Livingstone

NOES, 31—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Perrett, Quinn, Randell, Santoro, Sheldon, Simpson, Slack, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

Sitting suspended from 1 to 2.30 p.m.

Clause 4—

Mr VEIVERS (2.30 p.m.): The section of the Act requires amendment to make it workable, but the Minister has failed to use this opportunity to do so. The amendment changes the wording in subsection (2) from "an entertainment machine" to a "public amusement". I have no objection to that amendment which will correct the terminology of this subject. However, the section requires greater amendment than just that.

Section 151 deals with a licensee bringing onto licensed premises "any machine, apparatus or device capable of being used for betting or gaming". It excludes TAB facilities and machines under the Gaming Machine Act—and obviously I know that this is right—however, it does not exclude such things as pool tables, dartboards, as I have said, being used for betting or gaming.

Section 151 (1) is the subsection in question, and should carry a rider the same as section 151 (2). Subsection (2) allows the chief executive to give approval to a licensee to bring or keep on his premises a "public amusement". However, subsection (1) currently does not carry the same rider. Arguably then, any licensee presently operating a licensed establishment with any apparatus capable of being used for betting or gaming could be the subject of a prosecution resulting in a fine up to $15,000. A simple amendment giving the chief executive the discretion to approve an apparatus or otherwise, as is provided in the second part of this section but not the first, would cure the dilemma. It would be very simple. I suggest a further amendment to the Bill to amend section 151 (1) by inserting the words "without the Chief Executive's prior approval or otherwise than in accordance with the conditions of such approval", after the words, "A licensee or permitee". To do otherwise than amend this provision is to further penalise all hoteliers who simply permit pool tables and dartboards on their premises.

Mr GIBBS: The Act is quite specific, and the fact is that this Bill amends it in order to bring it into line with the Art Unions and Public Amusements Act to allow gaming machines and that type of equipment to be used for betting purposes in hotels. I think it is quite freely acknowledged that people will have the odd bet on a game of pool in a hotel. I have never been aware of people being prosecuted or getting uptight about someone having a private wager of a few dollars with somebody else over a game of pool in a hotel. I do not really see any necessity for that to be included in the legislation at all.

Mr VEIVERS: I mention this because I know of an example on the Gold Coast. A man just wants to go out on the boat and have games on the boat just for fun, not for money. He is not allowed to do that. His licence has been cancelled because the stuff he had on his boat could be regarded at any time as gear for gaming and not for amusement. If the Minister amended the clause, the legislation would cover that situation and he would have had ministerial direction as to the way in which it should go.

Mr GIBBS: The member could have mentioned the specific case to which he is referring before I rose to speak to this clause. I inform the member that I am aware of the gentleman on the Gold Coast to whom he refers. I gave my full approval to the liquor licensing division to come down on that gentleman in the way in which it did. The simple fact of the matter is that, contrary to the image he may have projected to the honourable member or to other members of the public, his intention was, as bargee, to turn the boat that he uses to go out onto the Broadwater for the purposes of illegal gaming. That is what it was all about.

Mr Veivers: Are you sure of that?

Mr GIBBS: Yes, I am sure, otherwise I would not say it. Of course, we have all seen this type of scam before. The intent was to go out in the boat and use Monopoly money on board, but when the people get back onto the land, that is where the real business is being done. Under those circumstances, we are certainly not prepared to give a licence to people under that type of provision.

Mr VEIVERS: The Minister has made some pretty serious allegations. The person I mentioned is one example, but there are many more people on the coast who want to try this. An amendment to the Bill would have sufficed to cover the situation. I felt that the Minister would be able to get around this difficulty. I believe that the person to whom I have referred has every right to have a go. If he does begin gaming and so on, it would be quite easy for the police and for the liquor licensing division to board the boat, confiscate the gear, and really go to town. If a person applied for a licence to operate a fun game, tried to make money out of it and also had a liquor licence, he would be a total fool to place his licence at risk by engaging in gaming on the boat. I cannot see the Minister's argument at all.

Question—That clause 4, as read, stand part of the Bill—put; and the Committee divided—

AYES, 45—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Clark, Comben, D'Arcy, Dollin, Edmond, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, Milliner, Nunn, Nuttall, Palaszczuk, Purcell, Pyke, Robertson, Robson, Rose, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, Woodgate *Tellers:* Pitt, Livingstone

NOES, 30—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Quinn, Santoro, Sheldon, Simpson, Slack, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

Clause 5—

Mr VEIVERS (2.43 p.m.): This clause deletes from section 222 reference to the payment of compensation from the trust fund. This section would not need amendment if the amendments to section 139 were prevented. This amendment is the main one that the Government wishes to push through so that it can drop immediately the rationalisation program and divert the moneys received from premiums into other areas. I believe that this attempt to use revenue for other causes instead of helping to rationalise the industry, as the premiums were intended to do, should be rejected. During my speech and during the Committee stage, I have said what I think. I have not changed my mind, and nothing that the old "bazooka" has told me is going to change my mind. He is after the money. It is a money grab, and that is the only way that I can explain it. The Minister really would not have had to do this to the industry if he had allowed the rationalisation program to continue for another 18 months.

Clause 5, as read, agreed to.

Clause 6—

Mr VEIVERS (2.44 p.m.): Section 223 sets out how the trust fund is to be maintained at a level sufficient to meet compensation

payments, in other words, that $2m amount that stays in the trust fund—or is supposed to stay there. This section should also remain unchanged until the three-year period set for applications for the surrender of general licences has expired. I really believe that it is then, and only then, that the Government should undertake its review. I know that the Minister is pushing through this legislation now, but I still believe that he should have allowed the scheme to continue that further 18 months. It that occurs, there would be no problems. The Minister would not have had to pay out much more in compensation, and those small hotel businesses could have been kept reasonably happy. As it is, the Minister is going to cut off their means of receiving payment for licences 18 months short of the period to which they were entitled. As the member for Gregory said, the three-year period was cemented in legislation. What does the Minister do? He cuts it off. It is a disgrace. This section should remain.

Mr JOHNSON: In relation to this clause, I say that—and all afternoon, the Minister has been dodging this issue—many hoteliers, and the Minister is as well aware of them as I am, are beyond redemption. Will there be any compensation at all for those people, or will there be any sympathy extended to those people to try to help them go out of the industry with some credibility or dignity? That is of great concern to me. I think that the Minister would find that that is of great concern to everybody in this Chamber. I am sure that some Government members have concern for those people. I know that everybody in the Opposition has concern for them, but it seems to me that the Minister has no compassion or concern for anyone.

The Minister never ceases to amaze me with some of the things he has said. Outside this Chamber, he is one person; inside this Chamber, he is another. I say to the Minister to go out and consult with the hoteliers. I can take him to country towns in western Queensland or northern Queensland today, tomorrow, or any other day and show him people who are wondering what their future holds. No doubt, the Minister for Rural Communities is concerned also about this matter. I wish that the Minister for Tourism, Sport and Racing would address some of these problems in the same manner as does the Minister for Rural Communities. The Minister should consult with the people.

Clause 6, as read, agreed to.

Clause 7—

Mr VEIVERS (2.47 p.m.): The proposed amendment in clause 7 effectively changes the objects of Part 2 of the Act by deleting reference to the rationalisation program. Section 236 states specifically that one of the objects of Part 2 of the Act was to encourage rationalisation of the liquor industry by providing for payment of compensation for a limited period for surrender of what were licensed victualler's licenses under the previous Act.

As I have said, by amending this section, the Government would be completely revoking the intention of this part of the legislation, as it was drafted, and as it was passed by the House. I believe that this is totally irregular. It is both unreasonable and unnecessary to change one of the objects of the Act until that object has been successfully completed, and that is not happening in this case.

Clause 7, as read, agreed to.

Clause 8—

Mr VEIVERS (2.48 p.m.): Section 245 made provision for the continuance of business of brewers and businesses involved in the sale or supply of liquor, and allowed such businesses to be deemed to hold a licence authorising such business until either a licence was granted, or at the end of one year after the day of proclamation.

As that period of one year has now passed, I have no objection to this amendment. However, it highlights further the hypocrisy of the Government's actions in trying to alter the period specified for the surrender of, and the compensation for, licences. Where a time is specified—as in section 139, which provided, until today, three years for the rationalisation period—then that section should not be altered before the expiration of that specific period. An amendment removing the obsolete references should only have been introduced into this Chamber when that specific period had expired.

Clause 8, as read, agreed to.

Clause 9—

Mr VEIVERS (2.49 p.m.): Section 250 deals with negotiation for compensation with regard to a surrendered licence. Again, I stress that this section need not be amended. I have been saying it all afternoon but, of course, the Minister is going to bulldoze through this legislation. There is nothing much that we can do about it, except state our complete objection to it.

Mr Gibbs: This is tedious repetition.

Mr VEIVERS: I have to say that it is quite noticeable that the Minister does not even want to talk about these amendments, answer questions, or even become associated with it, which is a bit of a worry. It seems that he just wants to sit there and get over yesterday, when he copped a flogging. That is basically what I can see. He wants to get out of here as quickly as he can. The Act should remain exactly as it is while the three-year period for surrender of a licence is still in force. But, of course, that will not happen, as we know.

Clause 9, as read, agreed to.

Bill reported, without amendment.

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

VOCATIONAL EDUCATION, TRAINING AND EMPLOYMENT AMENDMENT BILL

Second Reading

Debate resumed from 11 November (see p. 5699).

Ms POWER (Mansfield) (2.52 p.m.): Before the House adjourned last Thursday, it endured 53 minutes of diatribe from the honourable member for Clayfield. His discourse proved his inability to comprehend the objectives of the Bill, the role of the Federal Government in TAFE, and the reason for national agendas. I will elaborate on the objectives of this Bill later.

Opposition members interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! Members on my left! The House will come to order. I can hardly hear the honourable member for Mansfield deliver her speech.

Ms POWER: The Federal Government has an important role in the area of TAFE, and training and education. The agreement reached between the States allows us to achieve consistent standards. This will give us some flexibility. It will allow workers to travel between States. Workers' qualifications will be recognised irrespective of the State in which they gained them. This mutual recognition, which is not confined to this portfolio, is a way of allowing people to find work.

The people on the Opposition benches who keep lamenting about unemployment now seem to be saying something different. When the Opposition was in Government, and during my time in the shadow education portfolio, Queensland often missed out on lots of money from the Federal sphere simply because it had a States-first mentality. It locked us out of processes and programs that the Federal Government initiated. Not only did we lose funding but we also lost the opportunity to be part of some wonderfully exciting developments. The conservative Government went on its own silly way wasting its time and effort to reinvent wheels which already existed in the other States. I for one do not want to see us continuing down that road.

VETEC will still be responsible for training. It is not as though the Federal Government will take over that responsibility. The mixed feelings that the Opposition has talked about are really false. The whole process has to go together. We cannot have the reforms in apprenticeships and then not have some autonomy and some input from the Federal Government on training. It is just ludicrous for those opposite to think that one can happen without the other.

I go back to my statement that I made earlier, that is, that the honourable member for Clayfield and his cronies in the Opposition have no idea what this Bill means at all. I also found quite exceptional his complaints about the nine months that this legislation has taken to develop. If we do not consult, we get belted for not consulting. If we bring legislation in too quickly, we get belted because we did not think about it. If we take time out to consult and think about the whole process, we still get belted because it took nine months. Quite truthfully, nine months was really irrelevant. After February, all of the apprentices were locked in and TAFE courses were under way. It would not have mattered if we had introduced the legislation in June or July because it would not have changed those processes. The training programs were already in place. The change that will take place will not happen overnight and it is better to get the process in place. We also had to be locked in to what was going on in the other States and in the Federal sphere. It was not just a simple matter of bringing the legislation in overnight. I suggest that it would not matter what we said—the Opposition would still complain about the process.

I charged the honourable member for Clayfield earlier with not understanding the reason for national agendas. His comments in *Hansard* prove that. There is no expression of a lack of confidence in VETEC by ANTA joining with State training agencies in the development of State training profiles. This enables a better use of resources, consistent outcomes, flexibility, mobility of workers and thus better employment and training opportunities.

I am pleased to support the VETEC Bill in the House this afternoon. This Government takes seriously its responsibility to ensure that Queenslanders have the necessary skills and knowledge to compete in the marketplace. In response to the changing nature of work and work practices, reform is necessary if the work force is to have the competitive edge. This micro-economic reform is part of that process. This Bill, as the Minister said in his second-reading speech, gives effect to the new national system and is complementary to the Commonwealth's legislation.

The proposed amendments will define the relationship between the Australian National Training Authority and the State training agency, the Vocational Education, Training and Employment Commission. My colleague the honourable member for Sandgate will speak further on ANTA, and I would like to spend some time looking at the national vocational education and training system, the framework for this legislation and the framework, I hesitate to suggest, that the honourable member for Clayfield has not read and understood.

As I said earlier, the objectives of the Bill have not been understood. I would like to spend some time referring to those objectives now. One of the objectives of this Bill is to provide complementary State legislation to support the establishment of the national system and ANTA, which were the subject of a Commonwealth/State agreement in July 1992. The commitment made by this State has come to fruition through this legislation.

I now wish to mention the objectives of the system. The system has agreed to national objectives and priorities, assured funding arrangements and consistent national strategies. All have been missed or misunderstood by the honourable member for Clayfield. This legislation gives support to developing closer interaction between industry and vocational education and training providers. The national vocational education and training system, through legislation, will provide an effective training market with public and private input.

There will also be increased opportunities and improved outcomes for individuals to enhance employment opportunities. These objectives are highly desirable in the present economic and social climate. The workplace is very volatile today. Job security does not exist. Job descriptions are ever changing. Work practices vary also from site to site. Vocational education and training providers have to respond to these challenges. To that end, a State/Federal agreement was signed in July 1992 for the national framework for the recognition of training. When fully operational, students will have their skills recognised. Mutual recognition will make skills portable between States, greatly benefiting both individuals and employers.

Current provisions of the Act relating to the administration of the apprenticeship and traineeship systems have been found to be inflexible in terms of industry requirements. To address these problems, these amendments give greater flexibility. The details of these changes will be mentioned later by the honourable member for Waterford—an apprentice himself in his earlier days.

Wide consultation occurred before this legislation was finalised. It comes to this House endorsed by the State Training Council. Consultation took place between unions, colleges and business. Again, the honourable member for Clayfield has got it wrong. As industry continues to recognise the training needs of all its work force, there will be new demands for vocational education and training as well as changes in the pattern of demand. This new system will need to become more diverse and increase the number of private and industry-based training providers entering the market.

This increase will encourage TAFE-TEQ to also meet the challenge posed by business and industry. The training market is sure to become more competitive and, as a result, training providers will need to ensure that they have a client-oriented approach to their task. This client-oriented approach will include: providing a clear, administratively simple and non-bureaucratic means of accessing what is available; tailoring provision of training to specific needs; emphasising quality outcomes and client satisfaction; and being innovative and adopting best practice. Diversity can be achieved through competition and cooperation. The type of training provided will need to be—

> tailored to suit particular enterprises or industries; broadly based and able to meet the needs of a diverse range of clients;
>
> cover the agreed key competencies; and
>
> able to be delivered in a variety of locations using different modes.

Retraining the existing work force is also a key issue. It has to be balanced against the moves to provide better training for young people entering the work force. The issue of balancing these competing needs has to be

given a high priority. A further challenge will arise from job growth generated by the smaller-size enterprises, which traditionally have not been major providers or consumers of training. Small business must be encouraged to participate in the training system and ensure that the system responds to its needs, especially since those small firms are the key to economic recovery and growth. New delivery technologies such as video conferencing and self-paced computer managed learning centres may assist some of those enterprises to more actively participate in vocational education and training for their employees.

As well, there will be a growing number of potential students who are not in the work force, particularly school leavers and the unemployed. This will result in a significant change in the student profile, which will see more students enrolling in full-time courses. This will have implications for facilities, resources and planning. All of these requirements mean that the new vocational education and training system will have to—

> be national in its outlook, while also being able to respond flexibly at the regional and local level;
>
> find innovative approaches to a range of complex issues; and
>
> develop or find examples of best practice and promote them.

In Queensland, TAFE-TEQ will become more businesslike in the next two or three years as it practises the message of workplace reform and client orientation. Many courses will be available in flexible delivery mode, which will allow students who cannot easily access courses to study at a time, pace and place to suit their needs. Although Australia is still suffering from the recession and unemployment remains high, it is vital that vocational education and training opportunities must continue to expand. This will ensure that people are fully equipped to take their place in the workplace once the economy recovers. Training people helps maintain Queensland's skill base. It will ensure that the State has a body of competent people ready to take their place in the workplace when full economic recovery takes place. As I said at the commencement of my speech, this legislation is part of the Government's micro-economic reform within the national framework to which all States have agreed. I support the Bill.

Mr QUINN (Merrimac) (3.03 p.m.): I wish to direct my remarks to the section of the Bill that provides for the establishment of the Australian National Training Authority—the third arm of Labor's calamitous trilogy of education and training changes spawned in Canberra.

First, we had the forced amalgamations of universities and colleges of advanced education under the centralist policy of Dawkins' unified national system. That has proved disastrous, as universities have struggled since to maintain their autonomy and commitment to excellence under an ever-increasing bureaucratic hand controlled from Canberra—so much so that some universities are now moving to disentangle themselves from the artificial arrangements forced upon them.

Next came the national curriculum for schools—about which I spoke in this House some months ago—with its not-too-subtle social and political agenda that the Commonwealth tried to foist upon the States. Fortunately, sufficient numbers of academics and educators had enough courage to expose the fact that the national curriculum would have debased academic standards across-the-board. As a result, Education Ministers really had no choice but to defer its implementation until the curriculum profiles were redrafted. These were both exercises in centralist control.

With this Bill, we have the Federal Government moving to take control of the training agenda in Australia. The Australian National Training Authority—ANTA—and its underlying ministerial committee are the vehicles on top of the pyramid that will determine training policy and funding across the nation. Below those bodies lie a plethora of other agencies and committees linked by national agreements and framework relationships. Besides the many bodies and complex administration in each State involved in vocational training, the Commonwealth has fathered a growing bureaucracy which includes: the Department of Employment, Education and Training; the National Training Board; the Vocational Education, Employment and Training Advisory Committee; national industry training councils; industry training advisory bodies; the National Board of Employment, Education and Training; the National Office of Overseas Skills Recognition; the Employment and Skills Formation Council; Ministers for Vocational Employment, Education and Training; the Australian Committee for Training Curriculum; the Competency-based Training National Secretariat; and now, with this legislation, the Australian National Training Authority. The list seems endless.

So complex is this system of overlapping agencies at both State and Federal levels that last year the New South Wales Government produced a booklet to try to explain the process in simple terms. I will refer to that booklet. It is titled *Reforming the Vocational Training System—A Guide in Plain English*.

Mr Foley interjected.

Mr QUINN: I will deal with the Minister in a moment. The introduction to that booklet states—

> "Reform of Australia's vocational training system has been on the political, industrial and bureaucratic agendas for several years. It is now starting to appear in the popular press. But many of the ideas and processes involved are confusing to outsiders and often to insiders, as well. There are a lot of new words, a lot of acronyms, a lot of organisations, committees and reports being talked about."

It continues—

> "The names and titles are as up-to-date as we could make them. No doubt they will change. As at 11.32 a.m. on 22 July 1992, however, what you see here is what we have got."

On the back page of that booklet appears a list of some 33 acronyms of organisations, frameworks, national and State agreements, etc. That list is for New South Wales. There would be a similar list for every State. It can be seen that it really is not a simple process; it really is not a simple system. It is complex. Many of the experts involved in it really do not understand what is going on in the system.

Obviously, the Labor Government's approach to micro-economic reform through skills formation has resulted in significant growth in both the size and complexity of the bureaucracy. The result is a considerable duplication of responsibilities and functions, increased regulation and increased cost. Bringing ANTA into existence will institutionalise and expand this network, thus draining scarce funds into bureaucratic empires. Since training is part of the recurrent cost of productivity, this legislation actually mitigates against its aim as stated by the Minister, that is, to provide a cost-effective system of training.

The national training agenda seems to be built on the assumption that, if the technical skills of the work force are improved, Australian industry will experience greater levels of productivity, improved competitiveness and a growth in employment. There is no guarantee that skills development alone will increase productivity. Training is only part of the solution, which among other factors must also address management style and employment issues. Such an approach cannot be driven from the national level. It requires the involvement of stakeholders in each enterprise. It should be noted that the National Training Board, which is currently driving the system, comprises a majority of Government representatives or bureaucrats. Only four of the 14 board members are from industry.

Labor Governments have belatedly recognised that, after decades of centralised wage fixing, a new approach in the form of enterprise agreements is necessary if business is to become truly internationally competitive. The enterprise focus should also be the guiding principle for any training strategy in this country. Enterprises must have the capacity to develop skill competencies appropriate to their immediate and long-term needs. A rigid industry or national focus, as embraced in this legislation, will in fact deny the flexibility and productivity that the skills formation concept was initially established to achieve. Such rigidity will develop because Governments and unions find that standard systems—as proposed in the Australian standards framework—are easier to control.

This legislation is about who controls the training agenda in the nation. The fact that the Commonwealth Minister has three votes on the ministerial committee, while every other State and Territory Minister has only one, highlights the Commonwealth's determination to control the process. The fact that each State and Territory Government pays funds into ANTA, which then, after the addition of Federal money, redistributes funds back to the States in accordance with policy formulated by the ministerial committee, is an unprecedented situation and one that any logical person would find difficult to understand, if not for the Commonwealth's desire to centralise control. Not only will the Commonwealth wield disproportionate power over ANTA, by its financial and voting clout, but it will also withhold substantial funds for many other vocational and training schemes. In other words, while advocating a so-called national system and forcing the States into that system, it will be supporting a dual approach but with a reduced financial commitment.

The Federal Budget documents reveal that while Federal TAFE money going to ANTA will increase from $600m this year to $773m in 1996-97, moneys earmarked for

vocational and industry training, which will be distributed by both DEET and ANTA, will fall by exactly the same amount over the same period.

In addition, assistance to job seekers and industry which covers programs such as Job Start, Job Train, the New Enterprise Incentive Scheme, Skillshare, Job Skills, the Special Intervention Program, the Accredited Training for Youth Program and other training programs are not covered by ANTA, despite their substantial training component. Funds for these programs will decrease by $740m over the same period. If the Commonwealth was genuine in its desire for a truly single, national approach to training, it would not be retaining substantial funds for its own training agenda. There is no doubt, as has happened in other Commonwealth-initiated programs, that as the Commonwealth reduces its long-term commitment, the States and private enterprise will be forced to pick up the shortfall.

There is a need for a single and simple set of procedures in legislation which aims to facilitate skills formation, rather than control the process, as this legislation proposes. The coalition has no argument with the national approach that has the in-built flexibility to facilitate high-quality skills relevant to individual enterprises. As a rule, small businesses, which are the major employers in this nation, do not have the resources to participate in the formal and structured consultation processes underpinning the ANTA concept. Their requirements will be subjugated to the needs of big business, big unions and Government.

Over time, even larger enterprises and peak employer bodies will not have the resources to match the Government's funding of the bureaucracy. Accordingly, employers and industries will have an ever-decreasing level of input into the system. Moreover, as the cost of driving the system begins to escalate, cutbacks in Federal Government funding will inevitably lead to increased costs for employers. Also of concern is the ease with which a link can be established between the eight competency levels in the Australian standards framework on the one hand and the levels of salaries or wages on the other.

The coverage of professionals in management in levels 7 and 8 of the framework begs the question as to whether or not the Government intends to classify all Australian workers within the 1 to 8 scale. This hierarchical bureaucratic structure is completely unsuitable in what must be an entrepreneurial environment and runs contrary to the concept of wages being dependent on productivity and performance. It could be argued that this is the first step towards controlling pay and relativities for professionals and management. Australia could not afford such a scheme, as it would drive many talented individuals overseas.

The coalition is not opposed to a national approach to solving many of the structural problems that inhibit this nation's ability to be more competitive in the international marketplace. We did not oppose the introduction of the national curriculum into schools, because we place States' rights above the national interest; we opposed it because of the lower academic standards that it would have given our children. This response was supported by academics, educators and professional associations around the country.

Mr Foley: Not by the ACCI.

Mr QUINN: As I have outlined, it was supported by well-known professionals and academics right across the spectrum in every State of Australia. In light of this evidence, the Minister's criticism that the coalition believes in different railway gauges is simply glib. In fact, it is basically intellectually dishonest, because I stood in this House and I told the Minister the reasons why we opposed the national curriculum for schools. It was not on the basis of opposition to a national approach; it was on the basis of reduced academic standards.

The Minister's comment that the coalition opposes ANTA for the same reasons should be similarly dismissed. It is interesting to note that the Queensland Government is refusing to join a scheme that would standardise workers' compensation rates across Australia. The Government is saying, "We do not like national or standard gauges", yet it is not willing to join a scheme that would do the same with workers' compensation rates. There are dual standards—one for the Government and one for everyone else.

To borrow the Minister's analogy, the coalition acknowledges the benefits of a standard gauge rail network. However, we do not want tracks that are constructed so poorly that only steam locomotives from a bygone era can move across them. In other words, the tracks that are laid down under a national scheme must be capable of supporting an initial high-quality service and an even further improved service in the future.

The ANTA processes do not fulfil these criteria. The concept of competency based training has much to recommend it, but the skills recognition and classification processes should be simple. They should be focused on

quality outcomes and be flexible enough to meet the needs of individual enterprises. ANTA fails in this regard because of its emphasis on building controlling structures to ensure conformity and standardisation across the whole range of vocational training.

This is the same approach that characterised the unified national system for higher education and the national curriculum for schools. Over time, these two parts of Labor's trilogy for education and training have already proven to be disastrous. They have been knocked back; they have been rejected. They could be likened to the mythical Cerberus—the dog with three heads. I am confident that in the future ANTA will prove to be nothing more than the third head of the same dog.

I will have pleasure in voting against this legislation.

Mr NUTTALL (Sandgate) (3.17 p.m.): It is disappointing that when we debate an issue such as this, the main argument from the Opposition is that of States' rights.

Mr Santoro: Rubbish!

Mr NUTTALL: The member for Clayfield talked for 55 minutes about States' rights.

An honourable member: It was boring.

Mr NUTTALL: It was boring. If honourable members read *Hansard*, they will find that the Opposition's main theme is States' rights. The Government is talking about a national training authority for the work force, yet the Opposition keep raising States' rights. It is a case of overkill by the Opposition.

The Opposition continues to struggle with the issue of States' rights. Honourable members will recall that not so long ago the golden opportunity arose to have a national education curriculum system—a national system of education. Who grabbed that proposal by the throat and throttled it? The conservative Governments of this country! All Education Ministers got together to try to come to grips with that issue in the hope of making progress, but the conservative Governments of this country grabbed that policy by the throat and strangled it. Those Governments killed it, all in the name of protecting States' rights.

It is time that the Opposition realised that the national interests of this country must come first. One of the greatest issues we face today is national legislation on the rights of workers. Over the last 200 years, Governments have struggled with that issue. I am pleased to say that in the last 10 years we have been successful on a number of fronts in that respect. When it comes to workers' rights—workers having the ability to take their skills from one State to another—the conservative Opposition in this State continues to try to block those reforms. It is time that members opposite ceased doing that.

The Opposition talks about the Australian National Training Authority—ANTA—and what a bad ogre it is. What has to be remembered is that, last year, all the State Governments in this country sat down and said, "Yes, we agree that there should be a national training authority." Who stands out like a sore thumb—the conservative Opposition of Queensland. Again, it simply cannot come to grips with the realities of life in the 1990s. In July last year, the heads of Government got together and agreed to set up a national vocational education and training system. One of the key features of that system was to make recommendations for the more effective and efficient means of delivering vocational education and training in the States. It is not about taking total control; it is about assisting the States in their training of the work force.

Let us consider the composition of the Australian National Training Authority. I do not know where Mr Quinn gets the idea that it is going to be totally controlled by public servants and all those other types of people. That is not the case. The authority will have a five-person, industry-based board. The office for the Australian National Training Authority is based in Brisbane. I am sure that is due to the great argument that would have been put forward by our Minister in Queensland.

Mr Fenlon: A forceful argument.

Mr NUTTALL: Indeed, it would have been a forceful argument.

Mr Foley: The Premier might have helped a bit.

Mr NUTTALL: One would hope that the Premier twisted a couple of arms. I will list the board members. The first is Mr Brian Finn, Chief Executive of IBM. One could hardly say that Mr Finn is someone we should be concerned about. The others are: Mrs Anne Rein, Chief Executive Officer, Tourism Training Australia; Dr Michael Deeley, Chairman of North Broken Hill Peko Ltd; Mr Stuart Hornery, Chairman and Chief Executive of Lend Lease Corporation Ltd; and I am pleased to see that we have some union representation on the board in the person of Mr Bill Mansfield, who is the Assistant Secretary of the ACTU and well known to a number of Government members.

Mr T. B. Sullivan: And these are the people that Mr Quinn was objecting to?

Mr NUTTALL: These are the people Mr Quinn and Mr Santoro, the member for Clayfield, say are going to rip off our State rights—take away our State rights. This shows how totally out of touch those members are with the business community in this country.

Mr Fenlon: This is another episode of jobs for the boys, do you think?

Mr NUTTALL: I would not think that the board members I have mentioned would necessarily line up with the Australian Labor Party. As a nation, we have picked the best possible people. It is not about jobs for the boys. It is about picking the best people to make this nation a greater place. The Australian National Training Authority is there to assist the work force in this country.

As to some of the current reforms of the Australian National Training Authority—Governments and industry parties at the national and State level have been developing this national framework for vocational education and training. That incorporates national standards. I hope that members opposite understand what this is all about. Obviously, they cannot come to grips with what we are trying to do here. It is about people obtaining skills, picking up a certificate, moving from one State to another and being able to use their skills in every State. At the moment, they cannot do that. A nurse in New South Wales cannot practise in Queensland without obtaining another certificate.

Mr Robertson: Firefighters.

Mr NUTTALL: As the member for Sunnybank points out, a firefighter is in the very same situation. This is about getting rid of that antiquated system and bringing ourselves into the twenty-first century.

Mr Beattie: You are being expansive.

Mr NUTTALL: I had some lasagne for lunch; plenty of pasta. Another current reform of the Australian National Training Authority is competency-based training, including the recognition of prior learning, which is better known as RPL. Obviously, that is extremely important. Some people have spent 15 or 20 years in the work force, and their prior learning needs to be recognised as they pick up this new training and new skills. Other reforms include the national recognition of qualifications and nationally consistent curricula. That is where we are heading.

Some of the statistics are extremely important. More than 70 per cent of people who will be working in the year 2000 are already in the work force. No longer is the work force in this country such that we can go away, do a bit of study, and pick up a job, or go away and do an apprenticeship, and away we go. Training and skills development must be ongoing throughout our working lives. Technology is galloping at such an advanced rate that we need to be able to keep up with it. The only way to do that is to continue skills training throughout one's career.

By the year 2000, the composition of the labour force will not be dissimilar from what it is today. However, industry and technological changes and career-based occupational structures will require the work force to be more skilled and more flexible. Employers and employees will need to make commitments to lifelong learning. All areas of industry have recently been restructured. Industry now employs a smaller and multi-skilled work force. The recession, economic conditions and technological factors have meant that larger companies and public sector agencies are looking for greater efficiencies and multi-skilling in their existing staff. A number of Government members who came into this Parliament after the last State election have been involved in that process. They have been out there in the workplace and have seen those changes taking place.

We must consider how the workplace reforms will take place. Quality issues will be at the forefront of any change. The bottom line is likely to be doing more with less and doing it much better. We have to consider career structures. There is an old saying that a fitter is a fitter is a fitter. That no longer applies in our modern workplace. We must continue to develop career paths for people so that they can progress and move up the ladder in their careers. In that way, they improve and increase the productivity of the enterprises in which they work. The Opposition cannot understand that.

Opposition members continue to talk about productivity but if we ask them to define "productivity", we cannot get it out of them. They hedge around it and they duck and weave. I invite members opposite to tell me their version of the meaning of "productivity". They cannot do that. Recently in the House they spent 55 minutes talking about this, but not once did they try to define the word "productivity" because they do not understand it. That is the problem that the Opposition faces.

The new workplace will also require a wide range of different forms of training. This

demand will present new challenges and opportunities for training providers. They will need to demonstrate best practice in workplace organisation if they are going to successfully compete in the training market.

The Report on Young People's Participation in Post Compulsory Education and Training—the Finn report—was a major force behind the new funding arrangements for vocational education and training. The Finn committee identified that there is considerable unmet demand for vocational education and training in the 16 to 19-year-old category. Unfortunately, this age group has also been hard hit by high unemployment. The growth funds which have been committed for 1994 will be largely directed towards increasing the participation of young people in vocational education and training. This will contribute to meeting the broader targets agreed to by Ministers after their consideration of the Finn committee's report.

The Australian National Training Authority has other priorities. It has four priority areas which it believes are critical to the achievement of the new national vocational education and training system and which will provide the foundation for the national strategic plan. Those priorities are to build a client-focused culture; to create and promote opportunities for lifelong learning, which I mentioned earlier; to advance a national identity for the system which is not to say that Queensland is better than any other State, because that is not what this is all about; and to reward innovation and best practice approaches. Those things are vitally important. That is where VEETAC in Queensland has a major role to play. VEETAC's representation is made up of industry, general commerce, the Commonwealth Government and the State Government.

I understand that there are other members who may wish to speak to other Bills this afternoon, so I shall cut my speech short. All these programs contribute a major element of this Government's effort to cut unemployment and improve skills in Queensland's work force. In short, these initiatives show that the Government's response to unemployment is as broad as the problem itself. With a combination of direct job creation, incentives to the private sector and innovative training schemes, the Division of Employment and Training initiatives and VEETAC will play a positive role, especially for Queensland youth.

Hon. V. P. LESTER (Keppel) (3.30 p.m.): What we are doing here is totally selling out to the Federal Government. We are selling out to a Government that has a deficit of record proportions. We are selling out to a Government that cannot even handle Mabo. As was said by the chairman of BHP on the front page of the *Australian Financial Review* of 17 November 1993, the Federal Government is making a complete muck of it. The Federal Government is making a great mess of health care. Medicare is a very good example of what happens when the State gives rights to the Federal Government. I much preferred the situation when health care came under State control. All honourable members know that. We have totally sold out to the Federal Government, and as a result we have been mucked up by all sorts of increased levies. We were much better off doing things our own way. There is no doubt about that. Now this State Government wants to give away even more.

The Federal Government realises that it cannot run its own affairs. Why else would it be wanting to get rid of the Commonwealth Bank and Qantas? It has made such a mess of Qantas——

Mr ROBERTSON: I rise to a point of order. It is a question of relevance. The honourable member for Keppel has not referred to the Bill at all in the debate today.

Mr LESTER: I am making a comparison to show where we are headed.

Mr SPEAKER: Order! I do suggest that at some stage the honourable member gets back to speaking about the Bill.

Mr LESTER: The analogy that I am drawing is that the Federal Government has had to postpone the sale of Qantas because it cannot find a buyer. Now this State Government wants to give away responsibility for training to Canberra even though the Federal Government has taken over other responsibilities and made an ungodly mess of it. The only result has been an increase in the number of public servants. The Federal Government has lost its way. As a result of this Bill there will be more public servants than apprentices and trainees. There is no risk about that. The last Budget contained cutbacks. However, there were no cutbacks in Canberra. In fact, allowance was made for the construction of two extra buildings there. We are letting ourselves be run by a Government that has no idea about the real world. For this reason, members of the Opposition oppose this Bill.

I would like to see how the Federal Government is going to liaise with small business. It will not be able to do it. It does not understand the process of liaising. It does not have a decent liaison with small business now. In addition, although some of the big employers that want a few deals might think this initiative is a good idea, most of the big employers will not be too well off. It will not be worth having apprentices and trainees because of all the red tape involved. Our own people will no longer be trained in Australia. Whether honourable members believe it or not, when the next Government gets into power, the economy will get better but people will not be trained for the positions that will become available. People will be untrained due to a lack of training facilities in Australia because we are under the guidance of an incompetent Government that has no idea what to do.

I say, very bluntly, that there is no way that honourable members should have a single thing to do with this Bill. They should forget it and leave it alone. Quite frankly, I thought the Minister had more brains.

Mr BARTON (Waterford) (3.33 p.m.): I want to bring this debate back to what this piece of legislation is all about. This Bill supports a national vocational education and training system. It is not about a system that is a national system that totally controls Queensland; it is about the State and Federal systems being complementary systems. The other States are also bringing in complementary legislation. There are very good and cogent reasons for doing so that I will come to later in my speech.

I am shocked that a former Queensland Minister for Training, Vince Lester, can carry on in the outrageous way that he just has. I thought that he understood some of these processes that were already being put into place while he was still the Minister—before he was tipped out.

Mr Robertson interjected.

Mr BARTON: That is correct. He probably never did know what was going on during that period. The current system for apprenticeships and traineeships has proved to be too inflexible. The Tregillis review, which has been approved by the Queensland State Training Commission, seeks to remove many of those inflexibilities and make it a genuine tripartite national system. The Queensland State Training Commission has been chaired by leading businessman, Bill Siganto, and has other leading business people on its board. Quite frankly, those people understand what is going on and the reasons for this piece of legislation.

This Bill is all about introducing a single contract of training for both apprentices and trainees and amalgamating apprenticeship and traineeship provisions where they are identical or very similar. That changes the old indenture system. I remember when I was indentured as an apprentice in this State. It was essentially a master and servant relationship. This Bill brings training into the real world. It provides for a single contract of training, regardless of the level of training that a person is doing over a specified period. The system of training that this Bill introduces fixes up all of the old anomalies in the system. It removes the disjointed traineeship system that has developed over time.

I refer to the comments of Mr Quinn, the member for Merrimac. He recommended taking training back to the enterprise level because the employers know what they need. He said that they will provide that training. Many people say that that is what occurs in places such as Japan. I had an opportunity to investigate the Japanese system two years ago with Roy Wallace, who at that time was one of the chief people in the training division in Queensland, Adrian Bloomfield, the director of MTIA, and Barry Nutter, before he was reappointed to the State Industrial Commission.

In Japan, it appears on the surface that training is driven totally on the enterprise level. However, when we visited Japanese TAFE colleges and met the Government's chief training people, we found that in reality tight national standards had to be met by the various training enterprises.

Australia will go backwards unless it has complementary national standards that have to be met.

Mr Budd: The Liberal Party doesn't have any standards.

Mr BARTON: That is true, the Liberal Party does not have any standards when it comes to the issue of training. I am not sure who is leading them by the nose. I had hoped that the coalition partners would have supported this legislation and that we could have made a joint approach. Even in this State's darkest days, from 1985 to 1989, when the trade union movement and the National Party Government were at each other's throats, there was one area, that of training, in which we could always work constructively together. That was the era when Vince Lester was the Minister. The people from the training division in Queensland

worked constructively, not only with employers, but also in the interests of young people. I am going back as far as the days of Fred Campbell and Bill Knox. We did not allow the differences that we had on other issues to flow over into training.

I pay tribute to the people who back then laid much of the foundation for this initiative. One person I will mention is the current Commissioner for Training, Harry Hauenschild, who was very active in this process. As the Secretary of the Boilermakers and Blacksmiths Society, as President of the Amalgamated Metalworkers Union, as President of the Trades and Labor Council of Queensland and now as the Commissioner of Training, Harry Hauenschild has always put first the interests of young people and training in this State. I wanted to pay him that recognition.

The other person who deserves a tribute is the late Wally Dearlove who passed away some weeks ago. When he was a union official with the AEU, then the AMWU, and later when he moved to the employer groups, Angliss and Mount Isa Mines, he had a very heavy commitment to training. He always kept training as one of his highest priorities and worked within the training system. These people did that because they believe in giving young people skills, confidence and responsible attitudes. At the end of the day, those young people had good jobs because of the training and the skills that these people allowed them to achieve, not dead-end jobs that people sometimes get into if they receive only restricted training at the enterprise level. Young people need good life skills and a foundation on which further training can be built, and that is what this legislation is all about. That is what those people worked towards over a long period. There are probably a lot of other people whom I could mention but, in the interests of saving time, I will not do so now.

I had intended to pay a tribute to Vince Lester, but I will pass on an anecdote. I regret that he is not in the Chamber to hear it. At an apprenticeship initiative launch on the twenty-third floor of the State Law Building, he really frightened me and a group of people when he literally baked some bread. He kneaded the bread, cut it up, weighed it, plaited loaves and then baked it in an oven in the office suite. We ended up having the fire brigade pay us a visit. I must say that he made the point that he had not lost sight of the fact that it was his trade training that gave him the start that he has never looked back from in terms of his personal attitude. However, it is a great pity that during this debate he has taken an extreme States' rights attitude to this legislation.

Queensland has been recognised as having the best training system in Australia up until now. It must be realised that Queensland is part of Australia, part of a changing work force, and part of a changing industrial scene. It should also be recognised that there now exists complementary standards and recognition of standards across State boundaries. Queensland's training systems have to be part of that change. We will no longer be able to pretend that the rabbit fence still separates Queensland from New South Wales, because people are moving around this nation much more these days than they ever did before.

The Bill provides for the implementation of the necessary changes in the training system to meet those needs. Typically, training used to be about apprenticeships only, and apprenticeships were based on the archaic master and servant relationship. Until recently, although apprenticeships had changed significantly, the form of indenture had not, and apprenticeships tended to be rigid and inflexible. It was not until the late 1960s that the block release of apprentices to TAFE began. Even this practice tended to be inflexible and caused many employers problems. Curriculums were also rigid and were not necessarily structured to meet the needs of industry. It was not possible to have licences for various trades or higher skills recognised across State boundaries. Curriculums have not kept up with changes in technology and industry's needs. I can recall that when I first began my apprenticeship in the 1960s, I was studying documentation that was based on equipment that was used in industry in the 1920s and in the 1930s. Although we have come a long way, we still have a long way to go to achieve the goals that this legislation sets for the future.

In the past, tradesmen who aspired to study higher courses were not given credit for their trade training. In addition, young people missed out on apprenticeships and became process workers or trades assistants. They were never given the opportunity to use the basic skills that they had acquired as a foundation for gaining a higher level of skills. Adult apprenticeships were virtually unheard of, and people upgrading their skills to make sure they remained relevant to industry were rare. The workplace scene is changing, and this Bill will assist the industrial scene to change further because training processes and awards now allow for a much more mobile work force. There is greater recognition

nationally of qualifications and a greater provision of training needs to complement that recognition. There is also articulation between the various training levels. Semi-skilled people are given credit for relevant work experience related to their trade. Tradespeople are given credit towards higher study for the relevant knowledge that they have gained while plying their trade.

At lunch time today, the Minister and I attended the Logan TAFE college in my electorate where an announcement of the provision of $150,000 for a mobile computer network was made. This equipment will be utilised in the work performed by bricklayers, refrigeration mechanics, air conditioning technicians, etc. Because of the changes that have been brought about in training, tradespeople will be able to use the computer network in what used to be regarded as the blue collar, hands-on trades.

Mr Foley: It is a very fine college.

Mr BARTON: I thank the Minister for his interjection. It is indeed a very fine TAFE college in the Waterford electorate. Computers are now being used in competency-based training programs. This means that people will be able to undertake TAFE trade training at a rate of progress that suits them. The people who can move more quickly through the program will be able to do so, and those who need a little bit more time can also be accommodated—people such as the member for Clayfield. If he were undertaking a trade training program, he would need to take much more time than is ordinarily the case just to catch up to the standard.

Block release TAFE programs are becoming more flexible and are less of a burden on employers. I am well aware of the fact that small-scale employers with one apprentice frequently have to release the apprentice for block release training at a time that was most unsuitable for the business. All these issues are being addressed. The curriculum is now more responsive to the rapid rate of technological change in industry. There is also much more interaction between TAFE training and programs within industry.

I noticed during the speech made by the honourable member for Clayfield the other night that private training providers were slapped on the wrist. However, private training providers are now an important part of the equation. Much more training is now being produced by private providers than has ever been the case in the past, and training programs in industry are increasing. After all, training is part of a national set of industry standards. Wages in awards are now much more closely linked to skill levels and experience. Group apprenticeship schemes allow many more small businesses to participate in apprenticeship training and can draw on modern skills. These types of schemes create many jobs and young people who may otherwise have missed out are given a chance to acquire trade skills. With these schemes, employers also would have missed out on having highly trained employees who were capable of performing highly skilled work while they were undergoing training.

I am conscious of the fact that other members wish to speak on other issues during this debate. I conclude my remarks by saying that this legislation is good legislation. I am shocked that the Opposition intends to oppose it. I was also absolutely disgusted by the performance of the member for Clayfield when he said that the Minister talks gobbledegook; that the Minister's consultation was inadequate and in the same vein as his pre-empted industrial relations announcements; that the Minister is Minister "Folly"; that the Minister was doing a con job on the people of Queensland, or had given a blank cheque to the national training system. If that is the standard of debate on an issue that is so important to employers and young people in this State, then I feel justified in carrying out the threat that the member for Clayfield constantly makes. I will send copies of the speech made by the honourable member for Clayfield to all the major employer organisations in this State because they understand what this legislation is all about, and, in the main, they support it. I support the Bill.

Mr GILMORE (Tablelands) (3.49 p.m.): I will take only a few minutes of the time of the Parliament to speak on a few important issues that I have mentioned on previous occasions in the House. The first issue is the need for an autonomous TAFE college in the tablelands region. The four tablelands shires that are situated in my electorate have a sufficient population base to support an autonomous college. To date, the area has had a couple of campuses of the Cairns College of TAFE. One is at Mareeba and the other one is based at Atherton. Recently, it achieved autonomy from the Mareeba operations. I applaud that step, because it has been an important move forward. The Atherton group is now able to make some decisions on training, etc., in Atherton. However, because the Cairns College of TAFE has been unable or unwilling to expand its jurisdiction, or its influence, into

the southern parts of the tablelands, particularly Malanda, Millaa Millaa and Ravenshoe, the Johnstone College of TAFE has been going there. I might say that it has been doing quite an extraordinary job. The Johnstone College of TAFE is an entrepreneurial college, and it is prepared to do the things that it is able to do, whereas the Cairns College of TAFE has been anything but entrepreneurial. It has done the things on the tablelands that it has done only because it had to do them. That is the difference between the two colleges.

I would like to say that, therefore, we have achieved nothing more than a split jurisdiction, and confusion among people in the tablelands about where they might go to learn this and where they might go to learn that. I suggest that we do not build a grandiose college of TAFE in the tablelands region, such as we have in Cairns, South Johnstone or in other places, but to take a very modern approach and have a multicampus college. There is no reason why we cannot do that through the use of new electronic aids, television monitoring, electronic learning aids and satellite transmission. The campus at Mareeba could teach certain subjects relating to agriculture; the Atherton campus could teach other subjects, such as humanities, and so it goes throughout the tablelands region. We could have about five campuses within the college, and people could travel around the campus using minibuses, if they have to. It would be a very modernistic approach to education, and to TAFE education in particular. In my view, TAFE education is and always has been the area of education that offers the most learning potential, particularly for those who have left school and did not achieve a university entrance standard on graduation. TAFE has always offered vast opportunities, but it has never quite delivered, particularly in the tablelands region.

In my region, some apprentices were born in isolated areas, and because of that they have to travel for block training. That leads me to the second issue that I would like to raise. It is a very important matter, and I want to raise it in this place because it relates not only to apprentices but also to their employers. On many occasions—and currently, I have on my books one case that I have not even answered in detail, although I have spoken to the member for Clayfield about it—apprentices in the tablelands region are finalising their block training after they have finished their four-year apprenticeship. Apprentices have come to me and have said that they have finished their training before they have finished their first-year studies. For a number of reasons, it is absolutely not right that this sort of thing should happen. Firstly, it is unfair to the apprentices, because as they go through their period of training, it should be associated with, and appropriate for, their years of service to their employers. So when they finally graduate as tradesmen—in whatever field—they are able to offer to their employers, or their future employers, a level of training which is appropriate to the certification that they possess. Secondly, it is more expensive for employers to have second, third or fourth-year trainees carrying out first or second year block training.

In the case of the boy whom I have on my books at present—he will be completing his third-year training at the end of his fourth-year certification. He then has to complete his fourth-year training at extraordinary cost to his employer. There is no benefit in that; no assistance is offered by the Government. I tell the Minister that if the Government is going to put in place circumstances whereby training is undertaken either by block training or some other means, and certain demands are made on employers, then it is imperative that the Government establish the protocols and provide the service as a prerequisite to the demands that will be made on employers and employees alike.

It is important that we receive an autonomous college of TAFE in the Tablelands region. We have a sufficient population base to support it. It will save apprentices and employers in that area considerable disruption and expense if prevocational or vocational training is available on the tablelands, as well as all the other things that TAFE can offer. I implore the Minister and the Government to ensure that the protocols and the funds are in place to ensure that trainees are given the appropriate block training during their years of training.

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (3.56 p.m.), in reply: The second-reading debate on this Bill has dealt largely with one of the purposes of the Bill, namely, the relationship of the State training authorities to ANTA—the Australian National Training Authority. It is important, of course, to remember that the Bill has two other principal objectives: firstly, to streamline the system of apprenticeship and traineeship administration; and, secondly, to provide for a national framework for the recognition of training so that, for example, a carpenter trained in

Brisbane will be able to have his or her skills recognised in Sydney, in Perth, or in Hobart.

The member for Mansfield made an important contribution in discussing the collaborative approach to ANTA and highlighted a theme that was taken up a little later by the member for Tablelands in his thoughtful contribution to the debate, namely, the need for a client-centred approach to the task. But the object of the exercise in a training system is to service the clients of that system, that is, those persons undertaking their apprenticeships, or traineeships, or other forms of vocational education and training, and their employers.

Similarly, the member for Sandgate, Mr Nuttall, made a useful contribution to the debate, stressing the need for national recognition of training and highlighting the importance of a nurse trained in one State having the opportunity to have that training recognised in another State; and, similarly, the same applying in the case of a firefighter. The honourable member referred to the need for enhanced productivity, which, of course, underlies the reforms currently before the House. Mr Nuttall punctured quite effectively the myth about the ANTA board being composed of public servants. He made it clear that they are, indeed, industry people.

The member for Waterford, Mr Barton, gave the House an insight into his depth of experience in this area, and the change from the old master/servant relationship implicit in an indenture to the new concept of a training agreement. Perhaps a facet of his speech worthy of comment was his charitable reference to the member for Keppel. It is good that someone in the Chamber can see the finer aspects of the contribution of the member for Keppel, and I compliment the member for Waterford for his charitable construction in the circumstances. The honourable member for Waterford highlighted a number of the important changes which have occurred and are occurring—the problem faced in the past by people who are not given credit as recognition of their prior learning; the development of the opportunity for adult apprenticeships; the development of a mobile work force; the development of an opportunity for articulation from the TAFE system into other forms of education, including university education; and the increasing importance of competency-based training.

I turn to the contribution of the honourable member for Clayfield, who attacked the Bill on the basis of three propositions. I will deal with each of them in turn. He contended that the Bill effectively gives control of vocational education and training to the Commonwealth Government and its bureaucrats. He argued that this was particularly so in relation to State funds. Let us deal with that contention, because it may be fairly easily disposed of.

The agreement which establishes ANTA is a schedule to both the Commonwealth legislation—that is, the Australian National Training Authority Act 1992—and this Bill. The agreement transfers powers and funds previously exercised by the Commonwealth alone to a ministerial council to which ANTA reports. Central to this is that growth funds provided by the Commonwealth will be allocated on the advice of ANTA by the ministerial council. The ministerial council, amongst other things, will also determine national goals and objectives, a national strategic plan, national priorities and the principles for the allocation of growth funding between States. These are the broad areas which the States retain the responsibility for within their boundaries in relation to vocational education and training.

The honourable member could have avoided falling into such a patent and embarrassing error if he had simply bothered to read the schedule to the Bill which makes it plain that State training agencies will be accountable to State Ministers and Parliaments for the operational responsibilities of their agencies. It could not be plainer. ANTA, headquartered in Brisbane, works with the States to agree in broad terms about how the funds will be spent. The mechanism for this is the State training profile.

This is a Federal collaborative model which is based on consultation and the concept that the industry should provide the key advice and that there should be a nationally consistent approach to training built on agreements between Governments. The ministerial council is specifically accountable to State and Commonwealth Parliaments pursuant to clause 6 of the schedule.

I will turn to the second limb of opposition raised by the honourable member for Clayfield. It is his contention that the Bill establishes a complex bureaucratic approach when the real need is for a simple, direct service to enterprise clients. In support of that contention, the honourable member quoted an ANTA document to indicate that the structures and processes established to plan and implement it are too complex. The ministerial council agreed with that assessment, and it has asked ANTA to

provide advice on how this might be remedied. This was the first time that the issue was raised. It was raised by ANTA itself. The response of Ministers was to ask an industry-based board, that is, ANTA, to provide the solution. At the State level, VETEC is seeking answers to the same issues through a review of accreditation and recognition procedures and the development of a State strategic plan.

The third limb of the honourable member's argument was that there was no need for the legislation at all and particularly not this legislation. Again, this contention may be very simply disposed of. Clause 2 and clause 10 of the agreement entered into by all of the States and Territories of Australia and the Commonwealth, including the non-Labor States and Territories, require that the relationship between State training agencies and ANTA will be formally defined in Commonwealth and State legislation consistent with this agreement. So it is a consequence of the agreement of the heads of Government. The honourable member, in response to my interjection on the last occasion, replied that he did not advocate the breaking of agreements. So one can only surmise——

Mr Santoro: I said I normally don't. That's what I said.

Mr FOLEY: So the honourable member advocates the breaking of the agreement on this occasion?

Mr Santoro: I think it's atrocious that you actually went into it. Surely that was clear.

Mr FOLEY: The honourable member really finds himself in this position: he either advocates the breaking of an agreement entered into by all of the States and Territories or he supports this legislation. The agreement is quite plain. It would be much more intellectually honest of the honourable member were he to make it plain that the course which he is urging upon the Parliament and, by implication, upon other States and Territories is to break down that historic agreement. It is a classic case of the wreckers at work again trying to wreck a national agreement which was secured with the assistance and the cooperation of all of the States and Territories.

At the meeting of Ministers for Vocational Education and Training on 9 October 1992, it was agreed to implement that part of the agreement dealing with legislation. In short, all States agreed that their legislation would secure the constitutional basis for ANTA's operation by conferring the functions on ANTA. Clause 13 of the Bill, which includes the new clause 2.56, referred to by the honourable member for Clayfield, does this.

There are a number of precedents for this—for example, the Australian Shipping Commission Authority Act 1977 and the Snowy Mountains Engineering Corporation (Queensland) Act 1971. They indicate that it can be possible for a genuine collaborative effort to take place between the Commonwealth and the States. So the three limbs of the argument advanced by the honourable member for Clayfield are seen to be plainly false.

I will deal with a couple of the propositions that the honourable member for Clayfield advanced. I remind the House that he told the Parliament of the concerns he had in relation to the power that ANTA—that group of Federal public servants—will have. It is chaired by Mr Brian Finn, IBM Chief Executive. On its board are Mr Michael Deeley, the retired ICI Chief Executive; Stuart Hornery, a Lend Lease Chief Executive; Bill Mansfield, of the ACTU; and Anne Rein, of Tourism Australia. These are public servants? It is plain that the honourable member is simply in error. He simply does not know the composition of the ANTA board, otherwise he would not have led the Opposition into such an embarrassing gaff which will make it the laughing-stock of training authorities across the length and breadth this nation.

This is rail-gauge mentality. The argument advanced by the honourable member for Clayfield would have been embarrassing in 1893; in 1993 there is no excuse for it. It is the sort of reactionary thinking that places short-term political reaction ahead of the interests of the Australian nation and ahead of the interests of those young people and mature-age people who need the benefit of training and who need the benefit of the collaborative effort available through the Australian National Training Authority.

The member for Merrimac really should know better than to recite arguments based upon such a shallow foundation. He is embarrassed to try to explain away the rail-gauge mentality of the Opposition. *Thomas the Tank Engine* is a far more educationally progressive entity than the argument advanced by the honourable member. Members opposite give the rail-gauge mentality a bad name.

The member for Keppel spoke with great passion about Qantas, Medicare and a

number of other topics, and it was only the charitable member for Waterford who could see any point in his remarks.

I turn to the contribution by the member for Tablelands, Mr Gilmore. He advocated on behalf of his electorate in a clear and persuasive manner. He noted the advantages of a multi-campus college. I noted those comments with interest. He concluded his contribution with an extremely good example, which really is what this debate is all about. He pointed to the problems faced by apprentices and employers who find that apprentices have to undertake block training after they have completed their four years on the job. That sort of absurd breakdown between the theory training and the practical training is the very problem that these reforms are designed to remedy.

By cutting out the red tape and by ensuring a more client-centred approach—as the honourable member for Mansfield urged—it is to be hoped that we can avoid the sorts of problems of which the honourable member for Tablelands spoke. For example, by facilitating college-based allocation, it is to be hoped that that sort of problem can be dealt with more responsibly and more flexibly at the local level rather than attempting to rely upon the rigidity of the centralised system. I can assure the honourable member that his comments with respect to the vocational education and training needs of the Tablelands region have been noted with care. Next year, we will be talking to communities in far-north Queensland about improved coordination, including the issue that he raised about linking Johnstone college and Cairns. The honourable member's comments will be borne in mind during the course of those deliberations.

I commend the Bill to the House.

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

AYES, 45—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Clark, Comben, D'Arcy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Hamill, Hayward, Hollis, Mackenroth, McElligott, Milliner, Nunn, Nuttall, Palaszczuk, Power, Purcell, Robertson, Robson, Rose, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, Woodgate *Tellers:* Livingstone, Pitt

NOES, 28—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Quinn, Santoro, Sheldon, Simpson, Slack, Stoneman, Turner, Veivers *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

Committee

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

Clauses 1 to 8, as read, agreed to.

Clause 9—

Mr SANTORO (4.21 p.m.): I assure Government members that I do not intend to keep them here for too long, but there are certain things that I would like to say about the clauses. Government members have raised several issues that I think are very relevant to a number of these clauses. One of the issues that they raised deals directly with the functions of the commission in relation to ANTA. Government members accused the Opposition of being obsessed with this major aspect of the Bill. I inform Government members that, if they care to read my speech—for which I make no apology—they will discover that the first half of my speech dealt with the apprenticeship system and the Tregillis report. For a period of approximately 20 minutes of my speech, I commended the Minister and the Government for introducing some very good reforms.

It is simply not true for the Minister and other Government members to claim that we are obsessed with ANTA. My speech was evenly divided in terms of the major provisions of this legislation. I make no apologies that I took 54 minutes to deliver it. It is unfortunate that the hour was late, but that was the fault of the Government, for it decided when to bring on this Bill for debate. When legislation as fundamentally important as this is introduced, we will take our time. We will outline fully the concerns raised with us by various people.

Government members referred to consultation.

Mr Barton: This sounds like a speech.

Mr SANTORO: I ask Government members to extend me the courtesy of listening to my contribution in silence, just as I listened to them in silence.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! The Committee will come to order.

Mr SANTORO: I want Government members to hear about what is contained in the Explanatory Notes——

Mr Nuttall: We're on clause 9.

Mr SANTORO: I am debating the clause. I want Government members to hear about

the consultation that was undertaken by this Minister with industry. Government members and the Minister have gone out of their way to inform us about the consultation that has been undertaken with industry about the functions of the commission in relation to ANTA or any other aspect of this Bill. Let me quote the Explanatory Notes to the Bill. Members of the Government accuse me of not having read this Bill or the Explanatory Notes. Let me quote—

> "This agreement involved a commitment by States to introduce complementary legislation. Accordingly, there has been no consultation with industry or the community on the amendments."

Mr Burns interjected.

Mr SANTORO: It is absolutely outrageous. The Government tells us that it has consulted with these bodies. I take the interjection from the Honourable the Deputy Premier, whatever it is. The Government cannot deny the validity of that because it is there in black and white.

Mrs Gamin: It's outrageous.

Mr SANTORO: It is outrageous. Government members lecture the Opposition on consultation——

Government members interjected.

Mr SANTORO: As I said, I will speak for as long as I am provoked. It is my obligation in this debate to bring to the attention of this place the concerns of industry, with which Mr Barton or Mr Nuttall or the Minister did not consult. I am particularly referring to clause 9.

I am bringing to the attention of this place the consultations that the Minister has undertaken in relation to the powers of the commission and the powers of any other body that is mentioned in this Bill. The Minister's own Explanatory Notes show that he has done absolutely nothing.

I can see the Leader of the House looking at the clock. The rumour is that he is going to gag this debate at 4.30 p.m. He can go ahead and do so.

The TEMPORARY CHAIRMAN: Order! The honourable member for Clayfield will confine himself to comments on clause 9.

Mr SANTORO: I repeat that in relation to this particular clause there has been absolutely no consultation.

The proposed new paragraph (j) appears to give VETEC unlimited powers. Existing section 2.5 defines very precisely what those powers are. The thrust of the paragraph has concerned a few industry bodies. I suggest that it actually limits the powers. Proposed new paragraph (j) links the additional functions now conferred on VETEC under the section 2.5 (a). I ask the Minister: what are these additional powers and what will be the consequences of someone not obeying these self-proposed, self-ordained powers? It seems to me that this proposed new paragraph (j) is very vague. It says—

> "to do all things necessary or convenient to be done for or in connection with the performance of its functions."

I ask the Minister to explain if there is any danger in walking away from the definitions contained in clause 2.5 and inserting this very vague, woolly and fuzzy paragraph (j).

Mr FOLEY: There is no danger. It provides merely that the powers of the commission include a power—

> "to do all things necessary or convenient to be done for or in connection with the performance of its functions."

That is a standard clause. It relates back to section 2.4 of the Bill where the functions of the commission are set out.

Mr SANTORO: With respect, that is an absolute non-answer. The Minister gives the assurance that there is absolutely no danger, but he does not tell us how this particular section or this proposed new paragraph protects us from the danger of unfettered interpretation. I again read it—and I will not continue past this point—

> "to do all things necessary or convenient to be done for or in connection with the performance of its functions."

The Minister could drive one of those trains he constantly refers to in debate through that at least 10 times in half a minute. It is a nonsense. With respect, the Minister's answer is also a nonsense.

Clause 9, as read, agreed to.

Progress reported.

DAILY TRAVELLING ALLOWANCE CLAIMS

Mr SPEAKER: Order! The Clerk has advised me that he has received from the member for Beaudesert a letter advising him that the member wanted to amend the schedule of daily travelling allowances. It appears from the letter from the member for Beaudesert that he had submitted the list on

16 October. The Clerk has advised that the best way to go about it is to table this letter for inclusion in the report. I do that.

SPECIAL ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (4.29 p.m.): I move—

> "That the House, at its rising, do adjourn until Tuesday, 30 November 1993."

Motion agreed to.

The House adjourned at 4.30 p.m.