

THURSDAY, 27 OCTOBER 1994

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

PETITIONS

The Clerk announced the receipt of the following petitions—

Penalties and Sentences

From **Mr Beanland** (2 493 signatories) praying that the Parliament of Queensland will take action to ensure (a) that there be punishment, not reward, for perpetrators of violent crimes; and (b) that there be truth in sentencing with no parole.

Fishing and Recreation, National Parks

From **Mr Stoneman** (393 signatories) praying that the Parliament of Queensland will withdraw and amend current legislation so as to provide for continued public access to waters in national parks for fishing and recreation.

Petitions received.

PAPER

The following paper was laid on the table—
Minister for Justice and Attorney-General and
Minister for the Arts (Mr Wells)—

Criminal Justice Commission—Annual
Report for 1993-94.

MINISTERIAL STATEMENT

Sale of Mailing Lists

Hon. T. J. BURNS (Lytton—Deputy Premier, Minister for Emergency Services and Minister for Rural Communities and Consumer Affairs) (10.03 a.m.), by leave: As members may be aware, the Ministerial Council on Consumer Affairs decided in July 1993 to establish an officers' working party of representatives from consumer affairs agencies throughout the country to review the sale of mailing lists from a national perspective. Mailing lists are lists of names and addresses, and sometimes other personal details, of consumers.

Direct marketeers and other parties use these lists to contact those consumers directly. Consumers may be contacted in a number of ways. For example, I am sure most of us here have received personally addressed junk mail or annoying telephone calls from someone trying to

sell us something just as we have sat down to have our evening meal. Quite often, the direct marketeer has used a list that has our personal details on it, yet most of us have no idea that our details are on that list.

Many people would be appalled to learn that if they subscribe to a magazine, enter a competition in their local newspaper or join a club, their details could end up on a list without their knowledge and that the list could be freely rented or sold to direct marketeers. Some of the consumer lists freely available in Australia include consumers by ethnic origin, elderly people, adult video buyers, slimming magazine subscribers, and conservative political activists.

Some ridiculous examples of lists available in the United States for sale or rental include women 35 to 44 years with teenagers, a cat and an interest in astrology; Seventh Day Adventists with more than one telephone; clergy in affluent postcodes; and Scotch drinkers who have purchased sensual clothing.

Mr W. K. Goss: Wouldn't you agree that if you need both Scotch and sensual clothing it is pretty hopeless.

Mr BURNS: Things are pretty tough, all right. There is a list available; we should try to get a copy of it!

The working party sought comments from consumer and industry groups and relevant Government agencies before presenting its report to the Ministerial Council on Consumer Affairs in July of this year. I am pleased to say that the ministerial council, which I chaired, approved the release of the report for public comment. I now table a copy of the report for the information of honourable members.

Any member of the public wanting a free copy of the report can ring the ministerial council's secretariat on (06) 250 6803. The community will have until 9 December 1994 to make comments on the working party's report. I encourage all interested persons to take the time to make a contribution to the debate on this important issue. Having read the report, I wish to indicate my general support for the thrust of the working party's recommendations.

MINISTERIAL STATEMENT

Annual Economic Report

Hon. K. E. De LACY (Cairns—Treasurer) (10.05 a.m.), by leave: As I foreshadowed last week in tabling the June quarter State Accounts, I am now able to present the first Annual Economic Report prepared by Queensland Treasury. This report is the third and final volume in a new series of end of financial

year reporting documents introduced as part of the Goss Government's reforms involving presentation of the State Budget prior to the commencement of the Budget year. I will take this opportunity to briefly draw honourable members' attention to some important trends in the State economy.

As Queenslanders are acutely aware, much of the State has been gripped by drought since 1991. Despite one of the longest periods of continuing drought on record, the Queensland economy has achieved remarkable growth in production and employment, particularly when compared with the rest of Australia. Cumulative growth in the Queensland economy since the trough of the recession in 1990-91 has been 16.7 per cent, compared with 6.6 per cent for the rest of Australia. If not for the drought, Queensland's growth would have been 18.7 per cent.

Over that same period, Queensland has become the new home for 136 000 migrants from other States, their average age being just 32 years. In other words, most new Queenslanders have come here to work and be educated, not to retire. The Queensland economy has continued to generate jobs—122 700 of them in fact in the last three years. To put that performance in context, Queensland has produced four out of every ten new jobs in Australia in that period.

While the past few years have been difficult ones for our traditionally strong agricultural and mining sectors due to drought and world recession, over the same period two other important sectors of our economy—manufacturing and tourism—have come of age under the policies of the Goss Government. The size of Queensland's manufacturing industry now exceeds the combined size of the agricultural and mining industries, with the State's share of national manufacturing employment now standing at 16 per cent, just short of our population share. While manufacturing employment continues to fall in the rest of Australia, manufacturing employment increased by 4.8 per cent in Queensland in the year to June 1994.

Tourism has recovered strongly from the boom-bust cycle of the late 1980s. Tourism contributed \$3.4 billion to gross State product in 1993-94—20 per cent higher than the so-called boom year of 1988-89. Tourism exports reached a new record high of \$2.7 billion, with international tourism for the first time matching interstate exports as a source of income for the

State's economy. International tourism income has grown six-fold over the past decade.

The outlook for the Queensland economy is one of continuing strong economic growth. However, the composition of that growth is set to change. In particular, investment in housing is expected to make a much smaller contribution to growth after three very strong years. At the same time, business investment is expected to play a much larger role in Queensland's economic expansion in 1994-95. Following growth of 5.3 per cent in 1993-94, business investment is forecast by Treasury to grow by 19 per cent in the current financial year.

The Reserve Bank's latest moves on interest rates have been largely anticipated in Treasury's forecasts, with the investment plans of the business sector expected to be underpinned by high profitability and strengthened balance sheets. While the deterioration in the drought since the Budget has made forecast growth of 5.4 per cent more difficult to achieve in 1994-95, a range of compensating factors have come into play. An improving international economic scene augurs well for commodity prices and demand for our exports.

Perhaps most encouraging of all, trend employment growth of 5.4 per cent in the year to the September quarter is running well ahead of the Budget forecast of 3.8 per cent. As a result, the trend rate of unemployment is expected to edge below 9 per cent by the end of this calendar year.

While clearly the Queensland economy has been the leading engine of growth in the Australian economy in recent years, we cannot rest on our laurels. The Goss Government is committed to a wide-ranging program of micro-economic reform. Through our policy of corporatisation, industry in this State is set to benefit from significant reductions in energy and port charges. Through the Queensland Infrastructure Financing Fund, we will ensure that business investment is not hampered by infrastructure constraints. Through our pre-eminent financial position, we will maintain and enhance our substantial tax advantage.

I have great pleasure in tabling for the benefit of all members the 1994 Annual Economic Report.

MINISTERIAL STATEMENT

Overseas Visit

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (10.11 a.m.), by leave: I wish to report to the House on my recent visit with a primary industry trade delegation to a number of Asian countries, namely, Hong Kong, China,

Japan, South Korea, Vietnam and Singapore. The purpose of the visit was to undertake a joint Government/industry mission which would—

renew or establish contacts at ministerial and senior official level;

facilitate contacts for representatives of major Queensland agricultural industries;

provide Queensland Government and industry representatives with opportunities to assess likely future demands for Queensland processed and unprocessed agricultural products.

The delegation involved industry leaders representing the sugar, grains, beef and wool, fruit and vegetable and cotton industries, with fisheries matters also discussed with senior officials. The delegation also reassured old customers that the prolonged effects of Queensland's drought should not put at risk our excellent relations and continued access to their markets.

With respect to new market opportunities, everywhere we went we saw evidence of the growth of affluent middle-income groups who are developing increasing tastes for western diets. As Asia's population is so large, even a small percentage increase in this section of the market has the potential to offer substantial export opportunities for many of our primary industries that are prepared to produce a quality product for these markets. Queensland's advantages in these markets were recognised as a supplier of clean, green and safe primary products and a supplier in the alternate growing season to the northern hemisphere. However, to reinforce these advantages, there is a need to continue the development of appropriate protocols to gain entry to some markets.

The recent success of vapour heat treatment of Queensland's mangoes to allow entry into the Japanese market is an example of the enormous benefits which can come from this work. Clearly, this will not be limited to mangoes, but will apply to a wide range of tropical and other fruits in the future. It is absolutely critical, however, that we protect our reputation as a supplier of safe commodities by strict controls on internationally accepted chemical residue levels.

The delegation concentrated on the strategies which are needed to successfully compete in these markets. We cannot fool ourselves into believing that just because we can produce a range of high-quality primary products, the markets should beat a path to our door. Competition is intense and a critical factor is having a presence on the ground in these markets. This can be through joint-venture arrangements or the establishment of local

business agencies. The importance of Government to Government as well as industry to industry negotiations are seen as a key factor in success. Unless our homework is done thoroughly at all levels of Government in these countries—local, provincial and central—it is likely that long delays and unnecessary frustrations will be placed in the way of success.

There are quite a number of other points which I will make in my report and which will be of good and valuable information to all members of this Parliament. However, I seek leave to table the rest of the statement and have it incorporated in *Hansard*.

Leave granted.

Lack of infrastructure for processing, storage and distribution in some countries means careful planning, post harvest treatment and product preparation are essential.

Opportunities also exist for the export of Queensland's technology, expertise and services in a range of areas associated with improving the processing ability, distribution technology and shelf-life for products exported from Queensland to other countries.

In many cases it was made clear to the delegation that because of higher wages and cost structures in places like Hong Kong, Japan and Singapore, Queensland can be very competitive in value-added products.

Also great interest was shown in some of these countries investing in joint venture operations in Queensland in the production and processing of a range of primary products.

Mr Speaker, it is clear from my trip that Queensland has a wide range of export opportunities, but success will depend on primary producers adopting an export culture.

By this I mean that it won't be good enough for growers to produce a product basically for the Australian market and hope to sell a bit of the surplus overseas.

It will require detailed market research in these countries to identify the market niche for the product and getting factors right such as the right varieties, sizes, quality, colour, packaging, timing into the market, appropriate marketing promotions and a long term commitment to supply.

We should not limit our thinking either to produce and products for export, which also have a domestic market.

Opportunities exist for products grown solely to satisfy an export market without a safety net of sales at home.

We can do more to explore these new markets and provide extra opportunities for our very efficient primary producers.

The delegation received excellent support from both Queensland Government offices and various Commonwealth offices including embassy staff, Austrade and aid agencies.

These remain valuable sources of information and support for our export industries.

Our policies of looking towards value-adding and innovative product development are well directed at these markets.

In many cases we saw that by processing primary products into semi-processed or fully processed products, it is possible to avoid tariffs and quota restrictions which apply only to imported raw commodities.

The delegation spoke to a wide range of Government officials, Government purchasing agencies, politicians, private traders and processors and individual farming operations.

There was a refreshing openness to discuss trading opportunities, both ways, and following the recent conclusion of the GATT Uruguay round, a realisation that trading patterns will inevitably change and markets become more open.

Also we found that traditional marketing arrangements, where Government trading houses or agencies dominate trade, are fast breaking down and direct purchasing by larger supermarkets chains are introducing more opportunities for our exporters.

The timing is right for Queensland producers to begin developing these opportunities now. It won't lead to overnight success or miracles as the competition is strong, but from small beginnings, long term growth is sure to follow if Queensland's natural advantages and wide product range is utilised.

For example, in the beginning, we may only gain access to niche markets for quality produce in the international hotels and restaurants and selected community sectors.

In many instances such niche markets, small in the overseas context, can be significant in relation to Australian production. But establishing a base is very important.

Changes in our beef exports to chiller beef and selected cuts are good examples, as are selected dairy products and high quality fruit and vegetables, as well as processed vegetable juices and concentrates.

All received positive encouragement during our visit.

Our fisheries products are well received and sought after, particularly live fish, prawn and lobster exports, while further opportunities exist for a wider range of fisheries aquaculture species.

Additional feed grains and processed grain products were sought, while our raw and more recently white sugar export capabilities were discussed at length.

Cotton and wool exports were also canvassed, both with regard to existing and potential new markets.

A number of contacts and organisations have indicated they intend to visit Queensland in the near future and have requested assistance in arranging these follow-up visits.

Mr Speaker, a detailed itinerary of my visit and details of my meetings with various organisations are attached and I hereby table them.

Mr CASEY: I also table a detailed copy of my itinerary.

Mr LITTLEPROUD proceeding to give notice of a motion—

I table a copy of the newsletter to which I have referred.

TRAVELSAFE COMMITTEE Annual Report

Mr ARDILL (Archerfield) (10.16 a.m.): I table the annual report of the Travelsafe Committee for 1993-94 and move that it be printed.

Ordered to be printed.

PARLIAMENTARY COMMITTEE OF PUBLIC ACCOUNTS

Report and Transcript of Proceedings

Mr HOLLIS (Redcliffe) (10.17 a.m.): I have much pleasure in presenting the report of the Parliamentary Committee of Public Accounts on its inquiry into the engagement and use of external consultants by the Queensland public sector.

During this inquiry, the committee focused on the Queensland public sector compliance with the Government's State Purchasing Policy. The policy contains instructions for the engagement and use of consultants. Areas considered by the committee included the provision of details of consultancy expenditure in the agency's annual reports; the preparation of local instructions; the adequacy of the instructions contained in the State Purchasing Policy; confusion between definitions for

consultants and contractors; and the use of existing skills within the public sector. The desired outcome of this inquiry is to ensure the effective, efficient and economic use of consultants in the public sector.

I thank all members of the committee—Mr Tony Elliott, Mr Bill D'Arcy, Mr Gary Fenlon, Mr Allan Grice, Mr Jim Pearce and Mr Santo Santoro—for their support and hard work. The committee particularly appreciated the work of its research and committee staff, Mr Ted Dahms, Ms Debra Stolz, Ms Louise Hepworth and Ms Sandy Rowse.

Finally, I also table the committee's questionnaire results, the transcript of proceedings from the public hearings and the correspondence provided to the committee during the conduct of this inquiry. I move that the report be printed.

Ordered to be printed.

PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE

Report and Transcript of Proceedings

Mr DAVIES (Mundingburra) (10.18 a.m.): I lay upon the table of the House a report on the Parliamentary Criminal Justice Committee's visit to Auckland, Wellington, Adelaide and Sydney between 9 October and 17 October 1994.

This visit was undertaken in order to assist the committee to prepare a detailed report on each of the following issues currently being considered by the committee—

the committee's review of Volume IV of the commission's report on police powers in Queensland;

the committee's review of the commission's report on cannabis and the law in Queensland; and

the committee's three-year review of the Criminal Justice Commission.

The various meetings held in the cities mentioned above proved to be both comprehensive and informative and will assist the committee greatly in the preparation of the relevant reports to the Parliament. The committee wishes to extend its thanks to the various organisations and individuals who so readily gave of their time and expertise.

Further, I lay upon the table of the House—

the minutes of evidence taken on 5 October 1994 in relation to the committee's review of Volume IV of the Criminal Justice Commission's report on police powers in Queensland;

submissions received by the committee on its review of Volume IV of the Criminal Justice Commission's report on police powers in Queensland; and

a supplementary submission from the Criminal Justice Commission on the committee's three-year review of the commission.

QUESTION UPON NOTICE

Class Sizes

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

"With reference to a survey by the Queensland Teachers' Union which found that, in primary school years 1-3, 17 per cent of classes are over the recommended maximum size and, on a regional basis, 30 per cent of infant classes in Wide Bay, 22 per cent in Darling Downs and 21 per cent in Metropolitan East are oversize—

In light of the Government's own Wiltshire Report which reinforced the importance of effective learning in the lower primary years, why have young children been allowed to bear the brunt of the Government's failure to properly manage its education budget and deliver its election promises?"

Mr W. K. GOSS: First, let me state quite clearly that the report of the curriculum review, that is, the Wiltshire report, is not a State Government report. It is the report of an independent, external panel of consultants who were asked to review the Queensland school curriculum. The Government is in the process of considering the major findings of the curriculum review and public comment on the report.

That said, the Wiltshire curriculum review highlighted the importance of quality curriculum teaching and learning across all years of schooling, not just lower primary. This Government is committed to strengthening curriculum, teaching and learning programs across all of the school years.

The statistics quoted by the member for Beaudesert on oversized primary school classes are misleading. The figures are in fact Department of Education planning figures obtained by the Queensland Teachers Union and represent enrolment numbers in schools on the eighth day of the new school year. These figures are compiled to enable the Department of Education to initiate remedial action to transfer teachers between schools or to appoint new teachers where enrolment patterns differ from those predicted at the end of the previous year.

Therefore, this data is a snapshot in time, which does not represent the true situation for the vast bulk of the school year.

Far from failing to keep our election promises, the member for Beaudesert would do well to note that, since taking office, the Queensland Government has injected, as I said yesterday, significant additional funds into education in this State to alleviate the legacy of being the worst-funded education system in Australia and to bring it to a level which is now at the national average, in accordance with our election promise.

In the 1994-95 State Budget, the Government allocated \$1,028m in funding for the primary school sector. This contrasts significantly with the last Budget of the previous Government in 1989-90, when \$623m was allocated to the primary school sector. I say again: \$623m compared with \$1,028m.

The Queensland Government has increased spending for the primary school sector by over \$400m, or 65 per cent, in five years. In addition to alleviating this inherited funding legacy, the Government has put in place a range of important education reforms, which include—and I will mention just a few—the introduction of the most advanced LOTE program in Australia, which has received \$70m since 1990. For increasing the supply of well-maintained computers, largely in primary schools, there has been \$30m since 1992. For strategies to reduce the burden on P & Cs to fundraise for the purchase of basic equipment, and to increase P & C involvement in school budgeting decisions, there has been a \$52m commitment over five years from 1992. For the refurbishment of schools in disrepair, \$60m has been promised since 1992. For the Sunsmart program to protect young children from the dangers of cancer, there has been \$5m since 1993. Lastly, for innovative strategies for student literacy and numeracy, there has been \$20m since 1990. There is no doubt that Queensland school children are now receiving a high-quality education, of which this Government is justifiably proud.

QUESTIONS WITHOUT NOTICE

Abortion

Mr BORBIDGE: In directing a question to the Attorney-General, I refer to claims by Dr David Grundmann that he runs the only abortion clinic in Australia which terminates human life past 20 weeks for reasons such as changes in socioeconomic circumstances and exam stress, and I ask: if existing legislation is inadequate to deal with the effective murder of five-month-old

children, will he as a matter of urgency introduce amendments to the Criminal Code?

Mr WELLS: This is a grave and serious matter and, although the formality of it is that it is a question from the Leader of the Opposition to a member of the Government, in fact this is an issue which always exercises the consciences of all members of the House. For this reason, I intend to explain the law in a little detail to the honourable member opposite for the benefit of the House.

The broad parameters of the law are set by the provisions of the Criminal Code, but those broad parameters are spelt out and given their specific focus by judge-made law, the decision of Judge McGuire in the case of Bayliss, a 1986 case which, of course, occurred during the period of the previous Government.

The first provision in the Criminal Code—and I will spell out the Criminal Code first—is section 224. In referring to this matter, it states—

"Any person who, with intent to procure the miscarriage of a woman, whether she is or is not with child, unlawfully administers to her or causes her to take any poison or other noxious thing, or uses any force of any kind, or uses any other means whatever, is guilty of a crime, and is liable to imprisonment for fourteen years."

The next relevant section—and this is another section that was interpreted in the Bayliss case of 1986—is section 282, "Surgical Operations", which states—

"A person is not criminally responsible for performing in good faith and with reasonable care and skill a surgical operation upon any person for the patient's benefit, or upon an unborn child for the preservation of the mother's life, if the performance of the operation is reasonable, having regard to the patient's state at the time and to all the circumstances of the case."

There are two other sections which are relevant. One is 294, "Death by Acts Done at Childbirth", which states—

"When a child dies in consequence of an act done or omitted to be done by any person before or during its birth, the person who did or omitted to do such act is deemed to have killed the child."

Section 313 states—

"Any person who, when a woman is about to be delivered of a child, prevents the child from being born alive by any act or omission of such a nature that, if the child had been born alive and had then died, the

person would be deemed to have unlawfully killed the child, is guilty of a crime, and is liable to imprisonment for life."

Those are the broad parameters of the law, as set out by this Parliament many years ago. The interpretation of the law was first exhaustively—and finally exhaustively—stated by Judge McGuire in the case of the Queen v. Bayliss and Cullin of 1986. In that case, the judge adopted the ruling in a southern case, the Queen v. Davidson. His Honour was of the view in that case that justifiable interference causing the death of a child about to be delivered was confined to the situation where the life of the mother was imminently at risk. His Honour said that the logic of this conclusion is—

". . . in accordance with the thinking of a great majority of people that the further the pregnancy progresses, the more stringent should be the requirements which will justify its termination."

Those were the words of the judge, and that is the law of Queensland. Where the statute law does not cover a particular point, the statute law is interpreted by the courts. This is what His Honour said—

". . . the further a pregnancy progresses, the more stringent should be the requirements which will justify its termination."

In relation to all other terminations, His Honour expressly adopted the ruling of Davidson's case. The consequence of that is that Queensland law is effectively the same as the law in the southern States of Australia. Notwithstanding claims to the effect that Queensland law is different or more or less permissive in respect of this matter, the truth of the matter is that the law is effectively the same as stated by His Honour Judge McGuire.

His Honour said—

"In my opinion, Bourne and those cases to which I have referred which have their genesis in Bourne substantially represent the law of Queensland."

He went on to say—

"In the result, I am of the opinion that Davidson . . . represents the present law of Queensland and I interpret SS 224 and 282 of the Queensland Criminal Code accordingly."

That represents the law in Queensland and in other jurisdictions of Australia—New South Wales, Victoria, Western Australia, Tasmania and the ACT. Termination of pregnancy in the early stages is not only lawful in life-threatening situations but also in situations where there is serious threat to the physical and mental health of the woman. Socioeconomic factors are

relevant in deciding whether there was such a serious threat. In the latter stages of pregnancy, termination is less capable of legal justification in the terms that His Honour expounded it. In other words, the situation in Queensland is exactly the same as the situation elsewhere.

It is unfortunate, perhaps, that statements have been made of the kind that have been made, but the situation is that the law is judge-made law, and that law—

Mr Borbidge: You can change the Criminal Code.

Mr WELLS: I refer the honourable member to the fact that that judge-made law was law that was made in the time of the National Party, and during the time that it was in office it did not do anything to alter it.

Dr D. Grundmann

Mr BORBIDGE: In directing a further question to the Minister for Justice, I refer to claims on radio this morning by Dr David Grundmann that his activities in terminating human life past 20 weeks are legal and that all that is required to justify the termination of such advanced pregnancies on grounds including changes in socioeconomic circumstances and exam stress is the registration of the death, and I ask: are these reasons for the termination of such advanced pregnancies consistent with Government policy? What action does the Minister intend to take, or does he intend to do nothing?

Mr WELLS: The honourable member obviously knows that it is inappropriate for the Attorney-General to get into a public debate with somebody about whether they have broken the law or not. What I will say—

Mr BORBIDGE: I rise to a point of order. The Attorney-General is responsible for the Criminal Code. I want to know whether he intends to enforce it or change it or do nothing.

Mr WELLS: Doctors do not determine the criminal law of Queensland, and I am not proposing to enter a debate—

Mr Borbidge interjected.

Mr SPEAKER: Order! I warn the Leader of the Opposition to cease interjecting.

Mr WELLS: I am not proposing to enter into a debate with somebody about whether they are breaching the criminal law. The criminal law—

Mr FitzGerald: Wash your hands, Pontius Pilate.

Mr WELLS: That interjection was

offensive, and I ask that the honourable member withdraw it.

Mr SPEAKER: Order! The member for Lockyer will withdraw that interjection.

Mr FitzGerald: On likening him to Pontius Pilate? If it is parliamentary practice, I will—

Mr SPEAKER: Order! The Attorney finds that remark offensive, and he asks for it to be withdrawn. The member for Lockyer has withdrawn.

Mr WELLS: If the doctor has said what the honourable member has said that he said—well, then, what the doctor is saying is not in accordance with the law as I have explained it, and the law of Queensland will be enforced.

Mr Borbidge interjected.

Mr De Lacy interjected.

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

Mr BORBIDGE: I rise to a point of order. I find the comment made by the Treasurer offensive. I ask that it be withdrawn. Five-month-old babies happen to matter to me.

Mr SPEAKER: Order! I did not hear any comment by the Treasurer and therefore under Standing Orders—

Mr BORBIDGE: Well, I did, Mr Speaker, and I insist that it be withdrawn.

Mr SPEAKER: Order! What did the Treasurer say?

Mr BORBIDGE: "Sleaze." He accused me of being a sleaze.

Mr SPEAKER: Order! I ask the Treasurer to withdraw.

Mr W. K. Goss: Isn't truth and fair comment a defence in here?

Mr BORBIDGE: Pontius Pilate is!

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

Mr De LACY: Mr Speaker—

Mr Littleproud interjected.

Mr SPEAKER: Order! The member for Western Downs! I call the Treasurer.

Mr De LACY: I withdraw the comment.

Mr BORBIDGE: I rise to a point of order. I also ask that the comments made by the Premier be withdrawn.

Mr SPEAKER: Order! There is no point of order. I call the member for Mulgrave.

Mr BORBIDGE: I rise to a point of order.

The remarks made by the Premier were offensive but not unexpected, and I ask that they be withdrawn.

Mr SPEAKER: Order! There is no point of order. I call the member for Mulgrave.

Mr Borbidge interjected.

Mr SPEAKER: Order! I warn the Leader of the Opposition under Standing Order 124 for persisting with that interjection.

Policing Initiatives, Far-north Queensland

Mr PITT: I ask the Minister for Police and Minister for Corrective Services: could he advise the House of what initiatives have been undertaken to improve the effectiveness of policing in far-north Queensland, and in the Cairns area in particular?

Mr BRADY: As members are well aware, Cairns and far-north Queensland are particularly fast-growing areas. The Government has been very keen to keep pace with the changes necessary in relation to law enforcement in those areas. I recently announced with the Mayor of Cairns the establishment of a permanent police shopfront to be constructed immediately in the Cairns central business district. That shopfront will be similar to the very successful shopfronts operating in the mall in Brisbane and in the Valley in Brisbane and the shopfront also being established in conjunction with the Townsville City Council in the Townsville mall.

In the course of expanding the Aboriginal police liaison officer scheme, we announced that two Aboriginal police liaison officers will be stationed at Mossman, and we believe that they will be in place by early 1995. This is in addition to the enormous expansion of the numbers of police operating in the Cairns district. We have moved from 199 officers in the last year of our predecessors in Government to the present level of 301 officers. That represents an increase of more than 50 per cent in the number of police officers in the Cairns police district since we came to Government. We already have 18 Aboriginal and Torres Strait Islander police liaison officers working in Cairns, Innisfail, Mareeba and Thursday Island. The two officers to be stationed at Mossman will be additional to that.

There have been vastly improved capital works throughout the far-north region, with new stations at Cairns, Innisfail, Mareeba, Mossman, Aurukun, Cooktown and Weipa. The far-northern region of the Queensland Police Service has received enormous capital and personnel improvements since we came to Government, and we will continue to monitor the needs in this fast-growing and important area of the State.

Attorney-General's Appeal in Whiting's Case

Mr PITT: I ask the Honourable the Attorney-General: would he advise the House of the consequences of his recent successful appeal in Whiting's case?

Mr WELLS: The decision in Whiting's case, which was taken on the 24th of this month, will have the effect of significantly increasing the penalties in some areas of manslaughter. What happened in Whiting's case was that the Court of Appeal differed completely from the previous decision of *The Queen v. Green*, a 1986 decision which had established a species of domestic homicide, and in this particular category of domestic homicide very low penalties were handed down. The Court of Appeal in Whiting's case said—

"Although Green's case may suggest some considerations that can be properly taken into account in sentencing, we do not consider that what was said in that case should continue to be viewed as imposing a definite line of demarcation between cases like this and other forms of manslaughter."

Indeed, it was a fault in the case law of Queensland that if a killing occurred in a domestic situation, notwithstanding that it was a particularly brutal and gruesome killing, a different and lighter sentencing regime used to apply.

As a result of this appeal, the Court of Appeal has set aside that old ruling, and we are going to get tougher and more realistic sentences now in cases of this kind of domestic homicide. That is the effect of the Attorney-General's appeal in the case of Whiting.

Dr D. Grundmann

Mrs SHELDON: In directing a question to the Attorney-General, I refer him again to comments made by Dr David Grundmann, and I ask: will he or will he not take action in regard to this matter?

Mr WELLS: Mr Speaker, as I said in my previous answer—

Mrs Sheldon interjected.

Mr SPEAKER: Order! The member has asked her question.

Mr WELLS: As I said in my previous answer, the law of Queensland is extremely clear; it is as I stated it at length for the benefit of honourable members; and the law of Queensland will be enforced. If somebody in a particular case has a complaint to make about a

breach of the law, then it is appropriate that that person should go forward with evidence to the law enforcement authorities so that the law may be enforced.

Queensland Electricity Commission Electricity Fund

Mr LIVINGSTONE: I ask the Minister for Minerals and Energy: is he aware of comments by the Deputy Leader of the Opposition that almost \$100m has been overspent on the Queensland Electricity Commission Electricity Fund? Can the Minister inform the House of the true situation?

Mr McGRADY: I thank the honourable member for the question; I think he hit the nail on the head. The word "confused" might be the best explanation for the Opposition member's comments. The would-be Treasurer seems to have great difficulty in interpreting fairly simple financial statements. In fact, Mrs Sheldon could not have got it more wrong even if she tried. As it happens, she has looked at one number in the accounts, she has not understood it, but she has still gone ahead and used it.

The QEC has not overspent. In fact, it has underspent. As the member for Ipswich West noted in his question, the QEC had in fact underspent its budget in operating and capital areas due, no doubt, to the extra efficiencies found within the industry. If Mrs Sheldon had read the statements properly she would have realised this. What the industry did decide to do was pay off the debt at a higher rate than earlier anticipated. It was not forced to do it, it merely thought it was financially wise. The QEC paid off \$215m more than it originally budgeted for in mid-1993 when the budget was put together. I want to stress that this had nothing at all to do with the sale of the Gladstone Power Station.

So in simple terms, the QEC underspent by about \$118m. It put all of these funds, plus an extra \$97m from revenue, into debt repayments. I believe the \$97m is the figure referred to by Mrs Sheldon. The Queensland Electricity Commission adopts the prudent approach of paying off debt when possible and should be congratulated for taking the opportunity as it did last year.

ABS Strike Rate Figures

Mr LIVINGSTONE: I ask the Minister for Employment, Training and Industrial Relations: is he aware of the latest Australian Bureau of Statistics strike rate figures and what the trend shows for Queensland?

Mr FOLEY: Yes, I am aware of those ABS statistics for working days lost per 1 000 Queensland employees, otherwise known as the strike rate. The figures for the 12 months to the end of July 1994 show a strike rate for Queensland of 137.5 working days lost per 1 000 employees. Those figures were influenced by the national coal dispute.

However, as with most statistics, the real story is in the long-term trends. One has to look at how this compares, for example, with the situation in the Queensland economy when the National Party were in possession of the Treasury benches. For example, that figure—and I remind the House that it is 137.5—compares with the 1988 figure of 336, which is more than twice as bad. In 1986, it was 208. In 1985, it was 411—more than three times as bad as the current statistics show the position to be. Of course, 1985 was when we saw the policies of the previous Government in full flight.

Mr Lester interjected.

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

Mr FOLEY: In 1982, the figure was 660. In 1981, it was 620. So let us take these figures in context. They just demonstrate, of course, that we are so used to industrial peace and harmony as a result of Labor being in power that even when the problem reaches the stage of being even less than half the problem that it was under the previous Government then, of course, we notice it.

Let me look at the other side of the coin, too, that of productivity in workplaces. That proves to be an interesting statistic. It is a statistic from which the honourable member retreats like superman from kryptonite. If one looks at the number of persons covered by enterprise bargaining, one sees that Queensland leads all of the Australian States, with over 90 000 people covered—that is over 11 per cent. By contrast, the New South Wales Government, which has actually been advocating enterprise bargaining for a longer period, limps along with some 81 268 employees covered as at the end of September—a mere 7 per cent of its work force. What we see is the proof of the pudding with respect to enterprise bargaining in practice.

Of course, the real concern that one should have about strike rates and industrial unrest is the concern that ordinary working men and women of Queensland would have if the National and Liberal Parties had a chance to introduce their industrial relations policies and to abolish the award safety net, which Mr Borbidge promised to do at the last State election. That is part of the Opposition's secret industrial relations policy which it does not have the guts to put on

the table, because the Opposition knows that that plan to abolish the award safety net will be repugnant to ordinary working men and women in Queensland.

National Electricity Grid Proposal

Mr SPRINGBORG: In directing a question to the Minister for Minerals and Energy, I refer the Minister to the national electricity grid proposal called Eastlink, and I ask: will an easement be acquired along one of the current corridor options even if the Government decides not to proceed with the proposal to construct the line by 1998?

Mr McGRADY: I must say that I have noticed some activity in recent days from members of the Opposition trying to whip up some opposition to this proposal. The hallmark of this Government has been consultation. As far as Eastlink is concerned, we are going through a consultative process; no decisions have been made. We are more than happy to listen to the views of the people. I encourage people to have their say before the final corridor or route is decided.

Mr Cooper interjected.

Mr SPEAKER: Order! I warn the member for Crows Nest under Standing Order 123A.

Mr McGRADY: Eastlink will go ahead if it is in the interests of the people of Queensland.

Compensation for Property Devaluations Due to Powerline Easements

Mr SPRINGBORG: I direct another question to the Minister for Minerals and Energy. I table two letters from real estate agents illustrating property devaluations of up to 50 per cent for properties on which major powerlines have been constructed. I ask: is the Minister satisfied that current compensation arrangements adequately compensate for entire property devaluations resulting from the acquisition of powerline easements and construction of high voltage powerlines?

Mr McGRADY: One of the pleasant problems we have in this State is that we have to provide power for the development of Queensland. The interlink is one of the options that we are considering. We will make those decisions in the next couple of months. I am more than happy to discuss any of the honourable member's compensation concerns, but I want to emphasise that this is simply one of the options that this Government is considering. I give the House the undertaking that it will be

developed only if it is in the interests of this State and the people who live here.

Smoke Alarms

Mr BENNETT: I ask the Deputy Premier and Minister for Emergency Services: is he aware of a program set up by firefighters Brett Finnis and Brett Johns to raise money to purchase smoke alarms in Gladstone and, if so, could the Minister outline the program and comment on its success?

Mr BURNS: Two young Gladstone firefighters, Brett Finnis and Brett Johns, of the Gladstone Fire Station have set up a program to raise money to purchase smoke alarms and install them free of charge in the homes of elderly and disabled people in that area. They have installed about 18 at this stage, and they expect the figure to be 25 or 30 alarms by the time they complete that program. The honourable member for Gladstone drew my attention to their actions, and I believe this is a very sensible and practical way to help people.

Smoke is the problem in a fire. Smoke alarms will not put out a fire or prevent a fire. However, they provide enough warning for someone to try to get out of a place where there is a fire. Fire Awareness Week has just been held. As part of that week, those young men tried to help people to understand the need for plans. When one talks to firefighters, they will often ask, "Do you know two ways out of a room? In any room in your house there should be two ways to get out, or at least you should know two ways of getting out of that room. If someone is stuck by a fire, you have problems. Do not open any doors or windows"—which everybody tends to do— "because it tends to create more of a fire. Put the back of your hand on a door before you open it to see if there is a fire on the other side of the door. If you have to evacuate from the room, go down on your hands and knees and crawl, because smoke and heat stay along the top of a room."

There are a lot of things that people can do to help themselves. They should buy a fire blanket. In most of the fires that occur in kitchens and places such as that, a fire-suppressant blanket thrown over the fire puts it out with the least damage to property and the best chance of saving lives if anything gets out of hand. Those young men are to be commended, and so are the other officers of the Fire Service in that area.

I also place on record an appreciation of six large Queensland building firms that are offering packages that include smoke alarms in new homes. The initiative has proved very successful. They say to people, "The house

costs \$100,000, but for an extra \$80 or \$120 we will install smoke alarms in particular locations." Those companies say that about 95 per cent of people buying their homes accept that offer and spend that bit extra. The companies are A.V. Jennings Homes, GJ Gardner Homes, Cavalier Homes, Coniff Homes, P. J. Burns and Devine Homes. We say thank you to them for the initiative they have taken and their support for it.

More and more people need to become aware that in bushfire-prone areas and other areas they should clean their gutters. They should not store paper or 44-gallon drums of fuel underneath their houses. There is a tendency among many people to store fuel in the wrong places. There are a lot of things that can be done. I encourage local members to ask people in their electorates to go to see their local firemen and talk to them about fire safety and what they can do to protect lives. Each year, many people die in fires in Queensland homes. Very simple precautions can be helpful and can save lives.

Gladstone Region Enterprise Centre

Mr BENNETT: I ask the Minister for Employment, Training and Industrial Relations: could he advise the House of progress on a major employment generation project in Gladstone, the Gladstone Region Enterprise Centre?

Mr FOLEY: The honourable member has a keen interest in the employment generation opportunities in the Gladstone region. I was very pleased to accompany the honourable member on Thursday, 13 October to inspect progress on the site of a new enterprise centre, which has been made possible by the Goss Government providing \$275,000 to the Gladstone Area Promotion and Development Limited to set up the enterprise centre.

This is part of a larger plan. It is part of the Goss Government's \$150m Jobs Plan, which was made possible by the choice of the Queensland people at the last State election to give us the mandate to implement it. The new enterprise centre at Beckinsale Street will provide affordable accommodation with shared administrative facilities for nine new manufacturing enterprises and light industry. I am pleased to say that it has been backed by the Gladstone Port Authority, the Gladstone City Council and the Commonwealth Government, which will mean that work spaces will be provided for 14 enterprises.

Eight enterprise centres are already operating around Queensland, and they have more than 200 tenants. These are important ways of helping people to get started in an

enterprise. The Gladstone enterprise centre was one of five new enterprise centres, including Thuringowa, Caboolture, Rockhampton and Mackay, which were made possible under the Goss Government's \$150m Jobs Plan—a plan for which the people of Queensland cried out. It is important, because those enterprise centres do help people to help themselves. Since the Goss Government's \$150m Jobs Plan was implemented, more than 62 000 Queenslanders have been assisted, with some 13 600 finding work.

Suspension of Teachers Without Pay

Mrs EDMOND: I direct a question to the Minister for Education. There have been some cases in which teachers with the Department of Education have been suspended without pay for lengthy periods due to false allegations against them. I ask: is the Minister aware of this problem, and has he considered taking action to address it?

Mr COMBEN: I am aware of the problem, and we have taken action to address it. Over recent months, some concern has been expressed about the Department of Education's procedures in dealing with teachers who have been accused of serious offences, particularly those involving children. Departmental policy to date has been based on the fundamental need to protect Queensland students. Their wellbeing has to be—and will continue to be—our main concern.

The member for Mount Coot-tha, the member for Greenslopes, the member for Chermside and others on this side of the House have expressed very strong and very legitimate concerns that we sometimes put too low a priority on the needs of teachers involved in these cases. In particular, they say we are being too harsh when we suspend teachers without pay for the duration of a procedure that could take many months—if not years—to complete and, upon completion, we find that the individual was totally innocent.

Mr Stephan: Are you going to alter that?

Mr COMBEN: This concerns the honourable member's area; I would be very cautious if I was him. I have also been lobbied—

Mr Stephan: I know. Are you going to alter it?

Mr COMBEN: Would the honourable member wait to hear the answer? I have also been lobbied—

Mr Stephan interjected.

Mr SPEAKER: Order! I warn the member for Gympie under Standing Order 123A. I am going to make him wait to hear the answer.

Mr COMBEN: I have also been lobbied by Mr Ian Mackie of the Queensland Teachers Union, who has put convincing arguments to me, to other members and to my department, and I agreed to have them investigated. That investigation has now been completed, and the result is that I am able to announce an amendment to our teacher suspension policy.

In future, a staff member who has been accused of an offence will be relocated away from all schools—away from the children. They will be relocated to other Department of Education precincts where they will be assigned duties. This will guarantee the protection of the students—which is paramount—while ensuring that the rights of staff members will be preserved. Specifically, they will not be presumed guilty, nor will we be imposing any financial hardship or punishment on the basis of any presumed guilt before they have been tried. However, we totally reserve the right to have individual cases considered by the director-general so that where there are extreme circumstances, such as an admission of guilt to a serious crime, appropriate action, including suspension without pay, can be taken. This is a great step forward in terms of the protection of teachers, including teachers such as those from Shailer Park who are in the gallery today. Across the State, it will remove a great hardship that has existed.

Heavy Vehicle Driving Hours

Mrs EDMOND: In directing a question to the Minister for Transport, I refer to the recent meeting of the Australian Transport Council in Glenelg, South Australia, and its consideration of a proposal to extend the limit of heavy vehicle driving hours from 12 hours to 14 hours per day. I ask: could the Minister please advise of the outcomes of this discussion and the role that Queensland is playing in the establishment of safe, nationally uniform working hours for heavy vehicle drivers?

Mr HAMILL: Queensland has played a very constructive role in respect of working towards a national approach to the regulation of road transport and the driving codes that apply across this nation. In fact, we took a lead role in endeavouring to have the issue of driving hours and the very important associated issue of fatigue placed upon the national agenda.

It was not all that many years ago when there was a move among Governments in Australia for a change to the maximum driving hours for heavy vehicles to 15 hours a day. I recall the then

conservative Government in Queensland giving support to that move. Quite frankly, I think most members of this House and certainly most members of the public would consider it excessive in the extreme to have heavy vehicle drivers operating for 15 hours at the wheel of their vehicles. At that time, Queensland had a maximum driving period for heavy vehicle drivers of 11 hours. It was certainly a problem that we had differing regimes applying in the different States.

In March this year, we effected something of a breakthrough. By adjusting the maximum driving hours permissible in Queensland to 12 hours in a day and 72 hours in a week, we were able to bring the eastern seaboard of Australia—indeed, that area of the country where there is the greatest movement of heavy vehicle freight operations—into a conforming regime with respect to heavy vehicle driving hours.

In response to the honourable member's question—a proposal from the National Road Transport Commission to move to a regime permitting 14 hours' driving a day seemed to me to be a very retrograde step indeed; in fact, a move back to those dark days of 1988 when 15 hours a day was being actively touted. I make no apologies for my opposition to that 14 hours a day proposal. I make no apology for my success in working with other States in having that proposal rejected at that ministerial council meeting.

What was very encouraging was that other States recognised the good work that was being done in Queensland with respect to that very serious issue of fatigue among long distance drivers. We are putting in place a pilot program in this State to look at the whole circumstances surrounding the operation of heavy vehicles, particularly the operation of those heavy vehicles and the lifestyles of those who drive them. I suggest that it is very arbitrary to say that 11 hours is okay or 12 hours is okay, but 13 hours is not okay and 14 hours is not okay. We need to have an holistic approach to the welfare and working conditions of those heavy vehicle drivers. That is what we have put in place with our fatigue management program.

The result of the ministerial council was a commitment of all the jurisdictions to the Queensland approach. With that fatigue management approach we are building a system of accreditation that will apply to heavy vehicle drivers across the nation. In March or April, the Australian Transport Council will meet again. I am confident that at that meeting there will be an endorsement of not only Queensland's fatigue management strategy but also an overall accreditation system that will deal with loading

and operation of heavy vehicles, their maintenance and inspection as well as the very important issue of the welfare and health of those who work and earn their livelihood in the industry.

Tweed River Sand Bypass

Mrs ROSE: I direct a question to the Minister for Environment and Heritage. Following the State Government's announcements in the last Budget of its commitment to the Tweed River sand bypass project, can the Minister tell the House what progress has been made on this issue?

Ms ROBSON: I thank the member for the question. She has been very active and involved in getting a commitment from this Government to do something about that Tweed River sand bypass, so I am delighted to give an update. My department has committed \$1.5 million this financial year as the first instalment of a three-year commitment to the Tweed River sand bypass.

The project is a result of agreement between the Premiers of Queensland and New South Wales, which culminated in their signing of a heads of agreement on 31 March 1994. This unique and complex joint project involves the design, construction and operation of a permanent sand bypassing system at the Tweed River entrance, together with initial dredging of the entrance and nourishment of the southern Gold Coast beaches.

New South Wales will meet 75 per cent of the initial capital costs, 50 per cent of the recurrent operation and maintenance costs, and 50 per cent of the replacement costs. Queensland will finance the remainder, which the Queensland Government and the Gold Coast City Council will share on a fifty-fifty basis. The announcement in the May Budget of the expenditure of \$1.25m of the \$1.5m committed is part of the capital cost of the initial dredging and nourishment.

In August, both Governments called for nominations for four positions on an advisory committee to assist in the implementation of the project. In September, the advisory committee was formed and comprises four local community representatives—two from each State—one representative from each of the Gold Coast City and Tweed Shire Councils, two officers from the Department of Environment and Heritage and two from the Public Works Department in New South Wales.

In October, I announced that copies of the environmental impact study for the project were

available for public viewing at 12 locations on the Gold Coast and northern New South Wales, Sydney and Brisbane. On 17 October, a public meeting was held at the Tweed Heads Civic and Cultural Centre to allow the public to discuss aspects of the EIS with the consultants who prepared it. Both Governments are now waiting for submissions to be received about the EIS and, should the EIS findings be supported, we can look forward to the initial dredging and nourishment programs beginning in the next few months.

Gold Coast Police Headquarters

Mrs ROSE: I ask the Minister for Police and Corrective Services: what improvements can the police on the Gold Coast expect from the new headquarters opened recently?

Mr BRADY: Certainly the Gold Coast region has been one of the great examples of our Government's concentration on improving police numbers and police resources.

Mr Cooper: Very little.

Mr BRADY: In relation to the interjection that I just heard from one member of the Opposition—I think that it was the shadow Minister saying, "very little"—it is a pity that members opposite do not recognise the truth.

Mr Cooper: Just ask the people on the Gold Coast.

Mr BRADY: I did ask the people on the Gold Coast; I was down there recently.

Mr Cooper interjected.

Mr BRADY: There he goes again. He does not like to hear good news. He is a bad news junkie. When he was Premier, he got hooked on it.

Mr Cooper interjected.

Mr SPEAKER: Order! Can I suggest that the member for Crows Nest become all ears for a change. He is not a good example of all ears.

Mr BRADY: When he was Premier, he got hooked on it, but he had better get used to hearing some good news. When I was down on the Gold Coast, we opened the new eight-storey police station at Surfers Paradise. The people of Surfers Paradise and the Gold Coast were very appreciative. We had \$4.3m spent on the building. Another \$2.2m was spent on fitting it out.

Mr W. K. Goss: In whose electorate did you spend all that money?

Mr BRADY: To show the integrity of our Government, I am pleased to say that we spent it in the electorate of the Leader of the Opposition.

Mr Veivers: Did you allow him to speak that day?

Mr BRADY: The member for Southport was there, too, but he arrived late, as usual. In relation to this matter, it is always very helpful to have the Premier interject, so I have the support of my colleagues.

In relation to the Gold Coast—it has very much been a good-news story. Not only did we build this new building at great expense that caters for the needs of the Gold Coast—

An Opposition member: You bought it; you didn't build it.

Mr BRADY: We fitted it out at a cost of \$2.2m. We bought it and fitted it out. I say to the member for Southport that I took a personal interest in it. The old building was a disgrace. That is what this Government inherited after 32 years of government by members of the opposition parties.

I will tell members about the number of police officers. In 1989-90, when the Labor Party came to Government, the Gold Coast police district had 319 police. It now has 463—an enormous increase. This Government has increased the police numbers on the Gold Coast by four times the rate of increase in the population. So if Opposition members want to talk about police numbers, I can say that this Government has increased numbers in that area. As well, we have upgraded the Burleigh Heads Police Station to a 24-hour station; there is a new police station at Mudgeeraba; and we have upgraded the Coomera Police Station.

In relation to the large and important area of the Gold Coast which, unfortunately, is inhabited by too many members of the Opposition but is still an important area for Queensland—we have spent the money and allocated the resources. The Government is very proud of what it is doing there. Despite the knocking of the Opposition, we do it with the support of the member for Currumbin.

Rape Laws

Ms POWER: I refer the Attorney-General to the review of the Criminal Code and, in particular, the definition of rape, and I ask: can he outline to the House the reasons for this definition and how penalties will be affected?

Mr WELLS: The current definition of rape is unduly restrictive. There was a recent and very sad case in which a person was convicted of aggravated sexual assault in respect of a number of extremely small children who were incapable of consenting. That person should have been

convicted of rape. As a consequence of that case, we will be extending the definition of rape to include any kind of forced intercourse with any person.

In addition, as a result of recommendations for the proposed new Criminal Code, there will be a new offence of sexual assault and a new offence of aggravated sexual assault. Aggravated sexual assault will carry a life sentence and it will include the type of behaviour that we now get occasionally in the more bizarre cases which involves the insertion of foreign objects or other body parts into any person.

The sexual assault offence, which will have a seven-year penalty, will include the more minor assaults of a sexual nature where there are no aggravating circumstances. A case of aggravated sexual assault will carry a maximum penalty of life imprisonment. Also, if a person who is sexually assaulted is over 60 years of age, that will be considered by itself a circumstance of aggravation and the penalty will be increased to a 14-year gaol term even for a more minor offence.

The strategy behind these changes is to add a new labelling aspect to the offence. Previously, these crimes were called indecent assault. However, using the term "sexual" is more up to date and reflects better the gravity and reality of these abominable crimes.

Mining Industry Employees

Ms POWER: I refer the Minister for Employment, Training and Industrial Relations to the Queensland mining industry, which employs 19 000 Queenslanders whose skills are critical to the industry's international competitiveness, and I ask: what is the Goss Government contributing towards the skills development of these workers?

Mr FOLEY: The skills development of these workers is absolutely fundamental to the ongoing international competitiveness of this industry. I hear the honourable the Leader of the Opposition interjecting that this question should have been directed to the Minister for Minerals and Energy. Let me inform the Leader of the Opposition that training in industry across a wide range of industries is a matter which is of central concern to my department.

In this instance, in 1993 the Government invested some \$2m to relocate the Mineral Industries Studies Centre to central Queensland. On Thursday, 13 October, I had the pleasure of opening that centre. This Mineral Industries Studies Centre has some 30 on-site students but more than 350 distance education students—the majority of them current employees of mines, and 70 per cent of them

seeking qualifications to further their careers. The centre also works closely with the industry to provide fee-for-service training for many of our major metalliferous mines and coalmines, for example, Gordonstone and Consolidated Rutile.

Interestingly, this centre is working towards the potential of a video-conferencing network to link mine sites to the Mineral Industries Studies Centre. That is an example of the need to use modern, whiz-bang technology to bring training into the workplace and into the communities where people live.

The proposal is for video-conferencing facilities for up to five major mining centres, allowing students to take part via satellite in classes run at the Rockhampton centre. Such video conferencing would provide two-way sound and vision, allowing students and teachers thousands of kilometres apart to meet face to face just as, for example, the mining workers of Comalco at Weipa have been able to undertake a hydraulics course which is taught at Mount Gravatt TAFE.

This modern technology assists in overcoming the tyranny of distance and helps us to ensure that we have world-class skills development in all of our industries and, in particular, the mining industry, which is so important to Queensland's economy.

Rates

Mrs McCAULEY: I refer the Minister for Housing, Local Government and Planning to the amalgamation process for local government in Victoria in which a rate freeze was imposed for a period of 12 months after any amalgamation. I refer also to the recommendation from EARC that a similar rate freeze be imposed for a period of two years after any such amalgamation in Queensland. Given that the rural constituents of the newly amalgamated Cooloola Shire have had enormous rate rises, I ask: why has the Minister not found a way to take up this recommendation? Will he do so in the best interests of the ratepayers of this State?

Mr MACKENROTH: One of the things that this Government has not done, and which was done in Victoria, is to appoint independent commissioners to run those councils. I believe that, at present in Victoria, some 60 per cent of the State is being governed at local government level by unelected people. I am sure that if our Government was to adopt that sort of philosophy, we would not allow those people to increase rates, either.

When we agreed to amalgamate the Gympie and Widgee Shires and the other shires that we agreed to amalgamate, we also made the

decision that the people who are elected to govern in those areas should be the people who make the decisions for those areas. For instance, what we have done in Gympie/Widgee is put in place a system whereby in the new Shire of Cooloola, the people were able to elect their own local government, and that local government is charged with the responsibility of setting the rates for that shire. We believe that if the Government was to say to a new shire that it was going to set its rates for the next three years, it would be a way of ensuring that the amalgamation process did not work.

We have allowed for new councils to be elected in those shires that have been amalgamated and for those newly elected bodies to make the decisions relative to their particular shires.

Tick Eradication Program

Mrs McCAULEY: I direct a question to the Minister for Primary Industries. Given the tick eradication program that has been successfully undertaken in the Taroom area of my electorate, given the enormous cost to properties involved in the program and given the extreme drought conditions in that area, which has been drought declared since 1991, I ask: is it correct that the Minister's department intends to levy charges for tick control according to this schedule, which I table? Does the Minister think that such an impost is appropriate at this time?

Mr CASEY: I am not aware of the schedule to which the honourable member refers. However, I will have a look at a copy of it to see what it directly relates to.

I am aware of the policy that was adopted as a result of the commitments of this Government in the Leading State program in 1992 to undertake a tick reduction program in the tick-infested areas of Queensland. The prospect was that, over a 10-year period, the tick line would be taken right back to the Townsville-Mount Isa railway line. That program has been implemented in Queensland by the Goss Government, and it is progressing very well.

In relation to the recent announcement in Taroom—that was welcomed by all members of the cattle industry.

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

MINISTERIAL STATEMENT

Bus Safety

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (11.21 a.m.), by leave: The House may recall that yesterday, in

my ministerial statement on Monday's bus tragedy, I advised that I had ordered a recall of buses of a similar design to that involved in the accident on the Gateway Arterial. This followed the preliminary examination by my department's inspectors of the steering mechanism of the bus. The preliminary findings of those inspections found a breakage in a suspension-locating bracket.

My department advised bus operators throughout the State of the compulsory inspection order, and Queensland also informed the Federal Office of Road Safety and our State and Territory equivalents. There are 78 buses registered in Queensland with the same steering mechanism as that in the bus that crashed. I draw the attention of the House to the complete cooperation that the Government has received from bus operators and manufacturers in carrying out these important safety checks.

Wide Bay Tours, the company whose bus was involved in the tragic crash on Monday, carried out immediate checks on its buses. Today, those checks revealed cracks in the suspension-locating bracket on a further bus. The company immediately took the bus to the Department of Transport inspection facility in Maryborough and withdrew from service another bus equipped with the same mechanism.

Therefore, I have directed that all buses in Queensland of the type involved in Monday's accident be grounded immediately and taken out of service until checked by Transport inspectors. My officers are contacting the operators of the 78 buses involved. I am informed that the checks take about an hour for each vehicle, and therefore all checks should be completed by the end of next week. The grounding order applies to all Motor Coaches of Australia—MCA—buses manufactured prior to January 1993.

BUILDING UNITS AND GROUP TITLES BILL

Hon. G. N. SMITH (Townsville—Minister for Lands) (11.23 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act providing for the establishment and administration of community titles schemes, and for other purposes."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Smith, read a first time.

Second Reading

Hon. G. N. SMITH (Townsville—Minister for Lands) (11.24 a.m.): I move—

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

This Bill seeks to repeal the existing Building Units and Group Titles Act 1980 and provide for the establishment and administration of community title schemes. A number of minor and consequential amendments of other Acts is also included.

The Bill states more clearly the rights and obligations of parties involved in community living and protects those rights. It ensures that future owners have control of the ongoing management of the building unit and group title developments into which they buy. In this regard, the maximum term for letting and service contracts with a body corporate is limited to 10 years. This will take effect for new contracts from 24 October 1994. This means no-one can legally enter into a contract from Monday believing they have signed a 10-year plus agreement. All original contracts other than those relating to letting agents will be reviewed after three years. This means they can be terminated.

A recent High Court decision found the body corporate mentioned in the judgment did not have the power to enter into a contract with a letting agent where no specific by-law authorising the agreement had been passed. Contracts between a body corporate and a letting agent from the date of that decision, 4 May 1994, to the date of proclamation of the legislation will be validated by the legislation. The community has been advised of the Government's intention in this regard.

Proxy voting has been retained as a democratic right of unit/lot owners—both resident and absentee—but restrictions have been placed on the circumstances and manner in which proxy votes may be used. The Bill provides that all office/reception areas are common property for use by a service contractor only during the term of any contract with the body corporate. This will ensure that at the end of any future contract with the body corporate the contractor will not be entitled to retain possession of any common property used for the purposes of the contract. At present, a letting agent can retain the use of the reception area if the contract is terminated.

Provision is made in the Bill to enable efficient and effective staged development of land through flexible use of group title plans. A master plan will provide purchasers with appropriate details of the planned finished development. It will be possible to establish a

number of bodies corporate for large developments, or only one body corporate for smaller schemes. In the latter case, each stage in the development will have its own administrative and sinking fund.

To assist the tourist industry to continue to provide adequate accommodation, the Bill enables investors to buy lots in a community title scheme and lease them back to a tourist accommodation operator. The operator under a lease-back arrangement becomes the sole member of the body corporate for the term of the lease and, as such, can lease the whole of the common property from the body corporate. Several safeguards have been included to ensure that at the end of the lease the common property has not been dealt with by the operator in such a way that the rights of the lot owners have been adversely affected.

For this scheme to apply, all owners in the development must have entered into the lease-back arrangement.

The roles and meeting procedures of bodies corporate have been more clearly defined to assist members of bodies corporate to effectively carry out their activities. The powers and functions of the referee in resolving body corporate disputes have been clarified and modernised. Appeals against the referee's orders will now go to the Magistrates Court rather than to a tribunal. A substantial number of clauses in the Bill are accompanied by examples to assist the many owners who will use this legislation on a daily basis.

I would like to take this opportunity to thank those people who, as representatives of organisations, gave freely of their time, knowledge and expertise to officers of my department to ensure the effectiveness of this legislation. I commend the Bill to the House.

Debate, on motion of Mr FitzGerald, adjourned.

AGRICULTURAL AND VETERINARY CHEMICALS (QUEENSLAND) BILL

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (11.28 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to apply certain Commonwealth laws about agricultural and veterinary chemical products as Queensland laws, and for other purposes."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Casey, read a first time.

Second Reading

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (11.29 a.m.): I move—

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

This Bill represents the third and final step in the transfer of the responsibility for the registration of agricultural and veterinary—agvet—chemicals from this State to the Commonwealth, namely, the National Registration Authority—NRA. It reflects the commitment of this Government to reform in this very important area.

These chemicals, which are essential for efficient primary production and the wellbeing of the community, must undergo a very rigorous assessment prior to being approved for sale. Historically, this premarket assessment involved a mixture of Commonwealth and State activities, with the Commonwealth initially considering the data relating to each individual agvet chemical, and each State then required to register the chemical before it could be sold in that State.

Because of my concerns over these unnecessary duplications, I sought and received agreement for the establishment of a Commonwealth registration scheme. The establishment of the scheme has been a very complex matter involving a number of legislative steps. The Commonwealth has now introduced legislation establishing the National Registration Authority and is in a position to assume full responsibility for the registration process for all agvet chemicals up to the point of sale. Queensland will retain responsibility for controls over the uses of these chemicals. The NRA in evaluating and registering agricultural and veterinary chemicals products will ensure that the chemical products when used in accordance with registered label directions and with no more than reasonable care will not cause a threat to the health of the user or the public or damage the environment and will not give rise to violate residues in foodstuffs.

In essence, the Commonwealth will enact an Agricultural and Veterinary Chemicals Code which details the requirements for registration and supply of these chemicals. The code will be administered by the NRA and through this Bill will be applied as the Agvet Code of Queensland. Although the code will be administered by the NRA, there are a number of checks and balances to ensure that the interests of the agricultural sector and consumers in Queensland are addressed. This has been achieved through the

establishment of a number of consultative processes, such as the Agricultural and Veterinary Chemicals Policy Committee and the Registration Liaison Committee. My department is represented on both these committees. The department is also cooperating with the NRA in the enforcement of the scheme to help ensure that only properly labelled, approved chemicals are offered for sale in Queensland.

The Bill also includes consequential amendments to the Agricultural Chemicals Distribution Control Act 1966 and the Chemical Usage (Agricultural and Veterinary) Control Act 1988. These two Acts refer to the use of agvet chemicals approved or registered under the existing State registration system. These consequential amendments in the Schedule to the Bill reflect the changes required as a result of the transfer of registration. The amendments also update the provisions of these Acts so as to accommodate current drafting practices and implement Government policies in relation to inspectors' powers and appeals.

The Bill will ensure that Queensland is a full participant in the scheme and complete the orderly transfer of Queensland's function in the registration of agvet chemicals to the Commonwealth.

I commend the Bill to the House.

Debate, on motion of Mr Perrett, adjourned.

AGRICULTURAL STANDARDS BILL

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (11.33 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to provide for the making of agricultural standards and for other agricultural matters."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Casey, read a first time.

Second Reading

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (11.34 a.m.): I move—

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

This Bill reflects several major policy initiatives relating to agricultural production and demonstrates this Government's commitment to the processes of review and reform.

The first is in relation to rationalisation of the controls over the quality and sale of agricultural requirements such as seed, stock foods and fertilisers. It is aimed at greatly simplifying the regulatory regime.

Existing minimum quality criteria for the full range of agricultural, horticultural and pasture seed sold in Queensland will be removed and replaced by nationally agreed labelling standards. Registration of stock foods and fertilisers will no longer be required. It, too, will be replaced by nationally agreed labelling and nutritional requirements.

Standards will also be made with respect to prohibited materials and harmful ingredients in these commodities, thereby ensuring that any contaminants of seed, fertiliser and stock foods do not adversely affect crops or stock, public health, the environment or trade. Penalties for non-compliance with the standards, including non-compliance with labelling requirements, will be imposed.

Secondly, the Bill provides for the continuation of schemes for the certification of seed. Such certification schemes provide an ongoing source of high-quality seed with guaranteed genetic purity and/or freedom from disease to satisfy producers' needs and international trade obligations. Administration of the schemes is currently restricted to the Department of Primary Industries through the Seed Certification Committee. The Bill proposes to pass the responsibility to the chief executive, who can seek advice from an advisory committee. Industry will now be able to be represented on the advisory committee and therefore have a direct input into the running of the certification schemes.

To ensure the retention of sensitive international markets for meat products free from hormonal growth promotants (HGP), the Bill consolidates the controls over the use and non-use of HGPs and the marking of treated and untreated cattle. Currently, these controls reside in the Stock Act, the Chemical Usage (Agricultural and Veterinary) Control Act, and the existing Agricultural Standards Act. The necessity to include these provisions has arisen from the agreement between the Commonwealth and the States to urgently revise the existing HGP control system and to make the system operationally more effective and administratively simpler.

Finally, the Bill facilitates the transfer of the registration of agricultural and veterinary chemicals from the State to the National Registration Authority. Repeal of the existing Agricultural Standards Act will remove the current Queensland requirement for the registration of

agricultural and veterinary chemicals. The Agricultural and Veterinary Chemicals (Queensland) Bill 1994 introduced in conjunction with this Bill will give effect to the adoption of the Agricultural and Veterinary Chemicals Code of the Commonwealth, thereby applying the Commonwealth registration scheme for agricultural and veterinary chemicals to Queensland.

The Bill before the House recognises the Government's commitment to review legislation which affects business in Queensland and at the same time develop and maintain legislation that supports the needs of primary producers.

I commend the Bill to the House.

Debate, on motion of Mr Perrett, adjourned.

JUDICIAL LEGISLATION AMENDMENT BILL

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (11.38 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Industrial Relations Act 1990, the Judges (Pensions and Long Leave) Act 1957, the Judges (Salaries and Allowances) Act 1967, the Land Act 1962 and the Supreme Court of Queensland Act 1991."

Motion agreed to.

Mr DEPUTY SPEAKER (Mr Palaszczuk) read a message from Her Excellency the Governor recommending the necessary appropriation.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Wells, read a first time.

Second Reading

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (11.39 a.m.): I move—

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

This Bill arises out of the fourteenth report of the Salaries and Allowances Tribunal, which was disallowed by the House in November last year. Supreme and District Court judges currently receive remuneration consisting of three separate components—salary, general allowance and jurisprudential expenses. The tribunal in its fourteenth report had determined that for all Supreme and District Court judges, these three components should instead be

amalgamated and paid as salary. However, there was no power under the existing legislation for the salary and allowances of all judges to be amalgamated. As a result, the report was tainted by error of law, and disallowance by this House was unavoidable.

The primary objective of the Judicial Legislation Amendment Bill 1994 is to remove the current legislative impediment preventing the tribunal amalgamating judges' salary and allowances. This is achieved through an amendment to the Supreme Court of Queensland Act 1991 which will allow the tribunal to amalgamate salary and allowances for the Court of Appeal judges provided similar amalgamation occurs for the other Supreme Court judges.

Flowing from any amalgamation of judges' salaries and allowances which the tribunal may decide to make are two other issues which the Judicial Legislation Amendment Bill also addresses. The first of these relates to certain judicial pensions, and ensures that the status quo is maintained. Pensions paid to judges, and their widows, who retired prior to 6 February 1984 are calculated on the basis of salary at the date of retirement, together with various increments. Since 1984, the increment paid has been equivalent to the percentage increases to serving judges' salary granted by the tribunal.

If allowances were to become part of salary, this would mean that upon amalgamation of salary and allowances, the increment would be much higher than it would normally be expected to be. This is because the comparison would be between salary without allowances and salary including allowances. A new formula will ensure that increments as from 1 July 1992 will be based on a comparison of the total salary package of judges with the total salary package of judges as at 30 June 1992.

The other consequential issue addressed in this Bill relates to industrial commissioners and Land Court members. Currently, their remuneration is linked, in varying ways, to the remuneration of District Court judges. Some are linked to salary only, some to salary and general allowances, and some to salary, general allowances and jurisprudential expenses. Any amalgamation of judges' salary and allowances by the tribunal would distort those linkages by automatically increasing the remuneration of those who are currently linked to salary only or salary and general allowance only.

In light of these complications, and bearing in mind the need to provide a fair mechanism for adjusting the remuneration of industrial commissioners and Land Court members, the Bill will require the Salaries and Allowances Tribunal

to also determine the salary and allowances of industrial commissioners and Land Court members.

In making these determinations, the tribunal will use the same processes of inquiry as it uses for the determination of remuneration of judges and magistrates. In reaching a determination, the tribunal will be required to consider the remuneration of office holders in other jurisdictions who have equivalent or similar responsibilities and functions as the Queensland office holders, whether or not they hold the same title or status in that jurisdiction's hierarchy. For instance, commissioners of the Queensland Industrial Commission have responsibility for a range of functions performed at the Commonwealth level by deputy presidents who are at a higher level in the Commonwealth structure than Commonwealth industrial commissioners.

In summary, the Bill opens the way for the tribunal to now do what it had determined in the fourteenth report should be done. Additionally, in making amendments in respect of certain judicial pensions, and in respect of the remuneration of industrial commissioners and Land Court members, it averts unintended consequential effects of any amalgamation of salary and allowances.

I commend this Bill to the House.

Debate, on motion of Mr Beanland, adjourned.

ROMAN CATHOLIC CHURCH (INCORPORATION OF CHURCH ENTITIES) BILL

Second Reading

Debate resumed from 30 August (see p. 8954).

Mr ROWELL (Hinchinbrook) (11.45 a.m.): The Opposition supports the Roman Catholic Church (Incorporation of Church Entities) Bill.

The Explanatory Notes indicate that there was close consultation with the Catholic Church in its desire to have an Act that was more reflective of the current-day workings of the church. Other mainstream denominations, with their own legislation, have been supportive of this Bill, which will allow the Roman Catholic Church to have more autonomy.

The Bill allows for the incorporation of church assets. The chief executive may be asked to incorporate the church's entities. The change of name will not affect any prior arrangement or responsibilities the church had before the name change. No fee is payable for recording the change of name by a public official

or authority responsible for registering land or interests in land. Agreements and commitments made prior to the change of status are to be maintained, irrespective of whether they are assets or liabilities.

Technically, there is to be dissolution of the incorporated church's entities to make way for the Corporation of the Bishops through an application to the chief executive. The dissolution of incorporated church entities and the vesting of the successor entity is the important section of this legislation. Clause 33 allows the Bishop, or the Corporation of the Bishops, to request the chief executive to dissolve the incorporated church entity. This may proceed only if the necessary documentation accompanies the request and the dissolution is consistent with canon law.

Clause 34 states that if the chief executive receives a request for dissolution by gazette notice, the incorporated church entity can be dissolved. The assets and liabilities are then vested in the successor entity. Clause 35 allows for the dissolved interests in land of an incorporated church entity to be vested in the successor entity.

It seems the Office of State Revenue has also been consulted, as have other relevant departments directly involved with the legislation.

In clause 35 (2), the Bill says that no fee is payable for recording the vesting of the interest in the successor entity by a public official or authority for registering land or interest in land. In the spirit of accountability, the chief executive must keep a register showing the names of the incorporated church entities and the documentation relative to each section. These documents are to be made available for public scrutiny, free of charge, if requested.

It has been considered that the Associations Incorporation Act is no longer the best means of administering the church's assets. The requirements with trustees is cumbersome and makes the running of the church's many facets of providing services to the community more difficult.

I would just like to digress. Migrants who came to this land from Italy and Spain, back in the early 1950s and before, were predominantly of the Roman Catholic faith.

Mr Johnson: Don't forget the Irish.

Mr ROWELL: And the Irish. There were many others, but they were the two major groups that came out in the early 1950s. They came to Australia because it was a land of opportunity. It was a time when Europe was rebuilding after

World War II. These people did not just bring their ability for hard work, they also brought their faith and the traditions of their religion.

Unlimited work was available in the cane fields on the coast and on tobacco farms on the Atherton Tableland. Many came out on assisted passages from their home country, where often complete devastation had occurred. Australia presented them with the chance to carve out a niche for themselves. Although the conditions were harsh and the summer temperatures of northern Australia were almost unbearable, they persisted. Their earnings enabled them to bring to the land where there was an abundance of work other members of their families—wives, brothers, sisters and friends—who believed they had a future in Australia. Not only did they work and play games such as bocce for recreation, they also cultivated their faith in Christianity through the Roman Catholic Churches dotted throughout the cane fields on the coast.

Many of these church assets have been dispensed with now as changes of work practices in the sugar industry have occurred. Improved roads have led to less dependence on localised communities and the churches were relocated to more appropriate positions.

In just over twelve months, I have had the opportunity to witness the consecration of two new churches in my electorate. Our Lady Star of the Sea church at Cardwell and the new church at Mission Beach are of a very modern design. Strong financial support was provided by the parishioners. But there are other events that have been handed down in the tradition of the church that were initiated in the home countries of the migrants.

One such ceremony that is important to people who came from Sicily and are now living in the Innisfail district is the Festival of the Three Saints. Sicilian families from all over north Queensland, and even Brisbane, come to the event early in May each year to take part in the festivities. The Bishop of Far North Queensland, Bishop Foley, has presided over the luncheon on the Sunday. The history of the ceremony goes back to 253 AD and revolves around the ultimate sacrifice that three men made defending their faith. The statues of the Three Saints are taken from St John's Church each year and paraded around the streets of Silkwood. During May, the district is extremely vulnerable to rain but, during the history of the procession, no rain has ever fallen. Thousands of people come to this moving event to uphold a tradition and an event that has been part of their history for over 17 centuries. There is an active and dedicated committee that will ensure the spirit of the event will continue in Silkwood for many years to come.

These ceremonies contribute to the diverse fabric of Australian society.

Education has been an important issue with the church. Catholic Education provided 15.85 per cent of the State's education needs and 68 per cent of non-Government school education in 1993. In that year, there was a total of 274 schools, made up of 193 primary, 64 secondary and 17 primary/secondary school combinations. The schools in the secondary education area distributed a variety of knowledge, including agricultural training, to secondary school students in Queensland and from countries such as Papua New Guinea.

After a struggle to survive, St Teresa's Agricultural College at Abergowrie has now regained momentum and is taking the initiative of broadening its pupil intake from other countries. Countries such as Indonesia have also been visited with a view to providing education at secondary level. The school has a progressive outlook under the stewardship of the current staff, who will train some of the next generation's rural people.

Catholic schools are dispersed throughout the length and breadth of the State to give parents a choice other than the Queensland Government's school education system. Apart from the choice of the church's doctrine, the Catholic school and independent school systems provide an excellent yardstick against which the Government's schooling system can be assessed.

Health has also been another important area of involvement by the Catholic Church. Of the many Catholic hospitals throughout Queensland, the Mater Hospitals would provide the larger proportion of the church's hospital care. The total expenditure by the Mater Misericordiae hospitals in Queensland in 1992-93 was \$112,908,539—76 per cent of that in salaries. Outpatients treated during that year totalled 357 416, which comprised mothers outpatients, children's casualties, children's outpatients, adult casualties and adult outpatients.

The number of in-patients who were treated in hospital during 1992-93 was a total of 51 230. The range of patients included private births, public births, children's intermediate, adults intermediate, qualified babies private, mothers private, qualified babies public, mothers public, children's public and adults public. A wide range of personnel involved in providing these services is made up of nurses, full-time doctors, administrators, visiting medical officers, professional and technical staff, tradesmen, allied health providers and hospital staff in general. The level of professional health care in

this hospital system is excellent. A great deal of the most advanced medical equipment is provided to carry out complex diagnostic tests, and state-of-the-art technology for operating procedures is also provided.

I know many people who have had reason to be in-patients at the Holy Spirit at Wickham Terrace and the Mater Hospitals in Townsville and Cairns. I have heard nothing but praise for the care that was provided during their periods of confinement. I would also like to record my appreciation for the manner in which I received treatment at the Holy Spirit when I was required to have hospital care. The Catholic hospitals are making a major contribution to the health care of Queenslanders. They are reducing the workload on a public health system that is now struggling for funds.

Another involvement of the church is with the St Vincent de Paul Society. In the society's 1992-93 report, the records show that there were 108 shops in Queensland distributing a wide range of clothing and household items. Brisbane had 35 centres, which distributed in excess of 15 000 goods, including beds, lounge suites, kitchen furniture and large amounts of clothing, free of charge. During that year, the dedicated workers visited over 170 000 families throughout Queensland and provided 232 000 meals to people who were homeless or in need of help. A total of 143 500 bed-nights were made available for those who had nowhere to sleep. There is a concern with the growing numbers of homeless people in the State, particularly the number of young people who have no home to go to. There is also a grave concern for those who have mental illness. Some are leaving institutions without receiving the required support.

A major contribution is made to caring for the ageing population throughout Queensland with facilities that are being provided for them. During 1993, it was reported that 13 independent living units and 32 hostels were available for the aged. Other facilities that were provided for the aged were 11 day respite centres, 18 nursing homes and two geriatric hospitals. There will be an increase in those current facilities, as I am aware of a number of building programs being carried out.

I have touched on a range of humanitarian activities covered by the church and those people who work diligently, at either a professional or voluntary level, to assist those in need.

Mr Nuttall: We give in!

Mr ROWELL: I am quite surprised by the attitude of Government members to what I have had to say.

While there are Government programs to finance many of the establishments and initiatives, a tremendous amount of work is carried out by volunteers and professionals who, very often, work beyond the requirement of their occupation. I would like to acknowledge the work they do, because they are providing that type of service at a level of commitment that no Government department could provide. It is understandable that with the increasing complexity of the numerous operations the church would want to corporatise its entities. The legislation should cater for specific functions of the Roman Catholic Church's operations in Queensland.

The Opposition has no problems with this legislation. We have looked at it closely and consulted with a number of bishops and other church people. It is quite apparent that this legislation will be required for the future of the Roman Catholic Church in Queensland.

Mrs WOODGATE (Kurwongbah) (11.59 a.m.): I, too, am pleased to speak in support of this Bill. As all honourable members would be aware, it is a fairly straightforward Bill which I expected would receive wholehearted support from all honourable members, particularly those of us who are members of the Roman Catholic Church. We realise only too well that this Bill will be welcomed by all members of the church.

For a number of years, the Catholic Church has lobbying intensively to have its own Act in order that there may be an appropriate statutory basis for the incorporation of church entities. This Bill will allow corporate status to be conferred on church bodies while, at the same time, having regard to the rules of canon law. As the Deputy Premier, Tom Burns, said in his second-reading speech, the Catholic Church is delighted with this Bill. The feedback I have been getting from church members certainly backs up the Deputy Premier's claim.

I would like to give honourable members a bit of background to this Bill, bearing in mind that the Deputy Premier has to catch a plane tomorrow, so I do not want to take us down memory lane. Previously in this State, Catholic Church bodies were incorporated pursuant to the provisions of the Religious, Educational and Charitable Institutions Act of 1861, commonly called the RECI Act. For example, the Archdiocese of Brisbane and the other four dioceses of the Catholic Church of Queensland are all incorporated under the provisions of that Act, as are a wide range of other church bodies, including bodies such as those to which Mr Rowell referred, including the St Vincent de Paul Society, the Catholic Daughters of Australia and

other religious orders. However, in 1981 the Associations Incorporation Act—or the AI Act—was enacted and that statute came into force on 1 July 1982. That Act repealed the RECI Act but it also provided that its provisions would continue to have full force and effect in respect of those bodies incorporated by letters patent and under it. The net effect of that arrangement was that the RECI Act continued in force for such bodies previously incorporated, but new bodies were not able to be incorporated under its provisions.

In the Law Reform Commission report on the proposed AI Act—that report was prepared in the late 1970s—the Law Reform Commission recommended that the RECI Act not be repealed. However, when the AI Act was introduced, it provided for the repeal of that Act. The only reason given in the Minister's second-reading speech at the time—I am not sure, but I think it was Sam Doumany—was that the previous Act was, in effect, obsolete. The AI Act was designed to replace the RECI Act, as I said, in providing a legislative basis to allow the various categories of bodies caught by the older Act to be incorporated.

However, since 1981, the Catholic Church has found that the provisions of the AI Act are not well adapted to its particular structures. For example, the AI Act presumes that a body incorporated under it is conducted on a democratic basis through providing for general annual elections of office holders, annual general meetings, etc. Further, that Act provides for an extensive accountability regime which, I believe, is incompatible with church practices and the environment of the church.

As I said earlier, the Catholic Church has been lobbying intensively for quite a few years that there may be an appropriate statutory basis for the incorporation of church entities. I, too, would like to congratulate the church on its assistance in formulating this legislation that we have before us today.

A number of other mainstream churches have their own statutes, for example, the Anglican Church of Australia Act 1895, the Anglican Church of Australia Act 1977, the Salvation Army (Queensland) Property Trust Act 1930, the Presbyterian Church of Australia Act 1900, as well as the Presbyterian Church of Australia Act 1971. Some of those Acts provide for certain incorporations. You can see, Mr Speaker, why the Government acceded to the churches' submission and approved the introduction of this legislation.

At my office I have had only a couple of queries about this Bill, which is quite rare. I took on board both queries and contacted the

Minister's office in regard to stamp duty. One gentleman asked me about land being held by trustees for a church body. If the church applied under this Bill and was incorporated and the land was transferred to the incorporated church entity, did the transfer attract stamp duty? That gentleman—a very caring man—was quite concerned about stamp duty. I checked with Minister Burns, who responded very promptly and told me that the answer to that question was that stamp duty certainly will not be payable in cases of a transfer of property from one party, for example, from trustees, to another party, a church entity incorporated under the Bill. Stamp duty is usually payable. However, the Office of State Revenue has confirmed that section 59 (3) of the Stamp Act provides an exemption from duty for transfers to religious institutions and associated religious bodies, provided that the property is acquired for and used solely or almost solely for activities of a religious or public benevolent nature and specified educational and charitable purposes.

The only other query related to the incorporated church entity under the Bill applying under section 29 of the Act to change its name. In such cases, I was advised by the Minister, no stamp duty is incurred because it is merely a change of name. They were the only queries I received in relation to the Bill. I am more than happy to support the Bill.

Mr BEATTIE (Brisbane Central) (12.05 p.m.): As an Anglican with Scottish ancestry, I rise to support with some enthusiasm the Roman—

An honourable member: There should be more of them.

Mr BEATTIE: There should be more of them, I agree. I rise to support the Roman Catholic Church (Incorporation of Church Entities) Bill 1994, introduced by the Deputy Premier, Tom Burns. In doing so, I acknowledge the importance of this legislation to a number of key Roman Catholic churches and other entities in my electorate. I will come back to that in a minute.

The purpose of this legislation is to give a basis for the incorporation of religious bodies within the Roman Catholic Church, and it has been keenly awaited by that church for some years now. Incorporation of the Roman Catholic Church's bodies is essential to give such bodies the necessary powers and abilities to function effectively in the 1990s. A key part of the legislation is to allow church bodies to hold real property effectively without having to rely on trustees—a fairly fundamental provision. In short, the Bill allows the establishment of the Corporation of the Roman Catholic Bishops of

Queensland. It permits a Bishop or the Corporation of the Bishops to request the incorporation of a church entity. On page 4 of the Minister's second-reading speech, he sets out five other points that the Bill will—

- allow a bishop, or the corporation of the bishops, to ask the chief executive to allow the migration of an existing church corporation from the Associations Incorporation Act or Religious Educational and Charitable Institutions Act to this Bill;
- define the legal capacity and powers of incorporated church entities;
- allow an incorporated church entity to apply to the chief executive to change its name;
- empower a bishop, or the corporation of the bishops, to ask the chief executive to dissolve an incorporated church entity; and
- set out the records to be kept by the chief executive, or the corporation of the bishops.

The centrepiece of the Bill allows church entities to be incorporated, and clause 3 defines a "church entity" as—

- "(a) a diocese or archdiocese, or the trustees of a diocese or archdiocese, of the Church; or
- (b) a religious order, society or institution of the Church or the members of the order, society or institution; or
- (c) the holder of an office, or the holders of offices, of the Church under the Code of Canon Law;

and includes a discrete service, work, activity or part of a church entity."

So, realistically, the provisions of this Bill are very straightforward and very sensible. As the member for Kurwongbah said, there are similar statutes applying to the Anglican and other churches and, therefore, there is nothing extraordinary in relation to this piece of legislation.

As the member for Kurwongbah mentioned, this Bill has been some time in coming. I congratulate the Deputy Premier, Minister Tom Burns, on bringing this Bill to the House. There were some amendments in previous legislation in the early 1980s. At that time, there was a misunderstanding by the appropriate Minister as to what was required. Had the Government at that time got it right, perhaps this Bill in its present form may not have been necessary. But necessary it is, and I am delighted that it has been introduced.

The importance of this piece of legislation to the Roman Catholic Church and its various

entities in my electorate is easily seen by the number of Roman Catholic churches and other institutions in my electorate. I will list some of them, because they are important not only to my electorate but also to the people of Brisbane: All Hallows' School in the Valley—

Mrs Woodgate: That's my old school.

Mr BEATTIE: The honourable member's old school. I take that interjection. It has produced some incredibly talented people, some of whom have found their way into this House and made significant contributions as we saw earlier today. The Holy Rosary Catholic school at Windsor is a very important school in my electorate. I will continue the list—the Holy Spirit Catholic School at New Farm, which I am happy to say the Minister for Education, Mr Pat Comben, recently visited at my invitation; St Joseph's College in Gregory Terrace; St James Christian Brothers at Spring Hill—

Mr Nuttall: That's a fine school.

Mr BEATTIE: I take that interjection. It also has produced some very fine members of this House, including the honourable member for Sandgate and, indeed, the honourable member for Kurwongbah's husband. I was at the school with my colleague the Federal member for Brisbane for the opening of the Mary Rice building on 15 April. On that occasion, reference was made to the fact that the honourable member for Sandgate was one of their proud graduates, and I agreed with them. I indicated the important contribution that he was making in this House.

However, that is not all. In addition, I have St Columba's School at Wilston, which I visited recently for the presentation of the prize for the maths competition. It is a very important school and well regarded in the community, as is St Ambrose Catholic School at Newmarket. That is not all. My electorate also houses the official residence of His Grace the Archbishop John Bathersby, "Wynberg", in Brunswick Street at New Farm. In addition, my electorate houses St Stephen's Cathedral in Elizabeth Street. Not only that, the Queensland Catholic Education Office in Edward Street is also located in my electorate, along with St Vincent de Paul's headquarters in the Valley. Of course, Centre Care, which is run by Father Peter Dillon, is located in the grounds of St Patrick's in the Valley and the Holy Spirit Hospital is at Spring Hill.

So one could understand the importance of this piece of legislation to my electorate. I have had the opportunity to talk to a number of leading representatives of the Catholic Church about the Bill, and I am delighted that it has been brought before this House.

In talking about schools and educational institutions, I want to make brief reference to a matter that was raised with me recently by a principal of a State school in relation to entrance to the University of Queensland. I table for the House a letter that the academic registrar from the University of Queensland is sending to principals in State schools. It is a matter of some concern, because the University of Queensland is not looking simply at OPs but is also asking the various principals to make assessments of students on issues such as ethical behaviour. I want to raise my concern about that. The university has sent out a questionnaire to schools, but I believe that the entrance requirements and adjudications on entry is a matter for the university. They are not matters to put back on the principals of schools.

I have a high regard for the University of Queensland. I have been a graduate of the university on two occasions. It is a very fine institution. However, I believe that if the university—and I am talking about the department of physiotherapy—wants to have entrance requirements, it should not be requesting principals in our State schools to make assessments on students in matters such as ethical behaviour, people orientation, service orientation, leadership or interest in health fields. I have raised this matter with the Minister for Education. I know that he will be taking it up with the University of Queensland, and I urge him to do so.

When one of the principals in my electorate raised with the University of Queensland the matter of what would happen if he did not complete the survey in relation to each student, he was told that the students from that school would go to the bottom of the pile. I think that that is a very sad state of affairs.

Let me come back to the Bill and say that there has been wide consultation in relation to it. I am delighted that it is before the House, and I congratulate the Minister on introducing it.

Mr JOHNSON (Gregory) (12.13 p.m.): In rising to speak to this Roman Catholic Church Bill today, in common with the Opposition spokesman and members of the Government who have spoken so far in support of this Bill, including the member for Brisbane Central, I say that this Bill is long overdue. This legislation brings the Catholic Church into line with Acts covering other denominations, such as the Anglican Church of Australia Act 1895 and the Uniting Church in Australia Act 1977.

In speaking to this piece of legislation, it is absolutely paramount that we address the needs of not only the Catholic Church but also all other denominations in this State. I congratulate the

Minister on bringing this piece legislation before the House and making it a reality.

I wish to refer briefly to Part 2 of the Bill—Establishment and Composition of the Corporation of the Bishops. The member for Brisbane Central has just dwelled on this matter. The Corporation of the Bishops allows bishops to take control of important matters of management within the corporation and the Catholic Church.

I do not intend to speak for very long, but I wish to raise a couple of matters. The member for Hinchinbrook—and the Opposition spokesman—made mention of the role that the Catholic Church has played in education in this State over a long period. He referred to the history of the Spanish and the Italian settlers in his area. No doubt, we also must pay respect to the pioneering spirit of the Irish many years ago. They opened up much of the inland parts of this State and of this nation.

The member for Hinchinbrook also mentioned that 15.85 per cent of the State's education needs are supplied by the Catholic Church. The Catholic Church also supplies 68 per cent of the education needs in the non-Government area, which is a very big proportion. We must pay tribute to the work that these people have done in education in Queensland over a long period. I pay special tribute to the sisters of the Josephite Order, the Mercy Order and of the Presentation Order, who were pioneers in providing education to many of the isolated and remote communities in Queensland. Those sisters are saints in their own right and, no doubt, they made many great sacrifices. They have probably been instrumental somewhere along the line in providing education for many people in this State.

I am proud to say that I am a product of the Josephite Order. Those people have provided many hours of teaching. They have an understanding of the needs of rural children in some isolated and difficult areas, and we should commend them for their efforts. They have certainly never had their hands out for money; but, when the chips were down, they always seemed to be there. I can still say that, even though people in those orders are becoming thin on the ground, they are still addressing the basic needs and the problems that confront people not only in rural and remote Queensland but also in greater Brisbane, the south coast, the north coast, right along the north coast of Queensland and in the other provincial areas.

It would be very remiss of all Governments of all persuasions if they did not take notice of the needs of not only the Catholic Church but also the Uniting Church, the Anglican Church and

other religious denominations that provide the educational, health and social welfare needs of the people of this State.

In closing, I want to make mention of the great work that the Catholic Church is doing in the area of health, with hospitals such as the Mater Hospital and the Holy Spirit Hospital here in Brisbane, St Vincent's in Toowoomba and hospitals in other places throughout the State. What we are about in this place is working together to make sure that all of those institutions get the fair recognition that they deserve. I congratulate the Government on bringing this piece of legislation to reality today.

Mr T. B. SULLIVAN (Chermside) (12.19 p.m.): I rise to support the Roman Catholic Church (Incorporation of Church Entities) Bill 1994 introduced into this Parliament by the Deputy Premier, Tom Burns. For the first time in Queensland's history, the Catholic Church will have its own law designed to meet the needs of its numerous legal entities.

This legislation will resolve problems faced by church authorities since May 1981, when the previous Government revoked the old Religious, Education and Charitable Institutions Act 1861-1967. Previous Governments ignored the report of the 1980 Law Reform Commission, which recommended that specific legislation for religious bodies be introduced or retained.

Problems have arisen because church groups could not function properly when dealing with their property and could not satisfy normal civil requirements under other legislation. The old legislation was archaic and totally inadequate for the requirements and circumstances of the modern church. Religious associations and dioceses could not adequately deal with property, nor with the amalgamation or dissolution of church groups.

This Bill confers corporate status on the church while, at the same time—and very importantly—taking into account the rules of canon law, or church law. The new legislation will give legal coverage to a diocese, an archdiocese, a religious order, society or institution. The members and trustees of a church entity will be protected by this law, as will the holders of an office of the church under the code of canon law. New and existing church entities will be covered by this law and will allow church groups to amalgamate, be dissolved or change their name.

The Religious, Educational and Charitable Institutions Act 1861 actually served church bodies better than the recent Associations Incorporation Act 1981. The latter legislation was designed to suit sporting, social and community groups, and does, in fact, properly serve the

needs of these groups. Therefore, for some years, church groups have been calling for a new law which would specifically address the requirements of the Roman Catholic Church. The former Minister, the Honourable Glen Milliner, listened to the arguments put forward by the church authorities. He recognised the difficulties being experienced by the church, especially with regard to dealing with properties held by church organisations. The current Minister, the Honourable Tom Burns, gave full attention to the needs of the Catholic Church in Queensland, and this Bill is the result.

In brief, this Bill will allow for the establishment of the corporation of the Roman Catholic Bishops of Queensland; permit a bishop, or the Corporation of the Bishops, to request the incorporation of a church entity; allow a bishop, or the Corporation of the Bishops, to ask the chief executive to allow for the transfer of an existing church entity from the Associations Incorporations Act or the Religious Educational and Charitable Institutions Act to this Bill; define the legal capacity and powers of incorporated church entities; allow an incorporated church entity to apply to the chief executive to change its name; empower a bishop, or the Corporation of the Bishops, to ask the chief executive to dissolve an incorporated church entity; and set out the records to be kept by the chief executive, or the Corporation of the Bishops.

It should be clearly understood that incorporation under this Bill is limited strictly to religious bodies. The Queensland Parliament has existing legislation which provides legal coverage for a number of churches. These include the Anglican Church of Australia, the Methodist Church, the Presbyterian Church of Australia, Queensland Congregational Churches, the Salvation Army and the Uniting Church in Australia. In preparing this legislation, other major churches were consulted by the Government, and they expressed their support for this Bill.

After the Bill was introduced into the House, I distributed copies to Archbishop John Bathersby, Bishop John Gerry and other interested leaders of the Catholic Church in my area. I have received feedback from a number of different sources, and I can state confidently that this legislation has been well received by the Catholic Church. It is widely recognised that the new Bill will more adequately meet the needs of the various bodies within the Catholic Church.

Some questions were raised with me with respect to how stamp duty would apply, or not apply, to transactions involving church land. I am sure that the Deputy Premier will be able to

answer these concerns fully. My colleague the member for Kurwongbah, Mrs Woodgate, addressed the issues of stamp duty which were raised with me also. Church authorities will welcome the exemption from stamp duty under section 59E of the Stamp Act, provided that their properties are acquired for and used solely, or almost solely, for activities of a religious or public benevolent nature and specified education and charitable purposes.

These administrative procedures will help church entities complete the transactions which are necessary for their day-to-day survival and growth. Under the guidance of the Deputy Premier, Tom Burns, the Goss Government has provided the Catholic Church with legislation that will legally protect and assist its various entities. I know that parish councils, church schools, church-run hospitals, religious congregations and social justice agencies such as the St Vincent de Paul Society will welcome the protection and assistance afforded by this Bill.

From a small local group, such as my own worshipping community of St Anne's, Kalinga, to the large dioceses across the State, this legislation will be of benefit to members of the Catholic Church. For the first time in Queensland's history, there is a specific statute which has been designed to meet the needs of incorporated bodies within the Roman Catholic Church. I support the Bill.

Mr HORAN (Toowoomba South) (12.24 p.m.): I rise to support the Roman Catholic Church (Incorporation of Church Entities) Bill. I think it is an opportune time to look at the important impact of the Catholic Church upon Australia and, in particular, upon our local communities.

It is important to state at the outset that this Bill will enable the Catholic Church to function very effectively, in particular with respect to the property that it owns and holds in so many diverse ways. So many parts and units within the church are involved with property, and this will certainly allow for far more effective functioning and control of that property.

In Brisbane, in the days of Archbishop Duhig, it used to be said that every hilltop was almost always Catholic Church property. Certainly, the forefathers of the Catholic Church had great foresight. Almost 30 per cent of the Australian population—about 28 per cent—is of the Catholic faith. Much of Australia's development has come, particularly initially, through the Irish settlers and the Catholic religion. In those early days, the priests in particular—and they were followed by the brothers and the nuns—brought to Australia a very substantial degree of education.

Many Irish came to Australia not as free settlers but as convicts, and they had a difficult start in this country. As the member for Gregory mentioned, many of the Irish had to go out into the far, distant areas in order to take up land. It is interesting to note the number of Irish descendants in the Thargomindah/Quilpie area in the south-west corner of Queensland.

The important time for the Irish in Australia really came after World War I. In Melbourne, a parade was organised for Irish Catholics who won the VC. That was the time when the Irish really gained recognition in Australia. Since then, many other groups have come to Australia from around the world and have been able to obtain recognition within virtually one generation. However, the Irish were the real pioneers in that regard.

The contribution of the Catholic Church to the development of Australia has perhaps been the strongest in the area of education. It is probably fitting that this year will see the announcement of the canonisation of the first saint in the Catholic Church in Australia, Mother Mary MacKillop, who founded the Jospheite Order. This order in particular was a pioneering order that was prepared to go out into far, distant western parishes, and even into parishes where people did not have access to a weekly mass. For that reason, many of the Jospheite convents were located in western Queensland. And still throughout Brisbane and Queensland we see the Jospheite Order convents providing such a sound base of education. Not only that, other orders, such as the Christian Brothers, the Marist Brothers, the Presentation Sisters, the Mercy Sisters and the Brigidine Sisters have all made a great contribution to Australian and particularly Queensland education.

The Irish community in Australia was developed on a base of sound education. In particular through the areas of law, medicine, the public service, the police force and the railways, the Irish gained their foothold and strong presence in Australian society. When we look at some of the traditions of Australia, we see that much of them have come through the Catholic Church—for example, the tradition of mateship. The Catholic Church saw to the establishment of some unique institutions in our country, such as the Past Brothers Football Clubs, all of which exist in Queensland with the exception of one in northern New South Wales. These are unique institutions in our sporting life.

In Toowoomba, a very high percentage of students attend private and Catholic schools. Almost 70 per cent of the children in that city attend either independent or Catholic schools. The regional Catholic Education Office is based

in Toowoomba, under the very capable leadership of Mr John Mahon. Within my electorate, there are a substantial number of convents and secondary schools. These include St Thomas More, St Anthony's, Our Lady of Lourdes, St Joseph's Secondary School, which is a co-educational Catholic secondary school and which was formerly a Christian Brothers College, and St Xavier's Primary and Secondary Convent. In the adjoining electorate of Toowoomba North, that of my colleague Mr Graham Healy, there is St Mary's Christian Brothers College, St Ursula's, the Sacred Heart Convent, the Mater Dei Convent, the Holy Name Convent and Downlands College.

The city is also very fortunate to have within the University of Southern Queensland the boarding facilities of Concannon College, which was a dream of Bishop Kelly's. I must commend the chaplaincy at the University of Southern Queensland, which is provided by Father Des Coates.

Within the social structure of the city, we are very fortunate that the Catholic Church, along with the other religious organisations of the city, provide such a framework through St Vincent de Paul, which recently held its biannual State conference in the city; and the Catholic Women's League, which also recently conducted its State conference. I would like to commend particularly the work of Fatima Home, which provides for families and children some security in individual housing units—beautiful brick homes in a garden setting. Mothers who are the victims of domestic violence or people from dysfunctional families can be provided with some shelter and some security there. The people who work at the Fatima Home deserve every commendation for the way in which they look after young children and families and give them an opportunity to restart their lives.

The church also provides a women's shelter within the city and, through the various parishes, supports the missionary work of the Catholic Church. It is interesting that in the midst of the drought and the effects that it has had upon the city, a recent appeal through the church raised \$46,000 for Rwanda. I would also like to commend the Missionaries of St Peter Claver, a missionary order of nuns based in Margaret Street whose total involvement and commitment is to the missions of the world.

In the area of health, the Catholic Church has a huge commitment to the provision of quality health care. In Queensland, we see evidence of that right up and down the coastline and out as far as Toowoomba, particularly through the Mater Hospital system. The Mater Hospital system is also involved in public health

care and in children's health care, and the Mater Children's is regarded as one of the best children's hospitals in Australia. We see Mater and other Catholic hospitals such as the Holy Spirit and the hospitals of the Sisters of Charity spread through Toowoomba, Brisbane, Bundaberg, Rockhampton, Mackay, Townsville and Cairns.

On a recent visit to Townsville, I was interested to note that the Mater Hospital in that city has developed a cardiac unit, which was the first cardiac unit established in regional Queensland. The only disappointing factor was that, not long after that hospital started to develop its unit, the unit at the Townsville Base Hospital was established. That is one area in which there could be a degree of cooperation between the public and the private system.

Health services also include the care of the aged. In Toowoomba, Lourdes Home is a marvellous facility that cares for the aged. It cares also for some people who have unfortunately been disabled in their younger life. I believe that churches and the Government need to consider very carefully the provision of care for those who have been brain damaged or had severe spinal injuries in younger stages of their life and who really have no option but to go into the institutionalised care of a nursing home, often times housed with people who are much older than them. It would be nice if they could be with people who are closer to their own age. Nevertheless, the care provided for them is outstanding.

In Toowoomba, we have the Sisters of St Vincent's providing home nursing care, which is becoming ever more important as exit programs from hospitals determine that there is a need for care at home. St Vincent's Hospital in Toowoomba is owned and operated by the Sisters of Charity. That hospital has undergone a degree of change recently that is probably typical of much of the change occurring within the Catholic Church. The sisters have actually handed over the control and management of the hospital to a lay board. Under the chairmanship of Mr Brian Carter, the transition has been very smooth and the board has been able to maintain the ethics, the principles and the mission statement of the Sisters of Charity. St Vincent's Hospital is renowned in Toowoomba and southern Queensland and has recently announced a \$20m expansion, which will be in two stages, firstly of 18 private beds and secondly of 54 beds in a maternity section. St Vincent's Hospital provides the only alternative maternity facility to the Toowoomba Base Hospital.

One year ago, Bishop William Morris took over as bishop of the Toowoomba diocese, which is a huge diocese stretching from Helidon right out to Birdsville. That is an enormous area and one which faces great difficulty at the moment, particularly because of the drought. Bishop Morris has brought to the diocese a very strong faith commitment, and he has particularly brought that commitment to the Catholic schools in the diocese. He follows on from Bishop Kelly, whose funeral was held this year. Tragically, he died soon after his retirement following long service to the church. Bishop Kelly also brought to the diocese an enormous commitment to education, particularly a commitment to keeping the costs of education within the reach of average working-class families. He also is a non-stop campaigner in the area of the sanctity of marriage.

The challenges that face the Catholic Church in the Toowoomba diocese include the vastness of the diocese and the way in which the drought is affecting the parishes and the people throughout the drought-stricken areas of not only the Darling Downs but also the western downs and the south west. The organisers of the Rotary Western Families Drought Assistance Fund, which has been operating from Toowoomba, tell me that much of the contact that they make through their 27 committees is with various priests and nuns from the parishes in the south west.

The Catholic Church faces continuing challenges in the area of fundraising and maintaining its enormous infrastructure of both primary and secondary schools. This has probably been exacerbated in recent years because, with the advent of poker machines, bingo has not brought in as much money as it used to. That means that the church has to look to other areas of fundraising as well as depending upon the parish collections.

The biggest challenge of all for the church will be the involvement of the laity. I spoke of St Vincent's Hospital and the fact that the lay board has now taken over with the same ethical attitudes as those of the Sisters of Charity. St Joseph's Christian Brothers College is now run by a lay headmaster and lay staff. At the Downlands College, there has been a transition from the Missionaries of the Sacred Heart to a lay headmaster. As our priests grow older, the involvement of the laity within the parishes has been quite outstanding and is really one of the pillars of the church. Along with my fellow members of the Opposition, I have great pleasure in supporting this Bill.

Hon T. J. BURNS (Lytton—Deputy Premier, Minister for Emergency Services and

Minister for Rural Communities and Consumer Affairs) (12.37 p.m.), in reply: I thank all members for their strong support for the Bill. It has been prepared in consultation with the church's solicitors, and it would be true to say that the church itself welcomes the Bill fully.

I thank Marc Rowell, the member for Hinchinbrook, for his support for the Bill. I confirm to him that there will be no stamp duty ramifications arising from the Bill. He raised that matter with my staff prior to this debate and he raised it again during his contribution. I make it quite clear that that has all been cleared up to the satisfaction of the church and to the satisfaction of the Office of State Revenue.

I thank Margaret Woodgate from Kurwongbah for her comments outlining the history behind this Bill. She has been the hard-working secretary of my parliamentary committee, and she contributed greatly to our deliberations on this very important Bill for her church. I thank Peter Beattie also for his support and his positive contribution. He is also a member of my parliamentary committee. He started the wider-ranging debate on the issue. I must thank the many Government members who approached me saying that they wanted to speak on the Bill and endorse the church's contribution to Queensland and Australia. I think that everyone would have liked to come along and talk about their electorate, but had that occurred we would have been here for quite some time. Those members who contributed to the debate did so in a way that befits the movement of this Bill through the House.

The Catholic Church has made a major contribution to our community. The people who are of the Catholic faith from all of the various ethnic backgrounds that came to this country showed great courage and great determination, and we are very proud of the contribution that they made. So it was very easy for us to sit down with the church and say, "Yes, you ought to be treated similarly to the other major church groups that have been treated separately over the years. There ought to be special legislation for you." That special legislation will now be passed through the House.

I extend my thanks to the member for Chermside for his contribution. His involvement with the church over the years has been significant. The member decided to take this legislation to the bishops and Archbishop after all the negotiations were completed so that we could get their endorsement to ensure that everything was correct in order to negate the necessity for an amendment at a later stage. That was wise, and I appreciate his help in doing that. I thank the honourable member for Toowoomba

South for his contribution. Toowoomba has been a major centre of the Catholic Church. From Toowoomba, the Catholic Church has spread its message of faith throughout south-west and central Queensland.

This legislation consigns to history some form of discrimination that was in the old legislation. This Bill says that the Catholic Church is entitled to be treated in exactly the same way as every other entity in this State. I am very proud to have been the Minister who introduced the legislation. I thank each and every member of the House for their very positive support for it.

Motion agreed to.

Committee

Clauses 1 to 43, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

CREDIT AMENDMENT BILL

Second Reading

Debate resumed from 30 August (see p. 8957).

Mr ROWELL (Hinchinbrook) (12.43 p.m.): The Credit Act, which this Bill amends, is an Act of much broader spectrum than the Consumer Credit Bill which passed through Parliament recently. The Credit Act covers a range of services of a professional nature, including the purchase and borrowing for property where the cash price of the goods or services is not more than \$40,000. This amendment sets up a fund to deal with some of the moneys resulting from court action on breaches of some provisions of the Credit Act and the new Consumer Credit Act when it eventually comes into force. I understand that will be in September next year.

I have received legal opinion that aggrieved debtors will continue to be able to take civil action for recovery of damages from a credit provider. This amendment deals only with a particular type of breach. For the most part, those breaches will be minor mistakes which could have been made unintentionally by operators of computer equipment. There will generally be only small amounts of money involved in the individual account breaches. It is highly likely, however, that it may be some time before the error is picked up and, as a result, a small amount can accumulate to a substantial sum over a period of time.

It is these technical breaches to which civil penalties apply. The so-called civil penalties are moneys which the credit provider should forgo in punishment for the breach, and might normally be refunded to the debtor. This amendment provides for a court to order those civil penalties paid into the Consumer Credit Fund for reasons supposedly of cost and convenience. I believe that there is another reason, but I will come to that later.

To some extent, the argument that it is too costly to return the money to debtors when an error is made in the current complex computer system of accounting and the systems that they provide is not entirely valid. I could accept that argument if we were back in the days when calculations were done manually and the documentation had to be posted. The cost of refunding relatively small amounts would be prohibitive.

This is no longer the case. Accounts can be adjusted easily and rapidly by modern-day computer technology. I believe that most businesses are now working in that way. Whether it is \$1 or \$1,000, the error made by the credit provider belongs to the debtor or debtors, and they should be entitled to every cent of it. I think there is some difference in philosophy between the Opposition and what this Bill is really saying.

If a credit provider becomes aware that a breach or an error is made in respect of key requirements of the Consumer Credit Bill or disclosure requirements of the Credit Act, then the courts will take into consideration a number of factors. Should a breach occur, and if every endeavour has been made to comply, even the suppression of the publication of the applicant's name may be considered by the court. I think that is a fairly important aspect of the Consumer Credit Bill. Every opportunity is made available to make good the error as quickly as possible. Of course, that will assist in making people aware that there has been some problem with their account, and if it is fixed up quickly, I believe the penalty will be reduced.

In his second-reading speech, the Minister said that if the application is made by the debtor or debtors, the amount due to the individual debtors must be offset against amounts owing or becoming a debt due to the credit providers to the debtor or debtors, if there is no amount owing on the contract by the debtor. If a debtor to a credit provider feels that there are deficiencies with the account and he or she is prepared to go through with the necessary legal proceeding, then he or she should be entitled to all the benefit of a favourable court decision.

If the credit provider becomes aware of errors associated with a loan, which has resulted in an application to the court, then the courts may reduce the debtor's liability by the amount of the discrepancy suffered by the debtor which has been brought about by the contraventions or shortcomings of the credit provider.

The court can take into account the circumstances of the situation and can order the credit provider to pay an amount that it deems appropriate into the fund. That is really how the fund accumulates its finances. Consideration can be given to the number of contracts and the size of the amounts owing to each debtor. If the credit provider fails to comply with the Act, the court may order the credit provider to pay an amount believed appropriate into the fund.

The registrar may pay out amounts for financial counselling, providing legal advice to consumers, research into projects about improving knowledge in regard to consumer credit, consumer credit education, and promoting consumers' interests in the legal system provided by this Bill and the Consumer Credit Bill. However, I believe that this Bill will eventually override the Consumer Credit Bill. Legal fees and all administrative expenses incurred by the registrar also have to be paid.

There are some desirable aspects of the fund if the objectives are carried out in a dedicated manner and not used for political purposes or on lost, unproductive projects. The fund is to be supported by court ordered civil penalties, interest and any other amounts which may lawfully be paid into the fund. In other words, if interest accumulates as a result of the deficiencies of the credit provider—which affects the interests of the fund—there will be an accumulation of finances for that fund. I understand that further legislation will be required, soon after the enactment of the consumer credit legislation in September 1995, to clarify the position of those who signed contracts under the existing Credit Act to bring those contracts under the umbrella of the consumer credit legislation passed in the House on 2 September.

If the Credit Act is to be repealed in September next year, then I believe that legislation will have to be introduced to move the fund to another Act. Most likely, the fund will be moved to the Consumer Credit Act, and an amendment will have to be introduced to remove the section pertaining to "another law" in clause 106 of the legislation. I do not know whether this would affect the compliance aspect of the agreement between the Ministers involved in the template legislation. I cannot see any reason for that, but I thought I should raise it.

All the costs of operating the fund are to be paid by the fund. There is no problem with that, but can the Minister ensure that some other section of Consumer Affairs will not be using the fund to run another program or other programs? Should the reserves in the fund ever build up to an amount in excess of the requirements of the program, what would this Government do? Could the Minister indicate whether the Government would remove the resources of the fund by legislation, as was done with the \$62m that was taken from the Auctioneers and Agents Fidelity Trust Fund?

The Minister's department would have calculated an amount the fund could be expected to receive from civil penalties and other income, such as interest. No doubt the list of programs envisaged would have been costed in expectation of the revenue received. Could any indication be given of the number of staff anticipated and the approximate amount of funds expected on an annual basis to operate the fund?

I would also like to ask the Minister whether there will be any criteria for the availability of the range of services offered, especially to people who require the proposed legal services. One of the purposes listed for the fund is for legal fees incurred by the registrar in appearing or intervening in proceedings before a court. Will all people who have experienced inconsistencies or breaches of the Credit Act be entitled to have the registrar or his representative appear for them in court at the expense of the fund? I seek some clarification as to who will be the recipients of the legal services provided from the fund. Will it be any particular group or any criteria of any sort that may entitle one group over another to the assistance that could be provided by the legal services of the fund?

In the event of the fund not being able to cope with its financial obligations, could the Minister give an indication as to whether the fund would be replenished from some other source of Government reserves or departmental resources, or would a priority be set for sections of the fund in the event of shortfalls? In other words, if the fund's resources were dwindling, would some cost-cutting measures be introduced or would some services be reduced to people in need of the resources of the fund? If a priority is to be set, I would like to know who would be favoured over others or what initiatives would be taken.

I certainly have grave fears that the Consumer Credit Fund will be misused by this Labor Government for its own electoral purposes. I would hate to see the fund used to finance TV advertising, for example, about what a

great job the Goss Government was supposedly doing for consumers. I would also hate to see the Minister fund Labor front groups like the consumer advocacy groups that used to operate in Victoria. If money is to be handed out, it must go to genuine organisations such as the ones the Minister mentioned when he introduced the Bill.

The Opposition has some reservations about the legislation. It will not be opposing this amendment to the Credit Act. I have raised a number of issues to which I hope the Minister will be able to respond during his reply to members who have made contributions to this debate.

The thought of having a fund is great, but of course a considerable amount of administration is involved. As I have requested before, I can only hope that some homework has been done on what amounts of money will be received—and certainly the cost of running those programs. Hopefully, some indication will be given by the Minister as to what the finances and costs of running that fund will be.

Mr BEATTIE (Brisbane Central) (12.55 p.m.): I rise to support the Credit Amendment Bill 1994, which was introduced by the Deputy Premier, Minister for Emergency Services and Minister for Rural Communities and, of course, Consumer Affairs, which is what this Bill is all about. This Bill amends the Credit Act of 1987 to authorise the courts to require credit providers to make payments to a consumer credit fund when determining applications by credit providers for reinstatement of credit charges as a result of breaching civil penalty provisions. That is what it is all about.

The Consumer Credit Fund—and that is largely what I want to deal with today—will then be used to provide counselling and important financial information services to Queensland consumers. The money from the fund will be distributed to particular organisations that provide financial counselling and consumer credit and general consumer education services on consumer credit. Information will also be provided directly by the Office of Consumer Affairs.

From a credit provider's point of view, these new fund arrangements will minimise administrative overheads. I want to refer briefly to the comments made by the Opposition spokesman on Consumer Affairs, Mr Marc Rowell, who made reference to the general catch-all provision. He said he was concerned that the money may be used for other purposes—I think he referred to TV advertising. Clearly, guidelines will be established for the distribution of the funds. Just because there is a

general statement that is really a catch-all phrase, there is nothing too dramatic about that.

Mr Rowell: You did pick it up, didn't you?

Mr BEATTIE: Yes, but that is a fairly normal legislative provision. I do not want to sound like a boring lawyer, but that is normal.

Mr Bredhauer: Is there another kind?

Mr BEATTIE: There are other kinds of lawyers. There are good and bad lawyers—like schoolteachers. The honourable member knows what I mean. We can have specific provisions, but for legal certainty we need a catch-all clause. The honourable member should not read too much into that—as meaning that it will be used for TV advertisements about how good the Goss Government is—not that that is not a worthy cause; it just does not apply in this case.

Mr Rowell: You as a lawyer are telling me I shouldn't really read what's written there?

Mr BEATTIE: No. As a lawyer, I am trying to say that there is nothing untoward about this. If the honourable member talks to lawyers on his side of politics, they will tell him that it is normal drafting procedure to have a catch-all clause. There is nothing exciting about it. As with most Bills, that is normal drafting procedure. I am just indicating that the member should not read too much into it. There is nothing more or less than that, and there is nothing that applies in this catch-all clause that would not apply in other similar pieces of legislation or legislation generally. I do not think the member should put too much emphasis on that.

Mr Rowell interjected.

Mr BEATTIE: Most Bills contain a clause like that. If the honourable member looks at the Bills that existed when his party was in Government and the Bills that come through now at a Federal or State level, he will find that that is a fairly normal legal drafting requirement. If I was a lawyer advising this Government, I would be advising it to have a catch-all clause in this piece of legislation, as I would if the honourable member were in Government; I would be giving him the very same legal advice to put a catch-all clause in there.

Mr Rowell: Can you tell me one of them?

Mr BEATTIE: I am happy to give the honourable member many instances, but that would not be relevant to the Bill, and I am sure that Madam Deputy Speaker would certainly pull me up if I did. I am simply indicating that legally this is a requirement for this Bill. On another occasion I would be happy to give the honourable member many other instances in many other Bills. But I suggest that he is more likely to accept the word of lawyers from his side

of politics who are quite happy to give him the advice that it is a normal drafting mechanism and nothing more.

Sitting suspended from 1 to 2.30 p.m.

Mr BEATTIE: Before the luncheon recess I was dispelling some of the concerns that the Opposition spokesman on consumer affairs, the honourable member for Hinchinbrook, had in relation to the catch-all phrase, as he referred to it, in clause 153E (1).

Mr T. B. Sullivan: You were doing a good job, too.

Mr BEATTIE: The honourable member is right. In very general terms one rule of interpretation states basically that what goes after is interpreted by what goes before. That is a rule of statutory interpretation. If honourable members look at clause 153E (1) they will see—

"The Registrar may pay amounts out of the Fund for or in connection with its purposes, including, for example, to fund—

- (a) providing face to face financial counselling services to consumers; and
- (b) providing legal advice to consumers about the giving of credit to consumers ('consumer credit'); and
- (c) research into, or projects about, anything relevant to improving consumers' knowledge about consumer credit; and
- (d) education about consumer credit; and"

then finally (e), which was the one to which the honourable member was referring—

"(e) anything promoting consumers' interests."

In terms of the laws of statutory interpretation, (e) would have to be interpreted in terms of (a), (b), (c) and (d). In other words, his concerns are not well founded. That clause would not allow the Goss Government to do promotions about how wonderful it is. Although that is true, this provision would not allow it. I reiterate that, because the laws of interpretation prevent what was suggested by the honourable member. I urge him to seek some legal advice from some of his colleagues who will confirm what I have suggested.

Subclause (2) lists other payments that can be made by the registrar to cover legal fees incurred and all expenses incurred in administering the fund. Neither of those are of concern and certainly do not, in any way, support what was said by the Opposition spokesperson.

I move onto financial counselling services, which have operated in Queensland and, of course, Australia for over 20 years. I make particular reference to Lifeline because it operates in my electorate at Bowen Hills. I have been through its premises and I have a very high regard for the Lifeline operations. I pay tribute to Lifeline for the excellent work that it and its officers carry out. Lifeline has provided some budget counselling to low-income earners for some years. For the information of the House, I table a couple of documents from Lifeline that set out what it does, not only in financial counselling but also in a number of areas. Lifeline offers financial counselling, provides assistance with financial problems, liaises and consults with creditors, and helps with budgeting and information about the rights of people in debt. I table those for the information of the House and by way of tribute to the work that Lifeline has done over a long period.

Full financial counselling services have operated in Queensland for only about five years. The first service started in my electorate in Fortitude Valley, that is, Financial Counselling Services of Queensland. It was initially established through the support and organisation of the Caxton Legal Centre and received its first funding through a Commonwealth scheme for financial counselling services. As members would appreciate, the Caxton Legal Centre has provided important legal advice to Queenslanders for a long period, and I know that it is well regarded in the community. I am happy to say that it operates in my electorate at New Farm. It was the driving force behind the establishment of the Financial Counselling Services of Queensland.

The Queensland Department of Family Services and Aboriginal and Islander Affairs now contributes to the funding of Financial Counselling Services. For the information of the House, I table a copy of a brochure that it distributes. It sets out what that organisation does. It negotiates with creditors and credit companies on behalf of people in debt. It calculates the least expensive way for debtors to meet their debts. It gives options to lighten the debt load and it helps debtors choose the option to suit them. It gives consumer debt and credit law assistance. It talks about what credit providers can and cannot do, how other agencies can provide monetary assistance and the benefits and disadvantages of bankruptcy. That organisation offers a fairly broad service. My electorate secretary, Myra Freeman, and I have had the opportunity to refer people to that service over a long period. I am happy to advise the House that the people who have been to see Financial Counselling Services at its

operation in Fortitude Valley have been quite appreciative of the assistance that they have been given. That is a very worthwhile organisation.

In addition to the two services that I have mentioned, the Department of Family Services and Aboriginal and Islander Affairs also funds services to counsel specifically gambling addicts and their families in Brisbane, the Sunshine Coast, the Gold Coast, Rockhampton and Townsville. As well, the Department of Primary Industries also funds rural financial counsellors to assist rurally based people affected by recession and, in particular, drought. The problem is that all of those counselling services are confronted with too many demands on their services, particularly in the economic circumstances that have existed in recent years, and especially since 1987. There is always a waiting list for their services because of prevailing economic circumstances. Waiting lists are approximately two to three weeks, extending to six weeks for some services. I think all members of this House would be concerned to make sure that as much consumer advice as is possible is available in the community to help people. That is one of the reasons I am such a strong supporter of the fund that is established under this legislation; it is very important. This problem has been around for some time. I refer to an article that appeared on 20 January 1993 in the *Courier-Mail*—

"Thousands of Queensland families crippled by Christmas credit card bills and back-to-school expenses could face a 10-week wait for urgent financial advice. Australian Financial Counselling and Credit Reference Association president Kate Keating said yesterday waiting lists of four to 10 weeks for free financial counselling were the result of enormous demand and limited resources."

The article continues—

"She said a combination of Christmas credit-card bills, back-to-school expenses and other outgoings such as car registration and mortgages would make the next few months 'very difficult for an enormous number of people.' "

Again, that is clear proof for the need for this fund and an acknowledgment of the benefits that will flow from the increased education arising out of this fund. This is a problem that has been around for some time. In research for this Bill I had a look at a number of articles including one that appeared in *Time Australia* on 4 December 1989, which referred in some detail to an Economic Planning Advisory Council study of 1989 which looked at the economic and social implications of consumer debt. I know that study

is a few years old now, but it is the last major study that I am aware of. If members have a look at the study they will get an appreciation of why this area of credit management is so important, why we need this fund, why we need more education and understanding in the community and why those counselling services are so important. The *Time Australia* article states—

"Debt equals tension, says people-watcher Hugh Mackay, whose research company polls consumer attitudes for Australian corporations. 'And debt undoubtedly is the major source of anxiety in Australia today' . . . Attitudes to credit changed radically in the '80s. A flick through your wallet or purse will provide evidence enough. Plastic cards have become the most obvious symbol of the new attitude of Australians to credit. There are more than 500 different credit cards and ten million individual cards have been issued. Credit cards have become an essential accessory to the modern lifestyle, accounting for about \$4 billion dollars"—

this is 1989—

"of the personal debt bill calculated by the Reserve Bank."

That article was quoting Betty Weule, coordinator of Sydney's Creditline, Australia's biggest financial counselling service. That gives members some idea of the extent of the credit issue. In addition, I refer very briefly to a disposable income graph which appeared in the same article. That graph pointed out that, in 1977, disposable income after tax was 64 cents; in 1981, it went down to 57 cents; in 1985, it went down to 52 cents; and in 1989, it dropped to 47 cents. That is a significant difference. Again, I point out that that study was undertaken in 1989.

This economic and social implications of consumer debt study by the Economic Planning and Advisory Council undertook a household expenditure survey, and a number of conclusions were reached. I will deal with only some of them because I think that I have made the point, and I do not want to labour it. Some of their conclusions were that the largest proportion of credit users are the middle-income groups. That is no surprise. They are typically wage and salary earners in their middle years with dependants. I happen to fit in that group, so I can relate to it. More importantly, the survey found that some people burden themselves with debt servicing commitments which, on their face, appear excessive. Although these casualties—and this is the central point that I am trying to make—are drawn from all economic groups, low-income families are more

susceptible than others. They are the ones who need the advice from these counselling services, which will be provided by this fund. That is why it is so important.

Mr T. B. Sullivan: And we are prepared to give them that protection.

Mr BEATTIE: Indeed. I accept that interjection. We are prepared to give them that advice. Indeed, in the long term that advice will provide the knowledge and education that will give them protection.

The article states further—

"It is worth noting that a section of the community, such as the better-off or financially more sophisticated, use only short-term credit and do not incur interest costs. By having a few charge cards with high credit limits they regularly get free credit for 5-6 weeks. They are effectively being 'subsidised' by those who remain in debt."

Again, that is the central point. The survey referred to bankruptcy statistics and stated—

"While bankruptcy figures vary significantly between states, non business bankruptcies have increased dramatically since the early 1970s."

Finally, I will make two further points that were revealed by that survey. Firstly, people who are not in remunerative employment, such as social security recipients, account for half of consumer bankruptcies. That refers to non-business bankruptcies, and that should be of concern to all members in this House. In addition, the survey stated—

"Of the 400 000 personal loans current with the Commonwealth Bank"—

and this survey was done in 1989—

"about 3 per cent or 12 000 are significantly in arrears (Spencer, 1988). On the basis of such figures, and the evidence on bankruptcies, and having regard to the proportion of the population using credit, it appears that at least 100 000 Australian families are overcommitted in the sense that they carry heavy consumer credit and other fixed commitments relative to income."

I believe that those statistics and that survey indicate clearly the need for the establishment of this fund. They also indicate clearly the need for better education in the community and better understanding of consumer laws, people's rights and how to manage money. Those counselling services will provide education.

That brings me to the concluding point that I wish to make, which is in relation to the comment that Mr Rowell made about this money being

transferred into this fund. If I quote the member correctly, he said that the money is really the property of the debtors and should not be transferred to the fund. Is that correct?

Mr Rowell: Yes.

Mr BEATTIE: There are two points to be made about that. One is that, on the statistics and information I have provided, I believe that the overall good that will come out of this fund will justify the need to transfer that money. The second point is that we have to remember we are talking about very small amounts of money that are being allocated.

Mr Rowell: Whose money is it?

Mr Burns: It is not always the debtor's money—remember that—it can be the credit provider's money. You just think that it is the debtor only, and it is not.

Mr BEATTIE: I will take that interjection from the Deputy Premier so it is on the record. I was just about to make that point myself, but the Deputy Premier made the point much more succinctly than I could.

Let me take up from where the Deputy Premier left off. It is money from both sources. The member has to understand that my second point is that the administrative costs of refunding this money from the credit companies involved would be so high that it is not worth their while. They would prefer to transfer the money to the fund. I am talking about very small amounts of money—as small as \$1 per contract. The overheads for these credit providers are so great that they would prefer to see the money transferred to a fund that would help educate consumers and provide consumer information and education. Can the member see what I mean? I am talking about \$1 a contract being returned to the consumer.

Mr Rowell: It is the principle of it.

Mr BEATTIE: The principle is that if we did not set up a fund to educate people better about consumer laws, we would have greater problems and hardship.

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (2.46 p.m.): I rise to support the honourable member for Hinchinbrook, and the shadow Minister, and basically to go on the record as saying that I support the concerns that he has expressed. I say to the honourable member for Brisbane Central that, although his assurances may have been made very eloquently, they certainly have not convinced me or, indeed, the shadow Minister.

The Credit Amendment Bill, although only small in length, contains provisions which cause me considerable concern and which create

problems for the courts, credit providers and consumers. My first concern about this Bill is that it just might be another attempt by this Government to create a hollow log through which it can dispense goodies to its mates. The Bill creates this hollow log by depriving consumers of civil penalty payments they otherwise would have received.

As the Minister said, at the moment some or all of the forfeited interest payments a credit provider loses on a breach of a civil penalty trigger is paid directly to the debtors who have been adversely affected. In other words, the people whose credit documentation has been incorrectly completed, and who have been disadvantaged, get the benefit of the court order. That is the present position.

Under this Bill, some or all of this forfeited interest money will be sidetracked away from these people and paid into a statutory hollow log called the Consumer Credit Fund. The Minister should therefore come——

Mr Burns: The courts will decide.

Mr SANTORO: The courts will decide; nevertheless, the sidetrack is there. Therefore, I suggest that the Minister come clean and own up to the fact that this fund will only have any money in it if the consumers of this State are deprived of the civil penalty moneys they otherwise would have received. That is a fact that cannot be denied by anybody.

Mr Burns: It can be easily denied.

Mr SANTORO: I look forward to the Minister denying it in his reply. This fact alone should cause any reasonable person—and we on this side of the House are very reasonable people—to be apprehensive about this proposal. However, the more one reads, the worse it gets.

The proposed amendment to Schedule 8 set out in clause 7 makes it abundantly clear that this Bill is retrospective. That is another reason why I have enormous concerns about it. The amendments to the Credit Act 1987 apply to proceedings started before as well as after the commencement of the amendments. In other words, even though there may be proceedings currently under way in Queensland courts where the implication of this legislation has not been factored in by debtors, credit providers or even the presiding judges themselves, this Bill, when it comes into force, will come in over the top.

I wonder why that is the case. Is it that there are proceedings before the courts that the Minister wants to intervene in and get his hands on civil penalty moneys before the next State election? Is it just another Labor Party inspired

piece of legislation designed to buy off potential voters with other people's money? I can assure the Minister that, to me, this Bill looks very much like that.

When one reads the Bill—and I invite honourable members to read the Bill—to discover just what use can be made of moneys in the fund, one finds a list of uses which, on their face, appear reasonable. I listened very carefully to what the honourable member for Brisbane Central had to say. As I said, he waxed eloquently and he tried to sound convincing, but I am not quite convinced that all uses to which he suggested the money would be put will, in fact, occur.

I do not quibble that funding face-to-face financial counselling services to consumers or legal advice to consumers about the giving of credit to consumers is a legitimate use of moneys in the fund. As the honourable member for Brisbane Central stated, there are some real problems in relation to the ability of some people in our society to manage credit and to manage funds. However, as I have said, if these services are to be funded, I would prefer that they be funded by Consolidated Fund moneys rather than by money obtained in a backhanded way by the Government.

Of course, the Minister wants to fund these services by this means, because his Government has not given these community-based groups much money at all. I will not go through that argument again because, as honourable members would recall, I covered very well what this Government has done to the Office of Consumer Affairs despite the many promises and the many statements that were made by the Premier prior to the 1989 State election as to what his Government would, in fact, be doing for consumers.

Whether particular groups should be funded is another matter, but at this time I am only concerned about the source of the funding and the implications of such funding. Likewise, I do not oppose funding research into projects about improving consumers' knowledge about consumer credit, education about consumer credit, the legal costs of the registrar or the expenses in administering the fund. However, I am very interested in the catch-all phrase in proposed section 153E which will allow the registrar to fund "anything promoting consumers' interests".

Mr Beattie: I explained that.

Mr SANTORO: I take the interjection from the honourable member. His explanation did not carry any weight with me.

I repeat: the registrar will be able to fund "anything promoting consumers' interests".

Mr Burns: Can you explain why he shouldn't?

Mr SANTORO: I am coming to that; I am developing my argument.

Mr Burns: You don't want to fund them? You don't want to fund these people?

Mr SANTORO: I am coming to my argument, and the Minister can refute it.

In other words, the registrar is given the authority to use the fund to do almost anything he likes. We may as well say that the fund can be used for whatever purposes that the Government of the day thinks it opportune to use it for.

Unfortunately, it is not a rare occurrence for this Government to give breathtaking discretionary powers to either Ministers or departmental heads, and this is yet another example. However, what sets this one apart from most is the fact that the almost unlimited discretion is a discretion to spend money, and potentially enormous amounts.

Who is this registrar to whom this power is given? Is he or she a full-time public servant with at least some semblance of independence and impartiality? I say to the Minister: no, the registrar is none other than the chief executive of Queensland Emergency Services. Like all chief executives, the chief executive of this department is a contracted person. He or she will stay as chief executive as long as the Minister and Premier are happy with his or her performance—I stress, "happy with his or her performance". The registrar has no unlimited tenure and no independence. The registrar will be appointed for as long as he or she does the bidding of the Government.

In this context, giving the power to spend to the registrar is simply a means of trying to distance the Minister from decisions that he effectively will be making. That is why the assurances of the honourable member for Brisbane Central and the recent interjection from the Minister do not carry any weight with the Opposition. We now reach the nub of the matter. We will have a slush fund that can be raided at any time for almost any purpose that this Government wants.

There is another worrying element in this legislation. The very groups who will be funded will be the ones who will be pressuring the Minister from time to time—perhaps frequently—to become involved in civil penalty reinstatement applications. The Minister pointed out in his speech the role of consumer credit lawyers. This fund contains an in-built

mechanism that will encourage those same lawyers to press the Minister or his department to intervene in civil penalty applications in the hope that there will be an award of costs in favour of the fund. Obviously, the money will then be used to fund those same lawyers.

Consequently, there is a big risk of a conflict of duty situation arising with these consumer credit lawyers. On the one hand, they are there to look after the interests of individual debtors who have been disadvantaged by credit providers; on the other hand, they may not wish to see those very debtors receive the civil penalty money to which they are presently entitled. Instead, these lawyers will have an incentive to have those moneys diverted from their clients and placed in the fund so that they can receive grants from it.

Some credit providers have raised these concerns, as well as suggesting that this fund will promote litigation and result in the department intervening in matters that it previously stayed out of. Perhaps the Minister can address that very serious concern, which has been voiced very loudly to me by many of the professionals operating in this area with whom the Opposition and I have consulted.

I am concerned that debtors are the victims of the Government arbitrarily depriving them of moneys which are theirs. And I heard the honourable member for Brisbane Central speaking about small amounts. Nevertheless, it is those very small amounts—and many, many of those very small amounts—that will in fact lead to the creation of a very big fund which could become potentially a very big slush fund.

I am concerned about this legislation because it is retrospective. Perhaps the Minister would be kind enough in his reply to explain why the legislation needs to be retrospective. I am very concerned that the use that can be made of the fund is almost unlimited. I am concerned because the unacceptably wide discretionary use of the fund is vested not in an independent statutory authority but in the director-general. If an independent statutory authority were administering this fund, perhaps the Opposition would not be as worried as it is about this point. Of course, the very nature of the fund will result in more contentious civil penalty reinstatement proceedings, not because of the nature of the breaches but because of the pressure by consumer credit lawyers for the fund to be expanded incessantly so they can get grants from it. Those are my concerns.

It seems to me—and, again, I do not wish to be too harsh on the intentions of a seemingly benign Minister—that this Bill represents nothing more or less than a big grab for cash. The battlers

who this Minister supposedly holds so dear are at risk, in my view, of being ripped off so that this Government can dispense more goodies to its mates.

I say to the Minister: if more money is needed for consumer credit education, litigation or the like, he should go and put his case to the Treasurer. I suggest to him that he should not come into this House with a Bill that hurts the consumers of this State. He should get his funding the honest way, and answer for it before the Estimates and Public Accounts Committees. He should not try to use backdoor means which will have implications far beyond the money that he intends to dish out.

I suggest that this Bill will have implications for the courts, the community, the Office of Consumer Affairs, and consumer credit legal services. And the implications, it seems to me, may all be bad—very bad indeed. For these reasons, I have very strong reservations about this Bill. I ask the Minister to provide the assurances for the queries that I have raised. In asking the Minister to do that, I make an apology because I need to debate the Minister's colleague the shadow Minister for Industrial Relations for a program on television this evening, and unfortunately I will not be able to be here to hear the Minister's reply. However, I will read it with interest. This is not as a matter of discourtesy to the Minister; there is another duty that is related to my responsibility in this place that will prevent me from being here. I look forward to reading the Minister's reply.

Mrs WOODGATE (Kurwongbah) (2.58 p.m.): Before I mention a few points in relation to this Bill, I have to put on the public record what a pathetic performance it was that we have just witnessed from the member for Clayfield. One thing came across loud and clear in his speech—and he could do better than he did. The one message that the honourable member is hammering home is that it is wrong to be funding consumers. What has the honourable member got against consumers? The message that came across the airwaves was that it is wrong to fund consumers.

Mr Santoro: That's not what I said. You didn't listen to my speech.

Mrs WOODGATE: Before the honourable member runs off and does his little thing on television, he should listen to the contributions to the debate on the Bill from the right side of the House, instead of hiding behind weak, pathetic excuses.

Having said that, I am pleased to join in this debate. The first paragraph of the Explanatory Notes spells out the objective of the Bill quite

aply. It states that the Credit Act is being amended—

". . . to authorise the courts, when determining applications by credit providers for reinstatement of credit charges as a result of breaching civil penalty provisions, to require credit providers to make payments to a Consumer Credit Fund."

It further states that—

". . . the Fund will be applied for the provision of counselling and information services on financial matters to Queensland consumers."

That is best place the money could go. It will go right to the heart of the matter and help Queensland consumers to get a better go.

I understand that guidelines will be established for the administration of the fund. New South Wales is the only other State to have a trust fund at this stage. It has its own set of guidelines, the Financial Counselling Trust Fund Guidelines. I believe that these guidelines will be of some assistance to us as we establish our guidelines in Queensland.

For instance, those guidelines detail the eligibility criteria for grants for the various types of funding available. For example, a service that is applying for funding for a financial counselling service must show that the service is innovative and based on the needs identified in the organisation's catchment area. It follows that, once the eligibility criteria are established, no moneys will be paid out of the fund unless applications are made which satisfy that stated criteria.

Financial Counselling Services of Queensland Incorporated is one such service which provides a valuable service to many people, along with other financial counselling services in this State. I read recently in the annual report of Financial Counselling Services that it is a real concern that the number of low-income people experiencing financial and legal difficulties and becoming part of its potential client base continues to escalate. The management committee report states—

"The resources of this service will never be able to provide the sheer volume of assistance that is required."

Further, that report states—

"The limited financial resources of the service have continued to constrain the capacity of the service to provide assistance and promote change."

The financial counsellor's report, which was attached to the annual report, gives food for thought. It was quite sobering to read that the

stereotype of the low-income consumer with minimal educational qualifications and skills is outdated. The category of low-income consumers now encompasses people from a wide variety of socioeconomic and educational backgrounds, many of whom are more than capable of taking control of their own financial situations once they have been provided with the necessary information and strategies relevant to their preferred options. I, too, believe that it is very important for both consumers in financial crisis and credit providers to be educated on how to reach mutually satisfactory arrangements to overcome existing problems without establishing a dependency on the intervention of a financial counsellor.

Financial counsellor Ms Kate Keating advises that the majority of clients of Financial Counselling Services (Qld) Inc. are in financial crisis due to a change in circumstances. The issues associated with all of this, however, remain unchanged: harassment, debt recovery action, sexually transmitted debt, unfair guarantees and false and misleading practices associated with used-car and door-to-door sales.

Clients and referring agencies alike have remarked on the high quality of service provided by counsellors of Financial Counselling Services. Counselling services such as this, as well as Lifeline, the Catholic Church's Centrecare and, as mentioned by the Minister in his second-reading speech, the recently established "Break Even" financial counselling service—which is funded by the Department of Family Services and Aboriginal and Islander Affairs specifically for counselling gambling addicts and their families—could be well served by the establishment of this fund. The real winners, of course, will be the consumers who utilise the services of financial counselling services throughout the State.

Some concerns have been raised about the court directing payment of civil penalties into the fund rather than the money being funded direct to individual debtors. However, as the Deputy Premier stated in his second-reading speech, if a court orders a credit provider to refund to a large number of debtors an amount as small as one dollar per contract, the administrative overheads involved in such a procedure can be enormous and quite disproportionate to the severity of the original contravention of the Act.

I am convinced that any moneys paid out of the Consumer Credit Fund to financial counselling services in this State will certainly be put to good use. Counselling services Statewide are unanimous in their claims that their services are under strain from just too many people seeking assistance in financial matters. They

have insufficient funds to carry out all the work that they wish to do. A reading of some of their case studies, be it in the area of consumer credit insurance, finance brokers—also operating as insolvency advisers—sexually transmitted debt or debt recovery in Queensland takes one on quite a journey which I really believe would be better left uncharted.

However, I will cite an example of what is referred to in the trade as sexually transmitted debt and what can be done by financial counsellors to assist. Take the situation of a lady I will call "Belinda". She received a call from her husband, who was at the offices of the "XYZ" finance company, and was told to come down immediately to sign some papers. When she arrived, she asked her husband to explain what was happening. Because her literacy skills were poor and he managed all their financial affairs, he told her that it was none of her business. He said it was just a formality and that she was to do as she was told. This lady had been subjected to domestic violence on several occasions before, so she was not prepared to get into an argument at that stage. The loans officer was in the room all the time during this exchange. No explanations were given to Belinda by either her husband or the loans officer, and she signed the contract where and when she was told.

A cheque was given to her husband. Nothing more was said about the loan. No copies of the loan documents were given to Belinda, the lady in question. Two years later, she and her husband separated. Six months later, Belinda was shocked to receive a summons from the finance company for \$3,500. Her husband had stopped making payments on the line of credit which he had had Belinda sign as co-borrower with him two and a half years earlier. She was completely unaware that such an account existed. On making inquiries with the finance company, it was discovered that the original advance had been made out in Belinda's husband's name only. This lady was assisted to lodge a defence with the Magistrates Court on the grounds that she should not be liable for the debt, and she won her case. That is just one example of what is known in the trade as sexually transmitted debt.

I want to cite an example of the traps that exist for young players when they deal with some finance brokers who are also operating as insolvency advisers. Let us consider the case of Mr and Mrs "A". They approached the ANZ Bank with a view to obtaining a consolidation loan for their various debts, which totalled \$200,000 and which included a debt to that bank. Mr A's income had been substantially reduced. The ANZ Bank referred them to a finance broker for consideration. Mr and Mrs A were not in receipt

of regular income at that stage, and the wife was receiving Jobsearch allowance only. At the meeting with the finance broker they were told, "We can help you." They did not say, "We are from the Government. We are here to help you"; they just said, "We can help you." The finance broker asked them for \$900. This was more than they could afford, so the broker accepted \$500 with the balance to come later.

The finance broker was unable to find a source of finance, which is not surprising given the level of debt and the absence of any secure income. The broker then said that he could assist with creditors and commenced negotiations with the council for rates arrears and with other creditors such as the supplier of fuel. The broker did not do anything about the principal creditors who made up the bulk of the debt. The broker then entered into arrangements with the council and the fuel supplier without any consultation with Mr and Mrs A and on terms which, given their budget, they had no way of meeting. They attempted to meet these payments but struggled to do so. The finance broker then became a creditor, as he now wanted the balance of his fee of \$900. Mr and Mrs A renegotiated new payment schemes directly with their creditors after consulting Financial Counselling Services (Qld) Inc. Those are just a couple of examples of the traps that exist in the financial game.

With this extra funding finding its way into the very welcoming hands of Financial Counselling Services, Lifeline, the Salvation Army, Centrecare and other organisations, it surely follows that more help can be offered to those in financial need. Section 153E (1) states that the registrar of the fund may pay amounts out of the fund or in connection with its purposes, including:

- (1) providing face-to-face counselling services to consumers; and
- (b) providing legal advice to consumers about the giving of credit to consumers; and
- (c) research into, or projects about, anything relevant to improving consumers' knowledge about consumer credit; and
- (d) education about consumer credit; and
- (e) anything promoting consumers' interests.

I am sure that this Bill will be welcomed by all the providers of financial counselling services in this State, and I am more than happy to support it.

Hon T. J. BURNS (Lytton—Deputy Premier, Minister for Emergency Services and Minister for Rural Communities and Consumer

Affairs) (3.08 p.m.), in reply: I thank honourable members for their contributions to the Bill. Firstly, I ought to explain how the current Credit Act works. There are two credit Acts—the existing Act and a Bill that we put through the Parliament that will be implemented in September next year. Under the current Credit Act, if a credit provider breaches the Act by not complying with the disclosure provisions of the Act, the credit provider immediately loses the interest charges payable under the contract. At present, debtors do not go to court; credit providers go to court. Credit providers go to court to try to recover the credit charges. That is the simple answer.

Mr Rowell: The debtor can go to court.

Mr BURNS: The debtor can, but the debtor does not go to court. I will go through this with the member, because I do not believe he understands what it is about. It makes life very difficult if the member does not understand, because then he argues from a basis of misunderstanding. If he does not understand it, then I have to try to explain it to him.

If the court considers the breaches are serious enough and that the behaviour of the credit provider has not been good enough since the breaches occurred, the court can penalise the credit providers. At this stage, the credit provider is not taking any money off the debtors, because he has gone there to try to have reinstated the charges that he has lost. When I say "credit provider", I am referring to the bank. So the bank has lost the charges because of its failure to disclose. It is now asking for those charges to be reinstated and for it—that is, the bank—to get the money back.

At present in Queensland, the court cannot make any order other than to reinstate the charges or to say that the debtor does not have to pay those charges. The court cannot do anything else. However, what the court can do in New South Wales—and what it will be able to do in future in Queensland—is say to the credit provider, "Yes, you will have those charges reinstated but you will pay a penalty for your failure to disclose." That penalty for a failure to disclose will be paid into a fund.

Mr Rowell: It depends on their compliance.

Mr BURNS: That is right. Let me just cite an example. Say, for example, that Mr Rowell was buying a car. If the bank has a finance company and it is paying that finance company commission and Mr Rowell was borrowing off the bank—let us say he is buying a car; so he borrows \$30,000 off the bank—and the bank has failed to disclose that it is paying a finance broker commission, that is a breach of the disclosure provisions under the Act and there is a penalty applicable to the bank.

Mr Rowell is not penalised because he has signed all the documents that say he has borrowed \$30,000 at 25 per cent paid over five years on \$4,000 deposit. There is no penalty at all to the debtor. It is the credit provider who has failed to disclose, and because the bank has failed to disclose, there is a penalty that can be imposed.

Queensland has the worst record of any State in handling these problems. In fact, because of our weak provisions, credit providers who are providing credit all over the country and who have made a mistake come to Queensland first. They do that to try to set a lower standard for the other States. The Liberal/National Party Government in New South Wales has implemented a scheme which gives a court the opportunity to say, "You can put it in there." No-one can tell the court that it must not give the debtor money or must not allow the credit provider to receive his credit charges. However, it can be provided with an alternative, such as, "If you do not want to do those things, you can put it in this fund."

Mr ROWELL: One thing: what about minor discrepancies with debtors' accounts?

Mr BURNS: Page 4 of my second-reading speech that related to the provision in the new Act that the honourable member and I debated here some time ago, states—

"The proposed Consumer Credit Code, which is part of the Consumer Credit (Queensland) Bill 1994, recently introduced in the Queensland Parliament by me, includes a provision—section 106—for the payment of civil penalties into a consumer credit fund, if the application is made by a credit provider or the consumer affairs agency. If the application is made by a debtor or debtors, the amount due to individual debtors must be set off against amounts owing or become a debt due by the credit provider . . ."

Mr Rowell interjected.

Mr BURNS: The honourable member should just listen because it is important that he knows what he is arguing about. I have no argument with the point that we should not be taking money from the debtors—we are not doing that. This legislation says that if the application is made by the credit provider, that is, the bank, then under those circumstances, the money can be paid into the fund. Let me read it again. Part of my second-reading speech states—

"If the application is made by a debtor or debtors, the amount due to individual debtors"——

that is Mr Rowell in the case I have cited; he has a minor problem—

"must be set off against amounts owing or become a debt due by the credit provider to the debtor or debtors, if there is no amount owing on the contract by the debtor."

That provision will be brought in in September next year.

It seems that the honourable member is confusing the provisions in the two Acts. The current Act provides for automatic civil penalties. So as soon as the bank breaches the code, there is automatically a penalty. Once it is automatic, the credit providers then make an application. The debtors do not apply these days, the penalty is imposed straight on the bank. The bank applies and says, "Let me out of this, I am innocent, I did not do a really bad thing. I forgot to tell Mr Rowell the annual interest rate, I forgot to tell him that I was paying commission to these people." The honourable member for Clayfield is nodding his head. He should not think that banks do not do that because banks have done just that in cases that have involved millions of dollars.

I wish to now refer to what happens in New South Wales.

Mr Rowell: Can you answer just one query I have?

Mr BURNS: If I can. I will try.

Mr Rowell: In the event of a debtor not being aware of a small infringement or a big infringement, what happens to that money when the disclosure is made by the credit provider?

Mr BURNS: If the debtor is not aware of the infringement, in the case of automatic civil penalties, the credit provider goes to the court and the court says, "You must repay the debtors", or, "The credit charges will stand", or, "The credit charges will not stand." The only way the debtor can be affected is if the credit charges will not stand and there is \$400 that should have been paid by the debtor that does not have to be paid. This is all up to the court, and we are not the court. This provision allows people who find themselves in these sorts of circumstances to go to the court. Then the court can say, "Yes, you must pay that money to the credit provider because he is entitled to it." Under the same example that I used of Mr Rowell buying a car, because of the credit provider's breach the bank is still entitled to a penalty, but Mr Rowell will not get the penalty because it is rarely the law that the people who are disadvantaged get the penalty. The law says, "You go to gaol or you get fined." In a civil case it is a fine.

This legislation says that if there is a penalty, the penalty should go into a fund to provide aid

and assistance to the consumer. But if the court does not want to put the money there, it does not have to so order.

Mr Rowell: But the deficiency doesn't automatically go back to the debtor.

Mr BURNS: Because there is no deficiency.

Mr Rowell: But in the event that there is a deficiency.

Mr BURNS: The honourable member can show me where there is a deficiency under this Act when he speaks in Committee. He should not make up a deficiency. He should show me how, under this Act, there will be a deficiency. I say this to the honourable member: let us say, for example, that the bank has advertised that the interest rate is 10 per cent and then it has charged 12 per cent, so the debtor has paid more money. I have read for the honourable member the relevant section of my second-reading speech. It states—

"If the application is made by a debtor"—

that is you, you are disadvantaged—

Mr Rowell: I'm not talking about that.

Mr BURNS: The honourable member is talking about that.

Mr Rowell: No, I'm not.

Mr BURNS: Then he and I cannot agree and there is nothing more I can do to try to explain it to him. He will not understand because he does not want to understand.

Mr Rowell: Yes, I do.

Mr BURNS: No, the honourable member does not want to understand.

I will return to my reply. I wish to refer to the New South Wales fund. The Financial Counselling Fund was established by way of a trust deed on 6 August 1993. Clause 9 (C) of the trust deed requires the fund to report annually to the Minister. One of the things that was said this afternoon is that somehow or other this is a slush fund and that no-one will know about it. It is required to be reported to me each year, and within 14 days of that report I have to report to the Legislative Assembly. If honourable members read the Bill, they will see that provision.

Mr Santoro interjected.

Mr BURNS: There are no hollow logs, no slush fund. The member for Clayfield makes the same sort of attacks on the Auctioneers and Agents Fidelity Guarantee Fund. Let me just talk about the Auctioneers and Agents Fund and where the money has gone. The honourable member does not want money spent on

consumers, he does not want money spent on housing. Do honourable members know who started the raid on the Auctioneers and Agents Fund—in 1989—it was the National Party Government! It was its Housing Accommodation Assistance Scheme. I have here page after page which shows the money paid to the AIDS Council, to councils, to aged groups and to disabled groups for housing.

Mr Santoro: Will you table that?

Mr BURNS: I will table the lot. I ask for it to be incorporated in *Hansard*. Let us get the damned thing on record. Let us nail the lie forever more. Here is a list from 1989 right through to 1991-92.

Mr Rowell: Will you table what you have done with that?

Mr BURNS: There it is. The honourable member is the ultimate dunce—I just said that I would table it. I have just thrown it on the table. I have said, "There is the money." I will accept the honourable member's written apology to all the poor souls out there to whom the honourable member does not want the money to go. If I can retrieve the document for a moment, I will talk about it. It mentions the Church of Christ at Marburg, the Church of Christ on the Gold Coast, Toowoomba aged people's homes, the Dalby Town Council, the Douglas Shire Council—

Mr Rowell: What years are these?

Mr BURNS: During the years of the National Party Government—1988-89. Does the honourable member want me to read out what is here in the years of the Goss Labor Government? There is the Millmerran Centenary Retirement Village, the Mareeba Shire Council and the Manchester Unity Friendly Society for Aged in Townsville. There are homes in the honourable member's own area at Ingham. We have both been there and opened them together. Opposition members continue to attack the Auctioneers and Agents Fund, but they do not know what they are talking about—they get it all wrong. I will nail this lie forever more. I wish to have this document incorporated in *Hansard*. It is a document supplied to me by the Housing Department in relation to the Auctioneers and Agents Fund—this so-called slush fund.

Leave granted.

HAAS88/89

ADVENTIST RETIREMENT VILLAGE— CONSTRUCT 4X1 BEDROOM UNITS FOR AGED—180000

ANGLICAN SOCIAL WELFARE DEPT. MANLY— CONSTRUCT 5X1 BEDROOM UNITS FOR AGED—225000

ANGLICAN SOCIAL WELFARE DEPT. TOOWOOMBA: CONSTRUCT 5X1 BEDROOM UNITS FOR AGED PERSONS—225000

ANUHA ACTIVITY THERAPY & RESPITE CENTRE: CONSTRUCT 4X1 BEDROOM DUPLEXES FOR DISABLED—149000

APEX CLUB OF INGHAM INC: CONSTRUCT 6X1 BEDROOM UNITS FOR AGED—212000

ASSEMBLIES OF GOD TOOWOOMBA PTY. LTD.: CONSTRUCT 8X1 BEDROOM UNITS FOR AGED AND DISABLED—234000

ARAFMI GOLD COAST: PUR HOUSE—200000

ARAFMI SUNSHINE COAST: PURCHASE 1X6 BEDROOM HOUSE FOR THE DISABLED—189000

ATHERTON SHIRE COUNCIL: CONSTRUCT 3X1 BEDROOM UNITS FOR THE AGED—118000

AUSTRALASIAN CONFERENCE ASSOC. LTD.: CONSTRUCT 4X1 BEDROOM UNITS FOR THE AGED—180000

BACKSTOP: CONSTRUCT 1X4 BEDROOM HOUSE FOR THE DISABLED—130000

BARCOO RETIREMENT VILLAGE COMMITTEE: CONSTRUCT 4X1 BEDROOM UNITS FOR THE AGED—200000

BASIL STAFFORD TRAINING CENTRE P&F ASSOC: PURCHASE 1 HOUSE FOR THE DISABLED—69000

BAUHINIA SHIRE COUNCIL: CONSTRUCT 3X1 BEDROOM UNITS FOR THE AGED OR DISABLED—117000

BIGGENDEN SHIRE COUNCIL: CONSTRUCT 2X1 BEDROOM DUPLEX FOR THE AGED—40000

BOWEN OLD PEOPLES HOMES SOC.: CONSTRUCT 10X1 BEDROOM DUPLEX UNITS FOR THE AGED—300000

BLUE NURSING SERVICE - AYR: CONSTRUCT 8X2 BEDROOM UNITS FOR THE AGED OR DISABLED—400500

BLUE NURSING SERVICE - CAIRNS: CONSTRUCT 20X1 BEDROOM UNITS FOR AGED OR DISABLED—827000

BLUE NURSING SERVICE - MARYBOROUGH: CONSTRUCT 1X2 & 3X1 BEDROOM UNITS FOR AGED OR DISABLED—180000

BLUE NURSING SERVICE - STANTHORPE: CONSTRUCT 4X1 & 2X2 BEDROOM UNITS FOR AGED AND DISABLED—198000

BLUE NURSING SERVICE - TOWNSVILLE: CONSTRUCT 9X1 BEDROOM UNITS FOR THE AGED AND DISABLED—400000

BLUE NURSING SERVICE - LINDUM: CONSTRUCT 12X1 BEDROOM HOSTEL FOR AGED AND DISABLED—480000

BLUE NURSING SERVICE - REDCLIFFE: CONSTRUCT 10X1 BEDROOM UNITS FOR AGED AND DISABLED—360000

BOORINGA SHIRE COUNCIL: CONSTRUCT 2X2 BEDROOM DUPLEX FOR THE AGED—77000

BUNDALL GOLD COAST ROTARY CLUB: CONSTRUCT 10X1 BEDROOM DUPLEX UNITS FOR THE AGED—347000

BUNGIL SHIRE COUNCIL: 2X1 BEDROOM DUPLEX FOR THE AGED AND DISABLED—79000

BURRUM DISTRICT SEN. CITIZENS UNITS FUND C'TEE: 4X1 BEDROOM UNITS FOR THE AGED—108000

THE CALOUNDRA CATHOLIC PARISH: 1X7 BEDROOM HOUSE FOR DISABLED—161000

CAPRICORNIA RESPITE CARE ASSOC: A 5 BEDROOM RESPITE CENTRE—132000

CAREFORCE ROCKHAMPTON: 4X2 BEDROOM DUPLEX FOR DISABLED—196254

CARINYA HOME FOR THE AGED: 2X1 BEDROOM DUPLEX UNIT FOR THE AGED—83000

CARPENTARIA SHIRE COUNCIL: 4X1 BEDROOM DUPLEX UNITS FOR THE AGED—205000

CATHOLIC PARISHES OF IPSWICH: 14X1 BEDROOM DUPLEX UNITS FOR THE AGED—230000

CHILDREN'S LEUKAEMIA AND CANCER SOCIETY: PURCHASE 3 UNITS FOR PATIENTS AND FAMILIES—149000

CHINCHILLA SHIRE COUNCIL: 2X2 BEDROOM DUPLEX UNITS FOR THE AGED—87000

CHRISTIAN OUTREACH CENTRE: 13X1 BEDROOM UNITS FOR THE AGED OR DISABLED—500000

CHURCHES OF CHRIST - ANNERLEY: PURCHASE 5 UNITS FOR THE AGED—136000

CHURCHES OF CHRIST - GOLD COAST: 5X1 BEDROOM UNITS FOR THE AGED—225000

CHURCHES OF CHRIST - MARBURG: 6X1 BEDROOM UNITS FOR THE AGED—80000

CHURCHES OF CHRIST - REDLANDS: 6X1 BEDROOM UNITS FOR THE AGED—240000

CHURCHES OF CHRIST - ST. GEORGE: CONSTRUCT 2 x 1 BEDROOM UNITS FOR THE AGED—90000

CHURCHES OF CHRIST - TOOWOOMBA: 2X1 BEDROOM UNITS FOR THE AGED—90000

DALBY TOWN COUNCIL: 2X1 BEDROOM DUPLEX UNITS—91000

DEERAL ABORIGINAL & TORRES STR. ISLANDERS CORP: 2X2 BEDROOM DUPLEX UNITS FOR AGED AND DISABLED—107600

DOUGLAS SHIRE HOMES FOR THE AGED COMMITTEE: 7X1 BEDROOM UNITS FOR THE AGED—250000

DUNDEE RETIREMENTS UNIT COMMITTEE: CONSTRUCT 4X1 BEDROOM UNITS FOR THE AGED—103000

ENDEAVOUR FOUNDATION - BRISBANE NORTH: PURCHASE 1X4 BEDROOM HOUSE FOR THE DISABLED—77000

ENDEAVOUR FOUNDATION - CAIRNS: PURCHASE 1X4 BEDROOM HOUSE FOR THE DISABLED—100000

ENDEAVOUR FOUNDATION - GOLD COAST: PURCHASE 1 HOUSE FOR THE DISABLED—150000

ENDEAVOUR FOUNDATION - ROMA: 1X6 BEDROOM HOUSE FOR THE DISABLED—45000

FAMILY CARE CAIRNS - ATHERTON: A 6 BEDROOM RESPITE CENTRE—213000

FAMILY CARE CAIRNS - INNISFAIL: A 6 BEDROOM RESPITE CENTRE—238410

FAMILY CARE TOWNSVILLE— A 5 BEDROOM RESPITE CENTRE—223000

FOCAL EXTENDED INC.: PURCHASE 4X2 BEDROOM HOUSES FOR DISABLED—111000

GATTON SHIRE COUNCIL: 3X2 BEDROOM UNITS FOR THE AGED AND DISABLED—119000

GOLD COAST CITY COUNCIL: PURCHASE 3 HOUSES FOR THE DISABLED—376650

HANDICAPPED ASSOC. OF THE REDLANDS DISTRICT INC.: PURCHASE 2 HOUSES FOR THE DISABLED—328352

HANDIHOME ASPLEY-WAVELL INC.: 1X4 BEDROOM HOUSE FOR THE DISABLED—163000

IMMANUEL GARDENS (IMMANUEL LUTHERAN CHURCH): 6X2 BEDROOM UNITS FOR THE DISABLED—254000

INGLEWOOD SHIRE COUNCIL: 2X1 BEDROOM UNITS FOR THE AGED—69000

JERICO SHIRE COUNCIL: 3X1 BEDROOM UNITS FOR THE AGED AND JERICO—120000

JOHNSTONE SHIRE COUNCIL: 2X2 BEDROOM DUPLEX UNITS FOR THE AGED—84000

KILKIVAN SHIRE COUNCIL: 4X1 BEDROOM DUPLEX UNITS FOR AGED AND DISABLED—126000

KINGAROY & DISTRICT SENIOR CITIZENS WELFARE C'TEE: PURCHASE 3 UNITS FOR THE AGED—73000

LEGACY CLUB OF IPSWICH INC: 4X1 BEDROOM UNITS FOR THE AGED—141000

LIVINGSTONE SHIRE COUNCIL: PURCHASE 1 HOUSE FOR THE AGED AND DISABLED—88000

LOGAN CITY COUNCIL: 6X1 BEDROOM UNITS FOR AGED AND DISABLED—180000

LOWER HERBERT-HALIFAX LIONS CLUB: 2X1 BEDROOM UNITS FOR THE AGED—55000

MACKAY BENEVOLENT SOCIETY INC.: 9X1 BEDROOM UNITS FOR THE AGED—401362

MACKAY CITY COUNCIL: 12X1 BEDROOM UNITS FOR THE AGED—400000

MAMRE ASSOCIATION INC: PURCHASE & MODIFY 1X8 BEDROOM HOUSE FOR THE DISABLED—116000

MANCHESTER UNITY: 2X1 BEDROOM UNITS FOR THE AGED—90000

MAREEBA SHIRE COUNCIL - MAREEBA: 2X1 BEDROOM DUPLEX UNITS FOR AGED AND DISABLED—66000

MAREEBA SHIRE COUNCIL - MT. MOLLOY: 2X1 BEDROOM DUPLEX UNITS FOR THE AGED AND DISABLED—75000

MAROOCHY NEIGHBOURHOOD CENTRE INC: PURCHASE 3 UNITS FOR THE AGED AND DISABLED—149000

MASONS WIDOWS & ORPHANS FUND - CAIRNS: 6X1 BEDROOM UNITS FOR THE AGED AND DISABLED—300000

MASONS WIDOWS & ORPHANS FUND - GOLD COAST: 15X1 BEDROOM UNITS FOR THE AGED AND DISABLED—900000

MILES AND DISTRICT RETIREMENT VILLAGE INC: 4X1 BEDROOM DUPLEX UNITS FOR THE AGED—110000

MILLMERRAN CENTENARY RETIREMENT VILLAGE INC: 2X1 BEDROOM UNITS FOR THE AGED—80000

MOUNT MORGAN SHIRE COUNCIL: 2X1 BEDROOM UNITS FOR THE AGED—62000

MOURA RETIREMENT VILLAGE INC: 6X1 & 2X2 BEDROOM UNITS FOR THE AGED—360849

MURGON ACTIVITY THERAPY CENTRE: 1X4 BEDROOM ACCOMMODATION FOR DISABLED AND RESPITE—248000

MURILLA SHIRE COUNCIL: 2X1 BEDROOM DUPLEX UNITS FOR THE AGED AND DISABLED—71000

MURGON SHIRE COUNCIL: 2X1 BEDROOM DUPLEX FOR THE AGED AND DISABLED—59000

MURWEH SHIRE COUNCIL: 2X1 BEDROOM DUPLEX FOR THE AGED—59000

NANANGO SHIRE COUNCIL: 2X1 BEDROOM UNITS FOR THE AGED—65000

NORTH QLD SOCIETY FOR CRIPPLED CHILDREN: 1X6 BEDROOM HOUSE FOR THE DISABLED—154000

PAROO SHIRE COUNCIL: 2X1 BEDROOM DUPLEX FOR THE AGED AND DISABLED—60000

PIONEER SHIRE COUNCIL - (DISABLED): 4X1 BEDROOM DUPLEX UNITS FOR THE DISABLED—144000

PIONEER SHIRE COUNCIL - (AGED): 2X1 BEDROOM DUPLEX FOR THE AGED—60000

PROGRESSIVE RECREATION ORG'N OF THE DISABLED: 5X1 & 1X2 BEDROOM UNITS FOR THE DISABLED—95000

PROSERPINE HOMES FOR AGED PERSONS SOCIETY: 3X1 BEDROOM UNITS FOR THE AGED—25000

QUEENSLAND CANCER SOCIETY: PURCHASE 5 FLATS FOR THE DISABLED—140000

QLD. COUNTRY WOMEN'S ASSOC. - BILOELA: 1X1 BEDROOM UNIT FOR THE AGED AND DISABLED—28000

QLD. COUNTRY WOMEN'S ASSOC. - DALBY: 2X1 BEDROOM UNITS FOR THE AGED AND DISABLED—80000

WARWICK CITY COUNCIL: 2X1 BEDROOM UNITS FOR THE AGED AND DISABLED—70000
 WIDGEE SHIRE COUNCIL: 2X1 BEDROOM DUPLEX UNITS FOR THE AGED—63000
 WONDAI DISTRICT HOMES FOR THE AGED: 2X1 BEDROOM UNITS FOR THE AGED—62162
 WONGABURRA SOCIETY: 6X1 BEDROOM DUPLEX UNITS FOR THE AGED AND DISABLED—321000
 YOUNG WOMENS CHRISTIAN ASSOC. OF TOOWOOMBA INC— ACCOMMODATION FOR 10 DISABLED PERSONS—371400
 ZION LUTHERAN CHURCH: 4X1 BEDROOM UNITS FOR THE AGED AND DISABLED—155610
 HAAS89/90
 ANGLICAN DIOCESE OF ROCKHAMPTON SHORTFALL ON CONSTRUCTION OF 4X2 BEDROOM DUPLEX UNITS FOR THE DISABLED 31446
 ANGLICAN SOCIAL WELFARE SHORTFALL TO CONSTRUCT 5X1 BEDROOM UNITS FOR THE AGED—67000
 ARAMAC SHIRE COUNCIL: 3X2 PREFAB UNITS FOR THE AGED AND DISABLED - 1 & 2 97650
 ATHERTON SHIRE COUNCIL: 2X1 BEDROOM DUPLEX UNITS FOR THE AGED—88000
 BASIL STAFFORD TRAINING CENTRE PARENTS AND FRIENDS: 2X5 BEDROOM HOUSES FOR THE DISABLED—250000
 BENDEMERE SHIRE COUNCIL: 2X2 BEDROOM DUPLEX UNITS FOR THE AGED—90000
 BIGGENDEN SHIRE COUNCIL: 2X1 BEDROOM DUPLEX UNITS FOR THE AGED—61000
 BUNDABERG CITY COUNCIL: 8X1 BEDROOM DUPLEX UNITS FOR THE AGED—260000
 BURRUM DIST SENIOR CITIZENS UNITS FUND C'TEE: 4X1 BEDROOM UNITS—117000
 CAIRNS CITY COUNCIL PENSIONER UNITS: 3X1 BEDROOM UNITS FOR THE AGED—123750
 CATHOLIC FAMILY LIFE CENTRE: 2X2 BEDROOM DUPLEXES FOR THE DISABLED—108450
 CATHOLIC PARISHES OF IPSWICH: 14X1 BEDROOM DUPLEX UNITS FOR THE AGED AND DISABLED—307800
 CORP. OF THE TRUSTEE OF THE R.C ARCH OF BRIS PRO B: PURCHASE 1X6 BEDROOM HOUSE FOR THE DISABLED—97100
 CORP. OF THE TRUSTEE OF THE R.C. ARCH OF BRIS PRO C: 1X4 BEDROOM HOUSE FOR THE DISABLED—115000
 DALBY TOWN COUNCIL SHORTFALL TO CONSTRUCT 2X1 BEDROOM DUPLEX UNITS—15762
 EMERALD SHIRE COUNCIL & RSL: 6X1 BEDROOM UNITS FOR THE AGED—120000
 FAMILY CARE ATHERTON SHORTFALL IN CONSTRUCTION OF 6 BEDROOM RESPITE CENTRE—65117
 GLADSTONE DISTRICT RESPITE CARE ASSOC.: 1X6 BEDROOM HOUSE FOR THE DISABLED—227424
 HANDIHOME ASPLEY/WAVELL INC.: 1X4 BEDROOM HOUSE FOR THE DISABLED—246800
 HANDIHOME SUNNYBANK INC.: PURCHASE 1X5 BEDROOM HOUSE FOR THE DISABLED—200000
 HEADWAY QLD. INC: PURCHASE 1X4 BEDROOM HOUSE FOR THE DISABLED—113400
 HOUSING ACTION GROUP - MARYBOROUGH DISTRICT INC.: PURCHASE 1X5 BEDROOM HOUSE FOR THE DISABLED—90000
 INGHAM PARENTS SUPPORT GROUP INC: PURCHASE 1X3 BEDROOM HOUSE FOR THE DISABLED—71100
 IPSWICH CITY COUNCIL: 4X1 BEDROOM DUPLEX UNITS & 2X1 BEDROOM UNITS FOR THE AGED AND DISABLED 198000

ISISFORD SHIRE COUNCIL: 1X2 BEDROOM HOUSE FOR THE AGED AND DISABLED—49050
 TOWNSVILLE WELFARE COUNCIL INC.: PURCHASE 2X2 BEDROOM DUPLEX UNITS FOR THE DISABLED—110000
 JERICHO SHIRE COUNCIL SHORTFALL SHORTFALL TO CONSTRUCT 3X1 BEDROOM UNITS FOR THE AGED AT ALPHA AND JERICHO—42536
 K.S.C CLUB INC.: 9 UNITS 1 AND 2 BEDROOM FOR THE AGED—315000
 KIAH ASSOCIATION INC NEW FARM PROPOSAL B: PURCHASE 1X4 OR 5 BEDROOM HOUSE FOR THE DISABLED—150000
 KINGAROY AND DISTRICT SENIOR CITY WELFARE COMMITTEE: PURCHASE 1X2 BEDROOM UNIT FOR THE AGED—41850
 LIVINGSTONE SHIRE COUNCIL: 4X2 BEDROOM UNITS FOR THE AGED AND DISABLED—242000
 MACKAY CITY COUNCIL: 6X1 BEDROOM UNITS FOR THE AGED AND DISABLED—300000
 MARYBOROUGH CITY COUNCIL: 12X1 BEDROOM UNITS FOR THE AGED AND DISABLED—354000
 MILLMERRAN CENTENARY RETIREMENT VILLAGE SHORTFALL TO CONSTRUCT 2X1 BEDROOM UNITS FOR THE AGED—11715
 MULGRAVE SHIRE COUNCIL: 6X1 BEDROOM UNITS FOR THE AGED AND DISABLED—247500
 NTH.QLD.SOCIETY FOR CRIPPLED CHILDREN: 1X3 BEDROOM HOUSE FOR THE DISABLED—189000
 PRO. REC. ORGANISATION FOR THE DISABLED INC.: 1X2 BED HOUSE & 5X1 BEDROOM UNITS FOR THE DISABLED—162450
 R.S.L. STEPHENS SUB BRANCH: 6X1 BEDROOM UNITS FOR THE AGED—260000
 R.S.L.(QLD) WAR VETERANS HOMES LTD. PROPOSAL A: 10X1 BEDROOM UNITS FOR THE AGED—360000
 SOCIETY OF ST. VINCENT DE PAUL -DALBY SHORTFALL TO CONSTRUCT 4X1 BEDROOM UNITS FOR THE AGED—17946
 SPECIAL CARING SERVICES DIVISION: PURCHASE 2X2 BEDROOM HOUSE FOR THE DISABLED—171000
 ST PATRICKS CATHEDRAL: 4X1 BEDROOM UNITS FOR THE AGED AND DISABLED—185000
 TOWNSVILLE DISTRICT BAPTIST CHURCH SHORTFALL IN CONSTRUCTION OF 6X1 BEDROOM UNITS FOR THE AGED AND DISABLED—157400
 WILSONTON JAYCEES: PURCHASE 1X4 BEDROOM HOUSE FOR THE DISABLED—87300
 WINTON SHIRE COUNCIL: 10X1 BEDROOM UNITS FOR THE AGED AND DISABLED—450000
 WOODY POINT RESPITE CARE: PURCHASE AND MODIFY 1X4 BEDROOM HOUSE FOR THE DISABLED—174600
 ZION LUTHERAN CHURCH GYMPIE: 2X1 BEDROOM UNITS FOR THE AGED AND DISABLED—81000
 THE QUEENSLAND COUNTRY WOMENS ASSOC - DALBY SHORTFALL ON CONSTRUCTION OF 2X1 BEDROOM UNITS FOR THE AGED—9986
 DOUGLAS SHIRE AGED PERSONS HOME INC.: 7X1 BEDROOM UNITS FOR THE AGED—280000
 REDCLIFFE CITY CATHOLIC PARISH: 4X1 BEDROOM UNITS FOR THE AGED AND DISABLED—177000
 BARCOO RETIREMENT VILLAGE INC SHORTFALL ON CONSTRUCTION OF 4 UNITS AT BLACKALL FOR AGED PERSONS—165773
 CHINCHILLA SHIRE COUNCIL SHORTFALL ON CONSTRUCTION OF 2X2 BEDROOM DUPLEX UNITS FOR THE AGED—18130
 EMERALD SHIRE COUNCIL SHORTFALL FOR CONSTRUCTION OF UNITS—31500
 HANDIHOME ASPLEY/ WAVELL INCORPORATED SHORTFALL TO CONNECT SEWERAGE AT HOUSE

AT CARSELDINE PROVIDED UNDER HAAS 88/89
31500

HERVEY BAY DISABILITIES ASSISTANCE INC
REQUEST FOR 100% FUNDING OF PREVIOUS
PROJECT UNDER HAAS 89/90—19832

HOUSING ACTION GROUP - MARYBOROUGH
SHORTFALL TO PURCHASE 1X5 BEDROOM HOUSE
FOR DISABLED PERSONS 22500

INGHAM PARENTS SUPPORT GROUP SHORTFALL
TO PURCHASE 1X3 BEDROOM HOUSE FOR
DISABLED—10980

LOGAN CITY COUNCIL - PROPOSAL B SHORTFALL
TO CONSTRUCT 6X1 BEDROOM UNITS FOR THE
AGED—86000

MARYBOROUGH CITY COUNCIL - PROP A
SHORTFALL ON CONSTRUCTION OF 12X1
BEDROOM UNITS APPROVED PREVIOUSLY UNDER
HAAS 60000

QUEENSLAND COUNTRY WOMENS ASSOCIATION -
OAKEY - PROP A SHORTFALL UNDER PREVIOUS
GRANT UNDER HAAS—45000

SEEDING GRANTS GRANTS TO ORGANISATIONS
TO PREPARE SUBMISSIONS—100000

IPSWICH CITY COUNCIL SHORTFALL TO
CONSTRUCT 4X2 & 2X2 BEDROOM UNITS FOR
AGED—31500

MILLMERRAN CENTENARY RETIREMENT VILLAGE
INCORPORATED: 2X1 BEDROOM DUPLEX UNITS
FOR THE AGED &/OR DISABLED—120000

CARDWELL SHIRE HOME FOR THE AGED INC: 2X2
BEDROOM DUPLEX UNIT FOR THE AGED—160000
HAAS90/91

ARAMAC SHIRE COUNCIL: PURCHASE 2X1
BEDROOM UNITS FOR THE AGED &/OR
DISABLED—113850

CATHOLIC PARISHES OF IPSWICH - PROP A: 4X1
BEDROOM UNITS FOR THE AGED &/OR
DISABLED—185000

ENDEAVOUR FOUNDATION - MACKAY: PURCHASE
1X4 BEDROOM HOUSE FOR DISABLED
PERSONS—102000

GLADSTONE CITY COUNCIL -PROPOSAL B:
PURCHASE 2X2 BEDROOM UNITS FOR
SINGLES—175000

GROW (QLD): PURCHASE 1X6 BEDROOM HOUSE
FOR DISABLED—252000

HERVEY BAY COMMUNITY HOUSING
ASSOCIATION: PURCHASE 1X6 BEDROOM HOUSE
FOR SINGLES—175000

KARAKAN HOSTELS: PURCHASE 1X5 BEDROOM
HOUSE FOR THE DISABLED—172000

KIAH ASSOCIATION INC: PURCHASE 3X2 BEDROOM
FLATS FOR DISABLED AT INNER CITY OF
BRISBANE—150600

KINGSTON EAST COMMUNITY CENTRE:
PURCHASE 4X2 BEDROOM UNITS FOR
SINGLES—250000

MURGON SHIRE COUNCIL: 2X1 BEDROOM DUPLEX
UNITS FOR THE AGED—80000

QUEENSLAND AIDS COUNCIL INC - PROP A: 10X1
BEDROOM UNITS OR A 10 BEDROOM HOSTEL FOR
THE DISABLED AT STAFFORD & WINDSOR—475000

QUEENSLAND AIDS COUNCIL INC - TOWNSVILLE:
PURCHASE 1X3 BEDROOM HOUSE FOR THE
DISABLED—143750

QUEENSLAND DEAF SOCIETY INC: 1X4 BEDROOM
HOUSE FOR THE DISABLED—180000

ROCKHAMPTON WOMEN'S SHELTER INC:
PURCHASE 4X1 BEDROOM UNITS OR 2X2
BEDROOM DUPLEX UNITS FOR SINGLES 188750

SERVICE ASSISTANCE TO INTELLECTUALLY
DISABLED INC: PURCHASE 5X3 BEDROOM HOUSES
FOR DISABLED—310000

SHELTER HOUSING ACTION CAIRNS: PURCHASE

2X3 BEDROOM DUPLEX UNITS FOR THE AGED
&/OR DISABLED—190000

THE SALVATION ARMY YOUTH OUTREACH
SERVICE: PURCHASE 3X2 BEDROOM UNITS FOR
SINGLES IN RIVERVIEW—250000

TOOWOOMBA SPECIAL NEEDS HOUSING
INTEREST GROUP: PURCHASE 1X5 BEDROOM
HOUSE FOR DISABLED—150000

QUEENSLAND AIDS COUNCIL INC - GOLD COAST:
PURCHASE 1X3 BEDROOM HOUSE FOR THE
DISABLED—170000

BARALABA COMMUNITY AGED CARE ASSOC. INC.:
2X1 & 2X2 BEDROOM UNITS FOR THE
AGED—215000

BUNDABERG AREA YOUTH SERVICE INC: 6X1
BEDROOM UNITS FOR SINGLES—234000

DAVIS STREET WORKING GROUP: 2X1 & 2X2
BEDROOM UNITS FOR THE AGED AND/OR
DISABLED—261876

HERVEY BAY DISABILITY ASSISTANCE INC: 2X2
BEDROOM DUPLEX UNITS FOR THE
DISABLED—178000

WIDGEE SHIRE COUNCIL & RSL (MARY VALLEY
BRANCH): 2X1 BEDROOM DUPLEX UNITS FOR THE
AGED &/OR DISABLED—80000

QUEENSLAND WATTLE LEAGUE FOR THE
DISABLED: PURCHASE 2X2 BEDROOM UNITS FOR
THE DISABLED—144000

ST ANDREWS GARDEN SETTLEMENT: 2X1
BEDROOM UNITS FOR THE AGED—130000

MANCHESTER UNITY FRIENDLY SOCIETY: 4X1
BEDROOM UNITS FOR THE AGED—240000

KENILWORTH VILLAGE UNITS ASSOCIATION INC:
2X1 BEDROOM UNITS FOR THE AGED &/OR
DISABLED—135000

QLD GAY YOUTH SUPPORT GROUP: PURCHASE
1X3 BEDROOM HOUSE FOR SINGLES—160000

BUNDABERG CATHOLIC AGED CARE - CORP OF
DIOCESE OF R'TON: 5X1 BEDROOM UNITS FOR
THE AGED &/OR DISABLED—219060

CARPENTARIA SHIRE COUNCIL: 2X1 BEDROOM
UNITS AT NORMANTON AND 2X1 BEDROOM UNITS
AT KARUMBA FOR THE AGED 296000

SOCIETY OF SAINT VINCENT DE PAUL -
CHINCHILLA: 2X1 BEDROOM DUPLEX UNITS FOR
AGED &/OR DISABLED—94500

ROCKHAMPTON CITY COUNCIL: A 12 BEDROOM
BOARDING HOUSE FOR SINGLES—189000

ASSOC OF RELATIVES & FRIENDS OF THE
MENTALLY ILL - SC: PURCHASE 2X2 BEDROOM
DUPLEX UNITS FOR DISABLED PERSONS—130000

WELCOME INN (MT ISA CRS): PURCHASE A 10
BEDROOM MOTEL FOR SINGLES—200000

GYMPIE WIDGEE HOUSING ACTION GROUP INC:
PURCHASE LAND AND CONSTRUCT 1X5
BEDROOM HOUSE FOR THE DISABLED—100000

E.L.A.M. INC. - EMERG & LONG TERM ACCOM IN
MORANBAH: 4X1 BEDROOM UNITS FOR
SINGLES—150000

BURRUM DISTRICT SENIOR CITIZENS UNITS FUND
C'TEE: 4X1 BEDROOM UNITS FOR THE
AGED—117000

BOULDERS COURT HOUSING ASSOCIATION
INCORPORATED CONSTRUCT 2X1 BEDROOM
UNITS FOR HOMELESS OR NEEDY
PERSONS—76500

TORRES STRAIT HOME FOR THE AGED: 4X2
BEDROOM UNITS FOR THE AGED—400000

SPECIAL HOUSING ASSOCIATION OF REDLANDS
INC: PURCHASE 2X2 BEDROOM DUPLEX UNITS
FOR THE DISABLED—205200

THE NORTH QUEENSLAND SOCIETY FOR
CRIPPLED CHILDREN - CAIRNS: 1X4 BEDROOM
HOUSE FOR THE DISABLED—198900

THE NORTH QUEENSLAND SOCIETY FOR CRIPPLED CHILDREN - MT ISA: 1X4 BEDROOM HOUSE FOR THE DISABLED—274500

EMERALD SHIRE COUNCIL & CAREFORCE: 6X1 BEDROOM UNITS FOR SINGLES—108205

LOGAN CITY COMMITTEE ON THE AGEING: 4X1 BEDROOM UNITS FOR THE AGED—215000

HERVEY BAY CITY COUNCIL: 1X1 & 1X2 BEDROOM UNITS FOR THE AGED—110000

QUEENSLAND COUNTRY WOMENS ASSOCIATION - TIARO: 2X2 BEDROOM DUPLEX UNITS FOR AGED DISABLED &/OR SINGLES—154363

BLACK COMMUNITY HOUSING SERVICE QLD. (LTD): 10X1 BEDROOM UNITS FOR AGED PERSONS IN BRISBANE—450000

ROTARY CLUB OF SOUTHPORT INC: 1X9 BEDROOM HOUSE FOR THE DISABLED—135000

HUGHENDEN & DISTRICT OLD PEOPLES WELFARE ASSOCIATION: 2X1 BEDROOM DUPLEX UNITS FOR THE AGED—92700

BULLOO SHIRE COUNCIL: 3X2 BEDROOM UNITS FOR SINGLES—108000

ST JOHN'S LUTHERAN CHURCH: 2X1 BEDROOM UNITS FOR THE AGED—130000

TABLELAND COMMUNITY HOUSING ASSOC INC: 4X1 BEDROOM UNITS FOR SINGLES AGED OR DISABLED—181054

TAMBO SHIRE COUNCIL: PURCHASE 2X1 BEDROOM RELOCATABLE HOUSES FOR THE AGED—80000

ST MARKS FURTHER EDUCATION CENTRE: 4X1 BEDROOM UNITS FOR SINGLE &/OR DISABLED PENSIONERS 250000

CORP OF C'TEES OF RC A'DIOCESE OF B'BANE - DEMO PROJECT FUNDS PROVIDED TO AUSPICE THE CREATION OF DEMONSTRATION PROJECTS AROUND THE STATE 2507.92—200000

FOCAL EXTENDED INCORPORATED: 2X3 BEDROOM DUPLEX UNITS AND 1X4 BEDROOM HOUSE FOR DISABLED —194800

SEEDING GRANTS SEEDING GRANTS FOR PREPARATION OF PLANS—9275

JOINT VENTURE - LEUKAEMIA FOUNDATION JOINT VENTURE—1000000

CHARLEVILLE LIONS YOUTH SERVICE & C'VILLE SUPPORT ASS RENOVATE & MODIFY EXISTING HOSTEL FOR SINGLES 2220.91—348565

ROCKHAMPTON COLLEGE OF TAFE & ROCKHAMPTON CITY COUNCIL: 6X1 BEDROOM DUPLEX UNITS FOR THE AGED 2319.91—154000

WOORABINDA ABORIGINAL COUNCIL: 8X2 BEDROOM DUPLEX UNITS FOR SINGLES 2245.91—480000

CAPRICORN YOUTH HOUSING SERVICE RELOCATE & MODIFY 5 HOUSES INTO FLATS FOR SINGLES 2217.91—369500

NUNYARA SHAREHOUSE INC: PURCHASE 1X3 OR 1X4 BEDROOM HOUSE FOR THE DISABLED 2365.91—110000

QUEENSLAND AIDS COUNCIL INC: PURCHASE 1X4 BEDROOM HOUSE OR 2X2 BEDROOM UNITS FOR SINGLES 2235.91—125000

PROSERPINE HOMES FOR AGED PERSONS SOCIETY: 2X1 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2314.91—72000

BOWEN OLD PEOPLES HOME SOCIETY: 5X1 BEDROOM UNITS FOR THE AGED 2267.91—250000

IPSWICH INDEPENDENT YOUTH SERVICE INC: 10X1 BEDROOM UNITS FOR SINGLES 2230.91—325000

MURGON SHIRE COUNCIL: 5X1 BEDROOM UNITS FOR SINGLES 2233.91—275000

QUEENSLAND COUNTRY WOMENS ASSOC - OAKLEY: 1X2 & 1X1 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2316.91—167400

THE MULTIPLE HANDICAPPED ASSOC OF QLD: 2X2 BEDROOM UNITS FOR THE DISABLED 2379.91—150000

BOARDING HOUSES: PURCHASE BOARDING HOUSES ANYWHERE IN QUEENSLAND FOR SINGLE PERSONS—3000000

MUSGRAVE PARK ABORIGINAL CORPORATION.: PURCHASE HOUSES OR FLATS FOR SINGLE PERSONS—250000

HOUSING ACTION GROUP - MARYBOROUGH DIST INC - PROP A CONSTRUCT 1X10 BEDROOM BOARDING HOUSE FOR SINGLES 2226.91—189000

JOHNSTONE SHIRE COUNCIL: 2X2 BEDROOM DUPLEX UNITS & 4X1 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2290.91—298000

PERRY SHIRE COUNCIL: 4X1 BEDROOM DUPLEX UNITS FOR THE AGED 2312.91 198000

QUILPIE SHIRE COUNCIL: 2X2 BEDROOM DUPLEX UNITS FOR THE AGED &/OR DISABLED 2317.91—112500

ROMA & DIST COMMUNITY SUPPORT ASSOC & ROMA TOWN COUNCIL: 3X1 & 2X2 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2320.91—315000

ST ANTHONYS PARISH: 4X1 7X2 & 3X3 BEDROOM HOUSES FOR SINGLES 2240.91—973370

CATHOLIC DIOCESE OF ROCKHAMPTON - MOUNT MORGAN: 2X1 & 1X2 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2274.91 150000

HERVEY BAY CITY COUNCIL: 2X1 & 1X2 BEDROOM UNITS FOR THE AGED 2286.91—178650

MT ISA COMMUNITY DEVELOPMENT ASSOC INC: 1X2 & 1X3 BEDROOM UNITS FOR DISABLED 2364.91—151680

WARWICK CITY COUNCIL: 2X1 BEDROOM UNITS FOR THE AGED 2341.91—72000

BLUE NURSING SERVICE - REDCLIFFE: 6X1 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2263.91—361800

MACKAY CITY COUNCIL: 2X1 & 2X2 BEDROOM UNITS FOR THE AGED 2306.91—205000

CHINCHILLA SHIRE COUNCIL PROP A: 2X2 BEDROOM DUPLEX UNITS FOR THE AGED 2277.91—116280

IPSWICH CITY COUNCIL: 6X1 BEDROOM UNITS FOR THE AGED 2288.91—383879

HERVEY BAY DISABILITY ASSISTANCE INC: 5X1 BEDROOM UNITS FOR THE DISABLED 2360.91—292200

CHINCHILLA SHIRE COUNCIL PROP B: 2X2 BEDROOM DUPLEX UNITS FOR SINGLES 2221.91—116280

THE DOWNS ABORIGINAL & ISLANDERS WOMENS SUPPORT GROUP INC: PURCHASE 1X4 BEDROOM HOUSE FOR THE AGED &/OR SINGLES 2337.91—182000

BLUE NURSING SERVICE - SPRINGWOOD: 4X1 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2264.91—200000

BUNDABERG HOUSING ACTION GROUP: PURCHASE OR CONSTRUCT 1X8 BEDROOM HOUSE FOR SINGLES 2216.91—151920

CARPENTARIA SHIRE COUNCIL: 2X1 BEDROOM UNITS FOR THE AGED 2270.91—190000

DOUGLAS SHIRE AGED PERSONS HOMES INC: 4X1 BEDROOM UNITS FOR THE AGED 2278.91—148400

EMERALD SHIRE COUNCIL: 4X1 BEDROOM UNITS FOR SINGLES 2377.91—475000

KILKIVAN SHIRE COUNCIL: 2X1 BEDROOM DUPLEX UNITS FOR THE AGED 2292.91—85000

MT ISA WELFARE COUNCIL INC: 2X2 BEDROOM UNITS FOR THE DISABLED 2364.91—151680

WIDGEE SHIRE COUNCIL: 1X6 BEDROOM HOSTEL FOR SINGLES 2243.91—193500

WILLIEJUDDERA ABORIGINAL CORP.: 10X1 OR 10X2 BEDROOM UNITS OR 1X20 BOARDING HOUSE FOR THE AGED & SINGLES 2384.91—500000

WINTON SHIRE COUNCIL: 3X1 BEDROOM UNITS FOR SINGLES 2244.91—100000

YOUTH & FAMILY SERVICES (LOGAN CITY) INC: 12X 1 BEDROOM UNITS FOR SINGLES 2248.91—289566

APEX CLUB OF INGHAM: 5X1 BEDROOM UNITS FOR THE AGED—251000

BELYANDO SHIRE COUNCIL: 3X1 & 1X2 BEDROOM UNITS FOR SINGLES—169780

BLUE NURSING SERVICE - MARYBOROUGH SHORTFALL TO CONSTRUCT 1X2 & 3X1 BEDROOM UNITS FOR THE AGED & DISABLED—11110

ROSIES YOUTH MISSION INC: PURCHASE 1X4 BEDROOM HOUSE FOR SINGLES—162000

MAREEBA SHIRE COUNCIL: 4X1 BEDROOM DUPLEX UNITS FOR THE AGED—100000

MARYBOROUGH CITY COUNCIL: 6X1 BEDROOM UNITS FOR THE AGED—220000

HAAS91/92

ANGLICAN SOCIAL WELFARE - TOOWOOMBA SHORTFALL TO CONSTRUCT 5X1 BEDROOM UNITS FOR THE AGED—58928

LOGAN CITY COUNCIL JOINT VENTURE: 6X1 UNITS FOR THE AGED—251000

CATHOLIC DIOCESE OF ROCKHAMPTON - BUNDABERG: 3X1 & 2X2 BEDROOM UNITS FOR THE AGED &/OR DISABLED 2271.91—230000

Mr BURNS: Let me talk about Opposition members' colleagues in New South Wales and the money they spend on consumer affairs out of the fund that Opposition members do not want to establish. They are happy with that fund. Those people gave money to the Credit Line at Shoalhaven, the Gundagai Neighbourhood Centre and the Port Macquarie Neighbourhood Centre. They have raised \$2m in that fund from credit providers—not debtors. When I told National Party and Liberal Party members in New South Wales that Opposition members in Queensland were going to oppose this, they could not believe it.

Mr Rowell: We're not opposing it.

Mr BURNS: I am pleased that Opposition members are supporting it. I would hate to see them off side! Would we not be in trouble if they were off side! I thank them very much for their strong support.

Mr Santoro interjected.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! I warn the member for Clayfield under Standing Order 123A.

Mr Campbell interjected.

Mr DEPUTY SPEAKER: Order! I warn the member for Bundaberg under Standing Order 123A.

Motion agreed to.

Committee

Hon. T. J. Burns (Lytton—Deputy Premier, Minister for Emergency Services and Minister for

Rural Communities and Consumer Affairs) in charge of the Bill.

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mr ROWELL (3.23 p.m.): I raise the issue of deductions. I want to try to iron out this matter in relation to deductions that may occur on an account with a debtor who has a credit provider. Does the Minister follow what I am on about? It may be a deduction that does not occur on a person's account. If the credit provider—

Mr Burns: I am just asking my adviser. The problem we have is that we do not have any occasions when that has occurred, so we do not have a case that we can talk about.

Mr ROWELL: This was the very thing that I was talking about. It could occur with a computer error and it is not put on a person's ledger; money has been taken out of his account, and the deduction has been made. This is the very issue that I am talking about and trying to be objective about. I am not trying to be negative. I hope the Minister understands that.

Mr BURNS: It is quite clear what we have tried to do. Under the Act, the credit provider automatically gets a penalty. So he tries to get out of it, and he takes the case to court. It is a penalty for him, and he wants to get out of the penalty. The penalty can mean two things: forgo the interest or pay a penalty. Currently, there is no place to pay a penalty. Courts are loath to say, "It is \$150,000. Give every debtor a dollar." That would be impossible, because it would cost \$10 to send out \$1 by the time the staffing and other things were set up. It is a very difficult situation. The honourable member referred also to when the application is made by a debtor. The only time the honourable member would be worried would be when it affected him and hit his pocket.

Mr Rowell: No, it is not the application by the debtor that I am talking about.

Mr BURNS: So you are a debtor and you do not know?

Mr Rowell: Yes.

Mr BURNS: Under this fund, I am trying to get some money so that the registrar can say, "There are a lot of debtors here who have been disadvantaged", and I want to take the case to court. One would have to hire a lawyer. I think the honourable member for Clayfield argued about hiring lawyers out of the fund. One would have to take a lawyer and go to the court and argue that those debtors had been disadvantaged. Under the provisions of the new Act, there are no automatic penalties. For instance, if one is going to save \$20 or \$200, that person is not going to

go to court, because it would cost hundreds of dollars to go to court.

The honourable member for Clayfield said that we will have lawyers taking the case. Of course, we will have lawyers taking the case. For example, in the farm financial counselling sector, it would be very good for us to be able to have lawyers take to the court some of those farm financial counsellors' cases about rural debt. But we do not have the funding. This is a way of getting the funding out of the system itself. In your case, we would take the case on behalf of the debtors. Then it would be up to the court to make a determination. We have written into the new Act the provision that if the application is made by the debtor or debtors—and that would be collectively that financial counsellor paying a lawyer to do that—the amount due to individual debtors must be set off against amounts owing. So the money must be set off for that person, or become a debt due by the credit provider to the debtor or debtors if there is no amount owing on the contract by the debtor. Can the honourable member follow that?

Mr Rowell: Yes, I understand that fully.

Mr BURNS: The honourable member is talking about an error in keeping accounts. That really does not come under this section of the Act. It does not come under civil penalty applications. The civil penalty applications relate to a failure to disclose, so all I have just said about debtors does not apply to this Act.

Mr Rowell: But they have failed in a way.

Mr BURNS: If the honourable member has a case because an error has been made in his account, that is between him and the creditor. In this case, we have tried to stop them from failing to disclose information. For example, one piece of information that they failed to disclose in one of the New South Wales cases was the annual percentage rate in accordance with section 38 of the Act. They did not charge the wrong interest rate; they failed to state it. Under truth in lending, they must state it so that the person knows what it is going to be, and there is a penalty if they do not do that. If one does not run his or her accounts properly, that is really a civil matter between that person and the finance company. I am not too sure that it is a matter for me under this Act.

Mr Rowell: This legislation does not cover any errors that are made by the credit provider?

Mr BURNS: I have advice to say, "Yes". This Act does not cover the case of a man with an error in his account. We are trying to cover cases of a whole collection of people, not individual accounts. If it came to a case in which 5 000 customers all got a computer error, it may be that

the fund may determine to take a case for all of them.

Mr Rowell: But you are saying that it is not covered by this Act.

Mr BURNS: What does the honourable member mean—"it is not covered"?

Mr Rowell: Because it is a civil matter between you and the credit provider.

Mr BURNS: If I fund this registrar or the Ethnic Affairs Council—which I will get to in a moment—and they decide to take the case, it does not have to be done under this Act; it can be done under any other piece of legislation in relation to the mismanagement of an account, the overcharging of an account, or whatever it happens to be. It does not have to be under this legislation. This legislation will allow us to set up a fund and put some money in the bank.

Mr Rowell: What happens if the credit provider discloses it under those key requirements that there has been an error made? What happens then?

Mr BURNS: What happens if he discloses it?

Mr Rowell: Yes.

Mr BURNS: If he discloses an error, this part of the Act would come into effect. But he will not say that for one person. He will not say, "I did not charge Marc Rowell the right interest." He will say, "I failed to disclose that the commission rate was 8 per cent. I failed to disclose that." The honourable member is trying to make the Act apply to something to which it does not apply. I could start to write legislation to suit what the honourable member wants, but we would be back for another Act.

Mr Rowell: But the whole thing is that, under the key requirements, if there is the disclosure by the credit provider, what happens to that money that he is making the courts aware of, say, in the instance that a civil penalty will occur?

Mr BURNS: Let us say that a credit provider has made an application. I will give the honourable member some examples of what the New South Wales court has determined. In the case of Bell and Oamast, the breaches in relation to Part 3 of the Credit Act, including contracts not being in writing, statements of credit charges not complying with Schedule 5 and statements of the annual percentage rate not being in accordance with section 38—

Mr Rowell: That's New South Wales. That's not our Act.

Mr BURNS: It will be the same here. We are trying to do the same thing.

Mr Rowell: But it is not operating now. It is only when they bring the Consumer Credit Bill in there.

Mr BURNS: It is now.

Mr Rowell: It is separate legislation.

Mr BURNS: The honourable member should stop. It is now. Currently, all the States are operating under the old Act. No-one will have the new Act until September next year.

Mr Rowell: It cannot operate until next year, 1995.

Mr BURNS: The old Act still applies.

Mr Rowell: But their old Act isn't the same as the new Act.

Mr BURNS: I will read this note that I have had passed to me. It says that "civil penalty" means the bank must correctly disclose information at the time the contract is made so that the borrower can compare loans, that is, truth at the time of lending. The note says, "You're right, Mr Rowell is off track." That is a note from my advisers, and they are not playing politics; they are trying to advise me and the honourable member. I am trying to help him on this particular matter.

For the benefit of the honourable member, I will continue explaining the New South Wales system. It has nothing to do with not getting one's interest rate right. It is a disclosure matter. Those people say, "I disclose that I have not charged the right interest." Currently, until September next year, under the Act if a person has not disclosed the right information—failure to disclose—there is an automatic civil penalty that that person must pay. That is automatic. The credit provider—the bank—runs in and says, "I've charged Rowell wrong. I've given him the wrong information," and the court makes a determination. The issue that the honourable member and I are arguing about this afternoon is not whether the court is right or wrong in the determination; it is where they put the dough.

We are down to the nitty-gritty. The honourable member can forget about whether the computer was in error; it is about what the court can do when it determines that a credit provider has not disclosed. The court can do two things.

Mr CAMPBELL: I rise to a point of order. A member is allowed to speak three times on any question. The member has asked at least six or seven questions. He has been allowed to speak six or seven times.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! There is no point of order.

Mr Rowell: It is important to iron this matter out.

Mr BURNS: It is important, but I do not think we can argue it any more. I do not think that the honourable member and I are going to agree. As we see it, the simple fact is that the current Act says that there are automatic civil penalties for a lender who lends money and then does not disclose the right information. The two or three examples that I have from New South Wales—which are similar to cases that we would have in Queensland—refer to contracts not being in writing. The borrower has not lost anything by the contract not being in writing unless the lender has rorted that person in the scheme. Because it was not in writing, there is an automatic civil penalty. We say to the court, "What are you going to do with it?" New South Wales provides an alternative of imposing a penalty and paying it into a fund rather than refunding it to individual debtors. We think it is a good idea to follow the New South Wales lead as far as the fund is concerned so we can use the money. It comes back to what I said to the honourable member before. If one of the people in his electorate is in trouble or a group of people are in trouble and they need a lawyer to go into bat for them, the groups that we will fund out of that money can take the case. They can do that because the funding is there for them.

To continue with the examples, one concerns a failure by Westpac to disclose commission charges on 100 000 contracts. In the Westpac case, the court ordered a \$150,000 penalty.

In the case of Westpac Financial Counselling Trust on 16 March this year, it paid \$2,171,055 into the fund as a penalty. There are small penalties and big penalties—one penalty was \$4,000. We are simply trying to help consumers through consumer organisations being empowered—I do not like that word "empowered" but it is the new in word—being given some right or assistance to fund the cases.

Mr ROWELL: I did ask the Minister during the course of my contribution to the second-reading debate what projections he has for this fund. I believe that the Government would have estimated the cost of the accumulated fund in dollar terms. I would also like some indication of the cost of running the fund and the number of people involved in the organisation of the fund itself.

Mr BURNS: We do not have any estimate of the money. I can remember a figure of \$40,000 being discussed as one penalty that we might collect. There are a couple of other cases in which there would be automatic civil penalties. The honourable member must remember that this is a matter for the court. This fund could be set up and never get any money because if the

court in Queensland does not determine to hand any money to the fund, that is the end of the fund.

Mr Rowell: It is strange that you brought the legislation in and you haven't done some estimates.

Mr BURNS: We cannot estimate what the court will do. It is very hard to pick what the court will do. As I said earlier, the Queensland court has a history of not being very strong on this issue; in fact, it has a history of being the weakest in Australia. Its history is such that credit providers who have a national credit problem come to Queensland to have their case heard first, because we have a weaker response than elsewhere. We do not know what it is going to be, but we will set up the arrangements as soon as we get some money in the fund. We will appoint a registrar.

I believe that we will go down the same track as we did with the Auctioneers and Agents Fund. For example, last year, we called for submissions from people who wanted funding from the Auctioneers and Agents Fund. On 16 October, we advertised in the *Courier-Mail*. Those submissions had to be lodged by 13 December 1993. The closing date was extended to Friday, 17 December 1993. We had five community education applications ranging from \$266,000 to \$433,000. Nine vocational education programs totalling \$1.2m were applied for. We gave the following amounts: the Ethnic Communities Council of Queensland, \$29,000; Financial Counselling Services of Queensland, \$61,000; Safe As Houses, \$83,000; the Townsville Community Legal Service, \$56,000; the Real Estate Institute of Queensland, for education and training programs, \$147,000; the Motor Traders Association of Queensland, \$31,000; Sales Image—I do not know who they are, but I think they are an education mob—\$5,000; and, the Coast Institute of TAFE, \$7,000 for the production of a video recording.

The point is that I would envisage this fund operating similarly. We would call for submissions from community groups that want to take up community financial counselling. For example, I believe that the ones that we would help first, if they applied, would be Lifeline. I think Lifeline on the Darling Downs, Noel Park and other people—

Mr Rowell: So it's a case of priorities.

Mr BURNS: No, they are my personal views. The department does not have any priorities because we have to first find out how much money we get and then find out who applies. In light of the applications, that will be assessed. For example, at this stage, if I had to set a priority, I would try to do it in such a way as to

help the farmers in the droughted areas. That is an area in which we could set a priority if we had to. The process would be: call for submissions through advertisements in the newspapers, receive the applications and then make a determination on the basis of the applications.

Mr ROWELL: In the event that the fund was short of finances and it had a large number of applications—to some extent the Minister has answered this question—the Minister does not have any set criteria for determining those most in need? I accept that.

Mr BURNS: Let me just say that we are going to advance capital. We are not going to work on interest only. Any money that comes in will go out, and we will only hand out what is there. So, in other words, if next year there is no money, we will not call for applications.

Mr ROWELL: The Minister did not really respond to the issue that I raised in the debate about proposed section 153E.(1) (e) "anything promoting consumers' interests." It is an all-encompassing statement, and I would just like the Minister to respond to that.

Mr BURNS: I agree. I think that there are times when we receive applications and we think that they are good applications. For example, I refer to that Auctioneers and Agents Fund material that I tabled. We were spending a lot of time in relation to that particular issue, and along came the Leukaemia Foundation. They said to me, "Tom, you only give out \$150,000, or \$200,000. We really need a million bucks." I said, "What do the guidelines say?" The guidelines were pretty difficult. So we talked it through with them—went through the department—and we funded them. In fact, at Christmas time I am opening those units for the Leukaemia Foundation at Mater Hill. It is a really wonderful cause. The units are used to look after the families and kids with leukaemia who come down here from country areas and who visit hospital. The units will enable them to live close to the hospital itself where the treatment is being carried out. It would be crazy for the Government to tighten guidelines to such a degree that, when those sorts of very important things come up, we could not give the money.

When the member raised this matter during the second-reading debate, I thought to myself, "What would be an item that might not be covered?" In the 12 months that I have been Consumer Affairs Minister, the one that comes to mind is the area of ethnic affairs. I would fund the Ethnic Affairs Council, which is not a consumer affairs body, and I do fund them now out of Auctioneers and Agents Fund. However, I would fund that council out of the money.

When I went down to the Logan Ethnic Affairs Council, I found that we were handing out pamphlets in Spanish and French and that the people could not read them. They could not read Spanish and they could not read English.

Mr Rowell: It won't restrict the fund necessarily. They're just consumer matters.

Mr BURNS: Consumer matters—but what specific consumers matters? I think in that specific area of ethnic groups—and I am just thinking about this because the member asked me what would happen if the requirement was outside those four or five guidelines—that would be one that I would look at. The member would know about this himself. He lives in an area in which a group of people of a particular race move in and live together. For some reason or other, the elderly people in the community continue to speak their language from their home country. Their kids go to school and learn English, but the older ones do not. Somehow, we have to get to those people. Much of that could most probably be covered by face-to-face counselling. However, that face-to-face counselling will not happen in an office somewhere. It will happen as is occurring now with the drought, where counsellors are on the road and calling in on people on properties. They are going in and talking to the woman at the kitchen table. I think that we are going to have to do a little bit of that.

If the Ethnic Affairs Council came up with an innovative idea which does not fit my four guidelines, then I think that it is wrong, when we have raised the money to provide for consumer protection, to have guidelines that restrict us. I give the member this assurance: they have to report to me and I have to report to the Parliament within 14 days. This is not a hollow log. I am not living off the interest; I am going to spend the capital. I will only call for applications for the amount of money that I have, because I am not going to say to the Treasurer, "I need some more money." If I have \$40,000 in the bank, this year's applications will be worth only \$40,000 and nothing more. However, if there is \$4m in the fund, if the right types of applications come along, then I am prepared to spend the \$4m.

Mr Rowell interjected.

Mr BURNS: No, for consumer affairs. I am using the Auctioneers and Agents Fund for two things. One is for housing under the community housing partnership, which was a scheme that I took up but which was started by the Opposition when it was in Government. I think that it is one of the best schemes that we have. That is why I get angry about the attacks on the Auctioneers and Agents Act. I think that the idea of giving a community such as Boulia an 80 per cent grant,

and the community has to provide the block and the remaining 20 per cent, is a really good way of letting towns build new houses. Under the Auctioneers and Agents Fund, the first new houses in Boulia since 1946 are now being built. I think that that is a better use of the money than to have \$1m lying in the fund. When I became Housing Minister and saw that there was \$1m lying in the fund, I thought that it should never lie in there. If it lies in that fund, it becomes a hollow log. It is not a hollow log if we use it.

Mr Rowell interjected.

Mr BURNS: The Minister for Consumer Affairs had the fund; I was the Housing Minister and I was spending the money. I am quite proud of my spending of that money. As I said, I asked the department to give me all of the applications and lists, and they are now all contained in *Hansard* for everybody to see. The member will be able to have a look at all the people who have applied for the money, and he will see how widely that money has been disbursed. I think that if this new fund gets some money it will achieve the same benefits. On this occasion I say, "Spend the capital, too. Do not live off the interest. As the money comes in, give it to consumer counselling."

If ever there was an area where everyone in this Parliament needs to help people, it is in the area of borrowing money—borrowing money for houses or cars. The rip-offs in regard to kids who buy second-hand cars are unreal. Every year the Office of Consumer Affairs receives 2 000 to 3 000 complaints about car salesmen. It receives 50 or 60 a week. Those complaints are generally about kids who have been encouraged to borrow money for a car that is not worth the dough, and they end up paying it off for too long. All the things that we are trying to do by this Bill are to help those consumers.

Clause 6, as read, agreed to.

Clause 7, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

APPROPRIATION BILL (No. 2)

Second Reading

Debate resumed from 20 October (see p. 9817).

Mr LIVINGSTONE (Ipswich West) (3.48 p.m.): I rise in support of Appropriation Bill (No. 2). In so doing, I would like to congratulate Treasurer Keith De Lacy on his fine handling of

the Queensland economy in what can only be described as very harsh economic times.

In my first speech in this House, I spoke about the neglect in my electorate of Ipswich West and the very poor work that had been done there over the 32 years of the previous Government. I would like to inform members of this House that we are slowly but surely rectifying the mismanagement of those 32 years.

I must say that I was quite amused by a few clippings in the local paper in my area in recent times. Mr Borbidge, the Leader of the National Party, and Joan Sheldon were in Ipswich bashing the troops, I suppose I could call it. Mrs Sheldon referred to her fear that south-east Queensland, according to her, may end up a slum area because of the State Government's lack of planning. She went on to say that she had to come out and attack the State Government for very bad planning in the region in transport, education and health facilities.

One cannot help being amused by the hypocrisy of members of the coalition coming to Ipswich and talking about slum areas and areas of neglect. When one looks firstly at housing in my electorate in the suburbs of Leichhardt and Wulkuraka, for instance, street after street and block after block one sees houses that are all the same. Year after year, no maintenance work was done on them. It was absolutely pathetic. People from very low economic backgrounds really were not in a position to spend money on their yards and houses, and the Government of the day did absolutely nothing to help them. The Opposition stands condemned for that. I would certainly like to congratulate Terry Mackenroth for doing a great job. For those people who are not familiar with the Leichhardt urban renewal project—

Mr Springborg: Maybe he will throw you a fish later.

Mr LIVINGSTONE: Perhaps the honourable member will.

The fact is that Terry Mackenroth is doing a marvellous job in this area. As I said before, the new Leichhardt urban renewable project is proof of the great work that is being done. For those members who are not familiar with that area, I point out that Leichhardt and Wulkuraka were established in the 1960s as a Housing Commission estate. Today, approximately 70 per cent of housing remains under Government ownership. The suburb is characterised by high rates of unemployment and a very low average income. Around 60 per cent of families rely on Social Security benefits. Also, we have a very high rate of mobility. There is a very high proportion of single-parent families. In that area, we have a higher than average petty crime rate.

To make matters worse, the Leichhardt area is also poorly serviced. There is very poor public transport and few locally-based Neighbourhood Watch or social welfare support centres. There is poor access to parking, shopping, health and pharmaceutical benefits. There is no swimming pool. Fortunately, not only is this Government spending millions of dollars on upgrading that housing but also it has at great expense put electric trains into the suburb of Wulkuraka. That electric train line went right through to Rosewood, at a cost of \$11.8m.

Mr FitzGerald: Just a bit further on to the next stage too, please.

Mr LIVINGSTONE: We can only go so far. I take the interjection. For the benefit of the member for Lockyer, I point out that I was quite amused that one of the National Party members in Rosewood recently made a comment in relation to the electric trains going through—

Mr FitzGerald: She's not a member yet, but she soon will be.

Mr LIVINGSTONE: She is a member. Actually, she was the secretary or president of the National Party in the area. The honourable member is thinking of the wrong person. The secretary or president of the National Party in the area commented that it was only because of the pressure that the National Party put on this Government that we have electric trains to Rosewood. Have honourable members ever heard anything so pathetic in their lives? We had 32 years of National Party Government, and the Deputy Premier represented that electorate. What did it get? Nothing, not a thing!

I will tell honourable members how bad it was. In wet weather, when people wanted to buy a ticket at the train station at Rosewood, they had to stand in water. If people wanted to walk over the bridge, they had to be careful because there were treads missing from the stairway. Yet that person had the hide to say that the Opposition helped to get this project going because it kept pressure on us. I have never heard a more embarrassing comment.

I return to Joan Sheldon's comments in the media in relation to the housing in the area being like a slum. With all due respect, I think that Mrs Sheldon was most fortunate to have left the area without being tarred and feathered. The solution in Leichhardt is to build a better community. The challenge has been to determine how best to achieve this outcome. As the bulk of housing in Leichhardt is owned by either the Department of Housing, Local Government and Planning or the Defence Housing Authority, it was decided that the two organisations should combine knowledge, experience and resources to

develop a single, coherent urban renewal strategy.

But building a better community involves more than just building houses and infrastructure. If we are to improve the quality of life for residents, we have to have very strong support from the entire community. That is why we are working very heavily with all levels of Government and certainly all different Government agencies to try to come up with the best possible improvement strategy that we can. Not only did Mrs Sheldon make comments in relation to housing; she also spoke about the poor facilities in education. It amazes me that a coalition member would visit Ipswich to speak about the lack of educational facilities.

I have mentioned this before, but for the benefit of a few new members I should remind the House of what the facilities were like when we took over. At the Ipswich West Special School, a school for children with special needs—for example, some of them had considerable problems keeping themselves clean—there was no undercover washing area. Those children actually had to go outside to wash their hands. In wet weather, they had to stand in the rain. Not only did they have to stand in the rain; they had to stand in a drain with water running over their feet. Those were the sorts of facilities at that school.

Mr Campbell: That is shameful.

Mr LIVINGSTONE: It was shameful. This Government has spent approximately \$1m on that school to bring it up to the standard at which it should have been years ago. At one of the high schools in my area, the classrooms had not been painted for over 17 years. The teachers were actually putting in money out of their own pockets and came in during the school holidays to fix up the rooms because they were so embarrassed about the facilities.

For the benefit of the honourable member for Southport, I point out that in one room alone—and this is at Ipswich, where the temperatures reach 40 degrees—11 windows were welded shut because the catches on them were so old that they could not be fixed. We have heard talk about maintenance. We hear members opposite saying that we are not looking after some areas of education. We have only to look at the \$60m refurbishment program under which every school in my electorate has benefited—

Mr T. B. Sullivan: Same here.

Mr LIVINGSTONE: It would be fair to say that everyone else in this room has benefited by it as well. Gone are the days when money was spent in electorates depending on how people

voted. That was the position under the former National Party Government. We have only to remember back to its Special Capital Works Program in 1989, which saw 292 jobs done for \$27.4m. Out of those 292 jobs, 291 of them just happened to be in National Party electorates.

There has been major capital works expenditure on education in my electorate. Recently, we announced that land would be made available for a university site at Ipswich. Again, that is something that Ipswich has lacked for many years. Perhaps one of the disadvantages that we have—

Mr Beattie: What a top place for a university.

Mr LIVINGSTONE: It is a top place for a university. I can assure the honourable member that everyone in that electorate is well represented, too.

I was amazed to read in today's *Queensland Times* that the Liberal Party candidate who supposedly wants to stand against David Hamill has condemned the site. The site is probably half a kilometre from the centre of Ipswich and approximately 60 hectares in size. He is suggesting that it is a bad site. He went on to say that we should not be moving the railway workshops, because of all of the people who would lose their jobs.

Mr Veivers interjected.

Mr LIVINGSTONE: Before I take the interjection of the honourable member for Southport, I point out that, despite the changes that are being made to the railways in our area, not one single person will lose his position. It is absolutely crazy for some members opposite—or people who aspire to sitting opposite—to suggest that we should have two railway workshops in Ipswich.

The North Ipswich railway workshop in my electorate was designed and built for steam engines. We have come a long way since the days of steam engines. We will be spending in the vicinity of \$35m to improve the existing facilities at Redbank, which will turn them into virtually a new super workshop. When we consider the number of similar places that are being closed throughout the rest of Australia, we can see that we are doing very well.

Mr Veivers: Who is supplying the land for the university?

Mr LIVINGSTONE: The land will be supplied by the State Government. The land is owned by Queensland Rail. It is an ideal site, nice and handy to public transport. There will be great benefits to the business community in Ipswich, which has obviously been struggling for a long time.

Mr Veivers: Sixty hectares?

Mr LIVINGSTONE: It will be approximately 60 hectares. It is a very large area of land.

On the subject of neglect—when we came to Government, 156 police were employed in Ipswich. Since we have been in Government, there has been a 3.5 per cent increase in population, but there has been a 35 per cent increase in police—something of which we can be proud. Members would be aware that this year's allocation is the largest amount of money ever spent on police. Nevertheless, we accept that there is a long way to go.

I will tell honourable members this: we started with a pretty poor situation. The police officers in my area used to come to my office to use a photocopy machine, because they simply did not have one. If the police wanted to send a fax somewhere, I would send it from my office. The North Ipswich Police Station, which was one of the oldest in Queensland, did not even have hot water. It had bare floorboards. It was nothing short of a disgrace. That has been rectified. The old North Ipswich Police Station has since been done up into a very modern, new juvenile aid bureau. It is very well resourced. In time, we look forward to being able to improve those facilities even further.

In the same article to which I referred earlier, the Leader of the National Party, Mr Borbidge—

Mr Beattie: Who? Never heard of him.

Mr LIVINGSTONE: Whoever he was! Mr Borbidge referred to this Government being on a spending frenzy. He went on to say—

"All those reserves that the National Party and Liberal Parties in Government for a generation built up have now gone."

I have never heard such rubbish! When we came to Government, the net debt of this State was \$3.4m. Today, it is zero. In 1989, the State taxes in other States were approximately 31.7 per cent higher than those in Queensland. Today, State taxes in other States are approximately 40.2 per cent higher than those in Queensland.

In response to the allegation that this Government is on a spending frenzy, I say only that we stand guilty as charged, and we are proud of it. If we are such a big-spending State, why is it that we are financially better off under this Government than we were under the previous Government? This Government has spent record amounts of money on health, on police and on education.

Mr Stephan interjected.

Mr LIVINGSTONE: I am sure that the member for Gympie knows it, but he would never congratulate this Government on the fantastic job that it has done.

The improvements that I have outlined will continue. I congratulate everybody involved with Appropriation Bill (No. 2), and I am delighted to support it.

Mr SPRINGBORG (Warwick) (4.03 p.m.): I rise tonight to participate in the debate on Appropriation Bill (No. 2). I want to touch on some of the general issues that are—

A Government member: It's only 4 o'clock.

Mr SPRINGBORG: I meant to say "today".

As I said, I want to touch on some of the issues affecting my electorate at present. I will begin by referring to the severe shortage of water throughout the electorate. I wish to draw that issue to the attention of the House. Those members who have been following the *Courier-Mail* and other major publications over the last few months will be aware of the absolutely critical situation regarding water supply in and around Warwick. At this stage, with no run-off into the Leslie Dam, Warwick will be able to survive until June or July 1996, if residents are able to keep water consumption at present levels. Fortunately, after that some contingency planning may be able to be undertaken in relation to bores. However, that will create a great deal of extra demand for that particular community, and nobody is looking forward to that possibility.

As to Stanthorpe—we have a piece of land which is serviced by the Storm King Dam, which now has enough water to last only till next June. Unfortunately, there is absolutely no possibility of tapping into underground water reserves, because there are just no underground water reserves on the Granite Belt. That resource is limited to no more than a couple of hundred gallons an hour. A town of about 5 000 people would probably need in the vicinity of half a million gallons or two million litres of water a day just to service their needs. The future water supply of those people is a matter of grave concern if, heaven help us, rain does not fall by the end of the year. At this stage, everybody is hanging their hats on that possibility. We would have to consider the possibility of transporting water into the area, because many of the farm dams are almost completely dry. Therefore, the ability to pump water from that source is also very limited.

The next issue that I would like to raise comes under the responsibility of the Deputy Premier in his capacity as Minister for Emergency

Services and also that of the Minister for Environment and Heritage. I refer to the massive bushfire problem that was encountered recently in the Stanthorpe area. Over a couple of weeks, a number of fires ravaged many thousands of hectares of land and left that land in an absolutely destitute state. One of those fires actually gutted the Girraween National Park. It is my understanding that two-thirds of that park burned out. I am informed that a lightning strike started that fire. Some aspects of the management of that fire concern me.

A week later, when the fire was just about under control—there were only some spot fires left to clean up—I had the opportunity to travel around the south-eastern part of that park. I believe that much more proper planning could be put in place to avoid similar incidents in national parks in the future. One of the major factors that concerned me was that the Environment and Heritage officers stationed at the national park did not have the resources to implement proper controlled burning plans for the park in order to reduce the fuel supply. As well, there was poor maintenance of some of the roads, which were vitally needed to serve as fire breaks to aid in fighting the fire.

When I travelled around the south-eastern part of the park, some areas were almost impossible to access, even in a four-wheel drive Hilux utility which did not have any load on board except for three people. The difficulty of access was created by national parks officers placing whoa boys across the tracks. Some of those whoa boys, which are used to divert water from the road, were in excess of two feet high. One can imagine the problems that that created for those who were involved in fighting the fires. The majority of people involved in fighting the fires came from the local bush fire brigades, and there were also volunteers from other parts of Queensland and New South Wales.

Another worrying feature is the practice by national parks officers of slashing tracks rather than grading them. If one is fighting a fire, one needs a graded track. If one is trying to stop a fire, one needs a point from which to back-burn. Because the tracks are slashed and because of the weather conditions that existed during the fires—with winds of up to 50 and 60 miles an hour—it was almost impossible to back-burn. In fact, in many places fire balls were blowing up to in excess of a kilometre and a half. I believe that a comprehensive debriefing must now be given, and a lot of planning must be undertaken in order to handle a similar potentially disastrous situation in a national park in the future.

We must take on board more of the suggestions coming from the local bush fire

brigades. We must resource park management so that they are able to get in there at the right time of the year and burn the large fuel build-ups. I appreciate that national parks are places where we want to preserve the biodiversity of the State and the nation. There is no argument about that. However, it is far better to have more controlled burns than to enable a fire to be encouraged by fuel loads such as the one in that park, which ultimately destroyed thousands and thousands of hectares. Some eucalyptus trees in the park were scorched up to heights of 30 feet. We even had trees that were crowning, and that is a very unusual phenomenon in Queensland bushfires. By not putting in place proper fire management plans, we have probably done more damage to the park than would have occurred had more controlled burning taken place.

The roads in national parks require better maintenance. The practice of placing whoa boys across the roads precluded people from effectively fighting the fires. That practice needs to be reviewed. The top of those whoa boys should be cut off, the roads should be graded and adequate perimeter access should be provided so that people can effectively fight a fire. The inability to easily traverse that park was one of the problems that precluded effective firefighting.

I pay tribute to all of the volunteers and members of the bush fire brigades, who in some cases gave two weeks of their lives to fight the two recent fires in that area. In many cases, those people sustained thousands of dollars worth of damage to their own vehicles. Pulling a trailing tanker up a 40-degree slope with a tonne of water on the back of the ute and another two tonnes of water being towed does a lot of damage to one's vehicle. I know that those people will be seeking reimbursement from national parks for damage sustained to their vehicles.

Another matter that concerned me gravely was the lack of coordination between New South Wales and Queensland firefighters. Although I understand that workplace health and safety implications, workers' compensation and certain other matters need to be taken into consideration, some incidents that occurred during the recent fires give cause for serious concern.

In particular, Queensland firefighters seemed to be able to go across the border and help their counterparts in New South Wales with relative ease, but the person who was in control in New South Wales would not let his firefighters cross the border until he went right through the bureaucratic process. Sometimes it took hours for that process to be completed. At the time of

that fire, the firefighters were chafing at the bit; they were willing to come across the border, but they were unable to do so. I believe that many of them were prepared to break ranks and come across. That is what happens when unnecessary bureaucracy gets in the road. We need to put in place a structure which provides far better coordination between New South Wales and Queensland firefighters, particularly in the border areas. Obviously, that was not self-evident during that particular fire. This matter has already been raised in respect to ambulance and the police. Under similar circumstances, they are both able to cross the border. If we had a little less bureaucracy and a little bit more commonsense—and in this case, the commonsense was displayed more by the Queenslanders—then we could probably overcome some of those problems. We are fortunate to have people such as the area inspector, Alan Johnson, from the Rural Fire Division. He is a person who demonstrates commonsense; we need more people like him running our rural fire brigades.

There are two specific areas about which I wish to speak that pertain to primary industries. I wish to refer to the very serious lack of water that rural areas are experiencing and ways that we might be able to overcome some of those problems. Recently, a group of Darling Downs parliamentarians and irrigators had the pleasure of flying over the Clarence River area of northern New South Wales. We did that to look at the possibility of the establishment of a major water storage facility in that area that could benefit Queensland and could also be of benefit for flood mitigation purposes as well as irrigation purposes in northern New South Wales. The idea is to be able to capture water that would benefit the people living in that area and also to divert water back over the border into Queensland's rivers and streams so that we can guarantee the continuation of our industries, our towns and our primary industries.

Some preliminary studies have been done on one such scheme involving 26 kilometres of pipeline. I think the cost is about \$100m. While we tend to look at these schemes as a pipedream, I believe that we need to have the necessary vision to be able to embrace those projects. We should go back to the forties and the fifties, when Liberal Party and Labor Party Federal Governments had the initiative and the foresight to build schemes such as the Snowy Mountains Scheme. When one considers the benefits that this country has achieved from schemes such as that, one should accept that we should be looking at some of those farsighted schemes and looking at constructing them now.

I am calling today for the State Government, with its New South Wales counterpart, to investigate putting money into a proper analysis of that scheme. Private consultants have done analyses of it, however, I do not think there has been enough work done on the hydrology and the associated cost or the necessary consultation which would need to take place between the two States about any environmental concerns that people have. We would essentially be using New South Wales water to benefit Queensland, but I believe that, further down the track, a scheme such as this would also be of benefit to New South Wales. It is something we need to consider.

The other matter of primary industries that I wish to touch on is a rather controversial one. The mere mention of it often leads people to think that one is practising witchcraft. I wish to raise the issue of cloud seeding. Recently, the New South Wales Government allocated \$100,000 to a cloud seeding program in the Pindari Dam region of northern New South Wales. That is a pilot project aimed at putting an extra 100 000 megalitres of water into the catchments and subsequently into the water storages in that area. That Government believes that the results of the research are such that it should spend that money to see if the program will work. I believe that the Queensland Government should act in a similar fashion. It should at least investigate the idea. The area along the range is probably the best area in Queensland for such a program. The range has the right sort of clouds, it just does not have the catalyst to make it rain.

The Tasmanian Hydro-electric Commission has been very successfully cloud seeding since 1964. It has had some very substantive results. It has honed its technology. It has increased its technology over that 30-year period and, in many cases, rainfall has increased up to 30 per cent or 40 per cent. However, there are some aberrations when talking about cloud seeding if dry ice or silver iodide is used. After an area is cloud seeded, for the first four or five years there seems to be an increase in the rainfall, but then it seems to plateau. However, some of the latest research coming out of the CSIRO is showing quite substantively that the results from cloud seeding programs in northern New South Wales, which were given away 20 years ago, have now had lingering effects. Over 20 years there has been a substantial increase in rain of up to 30 per cent.

The new computer technology is combined with the use of silver iodide. A 10 cubic kilometre cloud with a temperature of only minus 5 degrees Celsius could be seeded with only 1 kilogram of silver iodide. However, if the

temperature of a cloud was about minus 10 degrees Celsius, 1 kilogram of silver iodide could be used to seed a 1 000 cubic kilometre cloud. The technology used involves a calculation of wind direction. The silver iodide particles are actually dispersed into the atmosphere. That is then taken by the natural updraft into the cloud and that is the catalyst which makes the tiny rain drops fall to the ground.

The lag time for rain is generally between half an hour and an hour. The first research conducted in 1947 around Lithgow was done with dry ice. Within a quarter of an hour it rained, and it kept raining for hours. It is something that we should not dismiss. The Tasmanian Hydro-electric Commission has been convinced of its results. The Melbourne Water Board has carried out research on this subject, and it believes that coaxing 1 per cent extra moisture out of a cloud will increase rainfall by 10 per cent. So that is the sort of thing that they are doing. They are convinced that by doing that they will be able to delay capital works.

They are the sorts of things that we do need to look at. Certainly, they are visionary, but some of the research which is coming to light now is showing that those programs and experiments have been far more successful than they were originally thought to have been.

I would also like to mention the generosity of Queenslanders in particular and Australians in general in their support for the drought effort in rural Queensland. It has been absolutely marvellous. I wish to thank those city people who have donated items and cash to support people in rural areas; it has been a fantastic morale boost. However, I would just like to touch on one aspect which is worrying me and many of the business people in my area greatly, that is, that to an extent we are probably killing the rural sector with generosity. I know that this is a controversial area. I am not ungrateful—I am exceedingly grateful for the efforts of people, but when a business person rings up, saying, "My sales dropped between 50 per cent and 80 per cent directly corresponding to when that pallet load of fruit and vegetables came into town", that is just not a seasonal aberration. I think that is something that has been recognised on both sides of this House.

Mr Pearce interjected.

Mr SPRINGBORG: It is a difficult one for members of Parliament to be involved in because we do not want to be seen as being ungrateful and politicising the issue. It is something that those of us who represent rural areas—and I know Jim Pearce is in a drought-affected area—need to be aware of and need to draw to the attention of people. I am certainly

attempting to do that. I say to those people that if they wish to help, then please send out \$100 gift vouchers or \$100 donations instead of food and clothing. I think that message is getting through to people. I would like to congratulate those people who have donated millions and millions of dollars over the last few months.

We hear so much about Languages Other Than English and the importance of embracing Asia and giving our young people a second language. Within my electorate is a very large Italian community. The local school is looking at pioneering an Italian immersion program, which involves teaching particular students all of their subjects in Italian. Since 1984, similar programs have been carried out around the State and are showing absolutely marvellous results. The community is sold on it. However, the resources that are needed to put in place that program have not been forthcoming, even though the Education Minister and, I believe, the previous Education Minister made a commitment to the immersion program in a speech and in a policy document. Italian is not a priority second language in this State. I believe that it should be, especially when one considers the number of Italian communities in southern, northern and other parts of Queensland.

I turn to Family Services. The Family Services Department in Warwick is completely and absolutely debilitated to the extent that Family Services offices are working 80-hour weeks. That means that, next week, it will be very difficult to access a Family Services officer, because those officers take time off in lieu of overtime payments. That means that many of the services that should be provided, particularly in relation to child protection and support for foster parents, are not available. I believe there is a deliberate agenda to debilitate the Warwick office to the extent that it can be closed down and the resources put into the Toowoomba office and have the Warwick area serviced from there. I would be very gravely concerned about that.

There are some big problems in the area. There are more problems with child abuse and sexual abuse than one would like to consider. I believe that we need a better resourced office than that which exists. In some cases, foster parents, who are supposed to get support every six months or whatever, are not even assessed. Children from abused households are dropped on their doorsteps, and they do not see Family Services officers because the officers do not have the resources. I shall pursue this matter further in the future.

Time expired.

Mr MALONE (Mirani) (4.23 p.m.): It is with pleasure that I rise to speak to Appropriation Bill

(No. 2). Firstly, I would like to talk about some of the emergency services, particularly ambulance and fire services, in two of the local areas within my electorate. The two areas I am referring to are St Lawrence and Nebo. Most members would have travelled through St Lawrence on their way to Mackay and that better part of Queensland to the north. St Lawrence is located on the Bruce Highway midway between Mackay and Rockhampton. In fact, it is more than 150 kilometres from both those centres.

All members would realise that the highway is becoming very busy, with more than 5 000 cars a day travelling on it. As we come into the Christmas holidays, that number could double. That part of the highway is in the fatigue zone, where people seem to fall asleep. Because drivers become very weary, cars go off the road. Even though the road is reasonably straight and well built in that area, a tremendous number of fatalities and accidents occur there. In the past eight months, two fatalities have occurred in that area. Both those accidents occurred in the area of the Clairview service station. Extra work needs to be done in the passing lanes to make an easier and safer access to that service station. It is a matter of time before a very serious accident occurs on that road.

In the St Lawrence area, the primary response persons who attend those accidents are volunteers who are called out during the day and night to cope with the accidents. They are quite often horrific accidents, with cars having run off the road and trucks rolled over. Unfortunately, when those people do that work—whether it be at midnight or 4 o'clock in the morning—because they are volunteers they then have to do their daily work on their properties, or for the council or the railways.

These are very small communities, and most of the able-bodied people in the communities are involved in that rescue work. So that is a very stressful period for the communities. Not only do those people supply their labour free of charge for emergencies, but also for the training that they require to be able to attend to those emergencies. They also supply their own cars and fuel for nothing. Recently it has come to my notice that, unfortunately, quite often they have ruined their clothes through bloodstains, etc. I believe that the non-supply of essentials such as overalls, gloves, etc., leaves the SES and Government open to litigation, particularly in this day and age with the HIV virus and hepatitis. I ask the Minister to take on board the request that I made in a letter to him a couple of weeks ago to ensure that all SES personnel and Emergency Services people be provided with protective clothing, particularly in those areas.

Over the past few weeks, some very large bush fires have occurred in that very same area. I concur with the remarks of my colleague from Warwick in relation to the terrific work that those people do in fighting the fires, particularly the fire boards and the rural fires people. I also congratulate and thank those people who took part in controlling the fires. The police, the volunteers and the property owners all placed their lives at risk. However, if it were not for the privately owned firefighting equipment in that area, the damage would have been far worse. Unfortunately, a lot of that equipment was damaged—as my colleague suggested—in fighting the fires, which were horrific catastrophes. I believe that it is the closest thing we have in Australia to warfare—people placing their lives at risk trying to contain the fires.

Most of the canefarmers in the area are trying to do the right thing, particularly in undulating country and areas with poorer sorts of soils, by protecting and retaining the soil moisture by harvesting the crop green and using the residue to blanket the soil. This works very well until a fire occurs. Indeed, a fire in a trash blanket is almost impossible to control. It amazes me that no loss of life has resulted from that. It is disappointing that some of those fires appear to have been deliberately lit. We need to look very closely at the legislation and the penalties that can be imposed on those idiots who light fires haphazardly and risk the lives and property of people in the area.

The primary response fire-engines at both Nebo and St Lawrence are very old. Indeed, the unit at St Lawrence has three bald tyres and is unroadworthy. The local volunteers have to raise money by selling raffle tickets at the corner store just to keep the fire-engine going. Second-hand advice tells me that the vehicle actually uses a gallon of oil per half a tank of fuel—the fuel being petrol.

Mr McElligott: That is rural fires?

Mr MALONE: Rural fires, yes. The point must be made that that rural fire-engine is the primary response vehicle for any accident on the highway. It is a petrol engined vehicle that is fighting fires in the bush, and I believe that would have to contravene workplace health and safety regulations. I believe that a fire-engine will be delivered fairly shortly, but it will not be available for this fire season.

St Lawrence—as with Nebo—has a need for a community-based multiskilled controller to take the responsibility away from the local volunteers. It also has a need for a combined emergency services facility that can house both the fire-engine and the ambulance. This is a very urgent need for both Nebo and St Lawrence. I believe

that a facility has been built at Gracemere along the lines as required in these two areas.

Mr Pearce: It is an excellent facility.

Mr MALONE: Yes, that is right. I have been working closely with local councils in both the Broadsound and Nebo Shires trying to expedite the matter. I acknowledge that the member for Fitzroy has also been doing some work in that regard. There is a very urgent need to take that responsibility away from the locals and have a professional based at both of those stations so that they may be able to respond on a needs basis to any emergency in that area.

Nebo is on the Peak Downs Highway— one of main accesses into the region's mines. It is a very busy road which carries many heavy transport vehicles and it is the access for the mine workers to their job sites and back again. Everything that I have said about St Lawrence is almost in line with what will happen at Nebo. It is just a matter of time before there is a serious accident on either one of those two roads. It will be up to the local volunteers to try to cope with such a situation. I think it is going to be very difficult for them to do that. If an accident involving a coach occurs such as the one that occurred the other day on the Gateway Arterial road, it will be very difficult for our local volunteers to handle that. I do not think it is fair that the locals in these small communities have to put themselves out to such an extent every time an accident happens on the road. But they will continue to do it. I believe that they need some support from the Government to enable them to cope with such emergency situations.

In the period that I have been a member of Parliament, as a matter of priority I have been working with the local authorities in Mackay—including the fire, ambulance, police and regional health services—to find the ways and means of putting in place a regional helicopter rescue service that is dedicated to covering emergency situations. It was just a few days ago that a meeting of about 40 people took place under the chairmanship of Gordon White, the Mayor of Mackay. As a result of that meeting, a public meeting will be called to bring together local business people so that they can consider ways and means of providing the funding so that a helicopter rescue service can be established. Of course, that cannot go ahead without Government funding. I believe that there is a submission before Cabinet in regard to emergency services right throughout Queensland. We are hopeful that Cabinet will look kindly on the submission that we hope will come forward from the Mackay region.

I cannot move on without recognising the work carried out a number of years ago by Mayor

Gregory Williamson, the former Mayor of Mackay, in regard to the provision of a rescue helicopter. Unfortunately, even though a lot of work was done in that regard, the helicopter service did not come to fruition. We are going to do everything we can to ensure that the Mackay area—out to the islands and along the highway to the mine sites—is covered by rescue helicopter. Indeed, it is the last major centre that does not have that particular rescue facility.

Currently, aerial retrievals are being handled by the MIM helicopter that is based in Mackay. It is used when it is available. Recently, I received the log on the number of rescue flights that that helicopter has done in the past year. It has flown in 74 mercy missions. That was at a time when its availability was limited. The aircraft was used up to 1 200 hours per year for corporate use. It has a substantial amount of time out for service. Most helicopters have approximately 75 per cent availability. In the time that it has been available this year, that helicopter has flown in 74 mercy missions. If we had a helicopter in that region that was dedicated for that purpose, it could easily be used to make double that number of flights to attend emergencies.

I must express my gratitude to MIM—they are very good corporate friends to the area— and the chief pilot, Ken Phillips, who is available at all times, day and night, for rescue service. It is essential that we have people available to man the aircraft as and when required.

I turn to the subject of national parks in my area, in particular the access to Finch Hatton National Park. The road into the Finch Hatton Gorge covers difficult terrain. It is maintained by the Mirani Shire Council. The Mirani Shire Council has done quite a deal of work on the road, but under difficult circumstances. More than 2 000 people a week visit the Finch Hatton Gorge area. The road is very costly to maintain and upgrade. At the top end, the terrain is impossible, and people taking tours into that area are experiencing considerable difficulty. I think it is quite unfair that the council should have to build and maintain that road into the national park. I feel that some funding should be forthcoming from National Parks to enable that road to be maintained properly because, as I say, in the vicinity of 2 000 visitors a week are travelling to that park—whether they be from other parts of Australia or other countries—and taking home photographs and memories of the scenic beauty of that area.

Cape Palmerston is another national park in my electorate. After the confusion over recreational fishing in national parks, we now have the situation in which people actually need wings to get into the Cape Palmerston National

Park. There is no gazetted road into that national park. Up until now access has been dependent upon the good nature of the neighbours of the park. Recently, there has been a change of ownership. The new neighbour has said, "Enough is enough", and has fenced off that access. Currently, there is no clear access into the park. The provision of access to that national park should be given a very high priority. It is not going to be an easy matter to provide that access, but the construction of a gazetted road must be expedited.

A number of walking tracks in the national parks—in particular the track to the Wheel of Fire Falls in the gorge area—have been closed for more than two years. Unfortunately, they have been deemed to be too dangerous. They need quite a bit of upgrading to bring them into line with the requirements of proper walking trails. However, quite a number of the unemployed people who live in the Pioneer Valley have the bush skills required to build those walking tracks. This is an opportunity to put in place a special employment scheme to enable the rebuilding of the walking trails in those national parks.

Gary Rees, the Manager of the National Parks and Wildlife Service in Mackay, is doing a difficult job with limited resources and staff. I congratulate him on the work that he is doing in those areas. As I said, the national parks in the electorate of Mirani are very picturesque; they are a beautiful part of Australia.

I turn briefly to the sugar industry. The overall picture of the sugar industry has been painted very bright by Government speakers. Indeed, over the past five years the industry has enjoyed better prices and a very reasonable crop. Of course, it is about time. However, there should be a record, because a record number of hectares are under cane this season. The reason for that is the continued pressure on net returns. Farmers realise that if they are to remain viable in the industry, they have to continue to produce more and more sugar. It is very much like being on a treadmill, with farmers having to grow more and more to remain in business because of ever-decreasing returns.

Much is also made of the infrastructure package that was negotiated by the State and Federal Governments. That money, in conjunction with a similar contribution by local industry units, was very welcome. However, people should be aware that the package was put in place as compensation to existing growers for the staged elimination of the pooling system, which was the vehicle for providing the funding to enable the building of the bulk sugar terminals and associated infrastructure over a long period.

That package was needed to enable new growers to be brought into the industry on an equal basis. However, the phasing out of the pooling system has also been very costly to established farmers. The ownership of a No. 1 pool allocation or peak, as it is known in the industry, was an asset and a tradeable item worth anything up to \$60 per tonne of cane. For the average canefarmer, 5 000 tonnes was equal to \$300,000 worth of assets. Today, it is virtually useless and worthless.

At the same time, ownership of the terminals and associated infrastructure built, paid for and operated by the industry is still in the hands of the State Government. Although I know that it is the intention of the Minister to pass ownership back to the industry through some suitable mechanism, I ask: when?

Much has also been made of the level of funding for grants made for research and extension activities of the industry through the BSES. That expanded grant money was very welcome, and it has added to the very substantial levies by millers and growers, and the contribution by the Federal Government means that this Queensland sugar industry will continue to lead the world in this very important area of research. Three years ago, heads of industry, in consultation with the BSES and the Research and Development Corporation, signed an agreement on arrangements for research funding over the next three years.

Part of that agreement was for a staged increase, leading up to a \$3.8m funding grant to the BSES for this year. That was in exchange for compensation for the transfer of funds between the two organisations. We now find that only \$2.7m will be given to the BSES this year—exactly the same as last year. The other \$1.1m will be incorporated into DPI funding to allow it to do work that may or may not be a high priority for the sugar industry. This allocation shortfall is having a devastating effect on our prime research body, the BSES. With staff cutbacks and the dropping of projects, the morale of the staff is very low. I call on the Minister to make up this shortfall and to put in place arrangements that will minimise the overall effect to the BSES.

Mr J. N. GOSS (Aspley) (4.43 p.m.): This Labor Government has played a great hoax on thousands of Queenslanders who were sold a scam when they signed up for the HOME Share, now Rental Purchase Scheme, and the HOME Loan Scheme. When the schemes started up, the department was totally unprepared for the number of people who believed in the scheme. The department signed up purchasers without explaining to them the details of the contract,

and many people went away believing that the Government was there to help them.

I constantly receive calls from people in and outside my electorate trying to get out of these Government schemes. As these people—

Mr McElligott: How many want to get out?

Mr J. N. GOSS: I can show the member a huge list of dozens of people wanting to get out of the scheme. Many of those people are battlers. They are really struggling. It is only now that they have realised that they are caught up in this spiralling debt trap. When one looks at the numbers, one sees that thousands of people have left the Government's home lending schemes. Some of them have just walked away. The lucky people have had the Government buy their homes at a slightly inflated price so that they do not lose money. Many of them purchased their homes at 14.9 per cent interest, and their repayments did not even cover that interest. Hundreds of families have found that they owe thousands more than their house can fetch on the open market. Those people are now compelled either to walk away with a debt to the department or to keep struggling on while the debt gets greater.

We have seen from the Government's own figures that over 3 000 families are in debt in the Government scheme. Many of them, under this Government, will lose their homes. This Government has the hide to call the banks vultures. At least vultures wait until the person is dead.

Some people who want to get out of the HOME Loan Scheme have been stalled for months while departmental officers try to convince them to transfer to the Rental Purchase Scheme—a scheme whereby most, if not all, of the people in that scheme will never own their homes. So while that go-slow is occurring, the interest is still growing, making it more difficult for those people to get building society or bank finance. To make it worse, home owners have to wait a lifetime for the Titles Office to process matters. In an effort to try to reduce the backlog at the Titles Office, many of the items sent to the office are sent back to the solicitor or to the home owner because of a trivial query about something which, a few months ago, was quite acceptable. That is the way in which the Titles Office is trying to reduce its enormous workload.

I would like to come to the defence of the tenants of the State Government in State housing. I will refer to a family, which is one of a number of families in my electorate and in areas surrounding my electorate, who have contacted me. This is a typical example of a mother and children who live in fear. Twice this year, they

have been robbed. The children's bikes have been stolen. In fact, everything belonging to the children has been stolen, even their school equipment. On hot evenings, this family—

Mrs Bird: You are going to have to stop. You are going to have to give it up.

Mr J. N. GOSS: Labor members may think that it is funny, but I say to members that the people do not think that it is funny. Even on hot evenings, this family is afraid to leave the windows open. They lie sweltering in the home with the curtains drawn so that no-one can see in. What has been done for this family? Nothing! The Government's policy is that if a person lives in a detached house, he or she does not receive security bars.

All this family has begged for all this year is for a few bars over one rear window and one front window to allow for the breeze to pass through the house. Recently, a young girl was raped in a home. The attacker was able to enter a low house through a window and rape a 10-year-old girl. The first thing that the police said in that case was that there were no security bars on the windows. I am not going to say that we need to put bars on every window on every house, but I think that we have to start considering it when the elderly and women and children are left vulnerable. This Government has just ignored them.

Also in the housing area, I would like to raise the plight of the State tenants, especially those who reside in older homes, who have had an increase in their rents that was greater than the increase in the pensions. As members would know, on 23 September pensioners received an increase. They received an increase of \$1.75 per week, but because this increase took many pensioners over the \$160 a week mark, the Government increased their rent by \$2.50. To us, \$1 may not seem much, but I can say that to those people out there who are struggling, \$1 is still a lot of money. It is only when one visits them in their homes and listens to them about how hard life is for them, one realises just how valuable \$1 is.

The rent increase was greater than the increase in the pension. They received that increase to cover the increase in the cost of food and clothing, but basically two increases have gone totally towards the increase in rent. One pensioner even asked social security to cancel his increase, but that was rejected. He would have been better off without the pension increase. This is the action of a Government that claims to look after the disadvantaged, the battlers and the pensioners. This is really a disgrace.

As well, the department's new rent policy has been an absolute disappointment. Letters to many of the residents in the Zillmere area claim that the new rent on their properties would be \$160 a week. Unfortunately, the new rent system works on postcodes. When one has some very high expensive rental areas within that postcode—

Mr Bennett interjected.

Mr J. N. GOSS: Yes, and they work on postcodes. It became an average rental of \$160 a week in the area. That became the recommended rent. Some people in the real estate industry had a look at the area at my request. They believe that for the best areas on the open market the State housing would get only between \$120 to \$130 per week, and some of them would rent on the open market at only \$105 per week. We are talking about small, two and three-bedroom fibro homes. The bathrooms and kitchens of these homes need upgrading. They have few power points, with none in the bathroom. There is no cover or accommodation for cars. Some of the houses need their stumps replaced. If many of the tenants had not painted the houses and carried out improvements at their own expense, many of the homes would be in terrible shape. Yet this Government has still hit these people with a rent hike.

I would like to talk about the quality of life of the people at Bald Hills and the people who live in the vicinity of the Bruce Highway and the Gateway Arterial. When we look at those areas of south-east Queensland where highway sound barriers have been constructed recently, we see that the Government policy now seems to have gone out the window. Preference is given to the electorates of certain ALP members.

Although one section of the Bruce Highway at Bald Hills has a barrier, there is none for the homes adjacent to the highway that were there for a long time before the road was constructed. No funding has ever been made available for barriers there. The earth mound which was placed on the western side of the Bruce Highway needs to be extended by another 250 metres. That is because the Brisbane City Council positioned a mound on the eastern side which has now deflected the noise into the western area.

The Gateway Arterial is to be widened through Bald Hills. I am now seeking to have an earth mound built between the residential area and the Gateway Arterial. Already there is a need to widen the Bruce Highway between the Gateway Arterial and Anzac Avenue. That will become a sensitive issue, as it will bring lanes either closer to residential areas and through a

revegetated area or the road will extend out onto the Pine River wetlands.

There is a key to alleviating the heavy traffic through the Bald Hills and Strathpine areas. Traffic volumes on Gympie Road in Bald Hills and Strathpine already have a serious effect on the lives of the people living, working and studying along that road. The Bald Hills State School has a heavy vehicle passing it, on average, once per minute. Because the school was established so long ago, it was built close to the road. The school's ability to purchase extra land is on-again, off-again, on-again and off-again. Such a purchase would enable any extension to the school to be built further away from the road. The wait for covered walkways has been quite unreasonable. As I said, the noise from the road is intolerable. The Bald Hills residents, and in particular the State school community, have recently requested that the State Government rescind the current directive to remove the school residence. The residents want the building preserved until additional land is required and a new library built. The currently library building is available for special uses and after-school care.

I feel most concerned that the Department of Education continues with its inequitable practices—it is probably Government policy—of providing instrumental music education to certain schools and not to others. In spite of the Government's regular comments espousing equity and social justice, it is noted that there has been little effort to redress the unfairness that currently exists in relation to the instrumental music program in my area. The Bald Hills State School, of some 420 children, is really isolated from other schools. It is a pocket community, so it is not easy for children to go to a school where there is an instrumental music program. I would like to congratulate the P & C there, because it has decided to go ahead and buy its own instruments. It has set up its own instrumental music committee. Surely the initiative taken by the school, the community and the committee deserves acknowledgment and favourable consideration for funding next year.

I would like to call again on the State Government to make a commitment to construct the northern link road which would connect the Gateway Arterial and the Bruce Highway to Gympie Road at Lawnton. This would not eliminate all of the heavy vehicles using Strathpine Road and Gympie Road, but it would significantly reduce the number of vehicles.

I wish to raise an ongoing problem at the Aspley preschool. We have heard from Government members about how everything in their schools is corrected and repaired almost

overnight. A log retaining wall at the Aspley preschool has rotted and become dangerous. So what has happened? The playground area has been closed off, and it has been closed off for months. That is all that has happened. This has restricted the activities of the children. On and on it goes. The Education Department has told me that it is a Q-Build problem. Q-Build tells me that it is waiting for funds from the Education Department. In fact, a check was even made to see whether the cost could be passed on to the local P & C. Q-Build and the department have promised that it will be rectified within a month, but both are unwilling to pay for the work. All the parents and children at the Aspley preschool want is to have the problem fixed so that the preschool can get back to normal. Q-Build showed up in force recently to take away the playground equipment—without replacements. It took that playground equipment away, yet it had all of the equipment there to rectify the problem with the retaining wall, but it was not done.

I am proud to have two excellent high schools in my electorate—one is the Aspley State High School, which is renowned for its academic standards. However, it has had increased enrolments and reduced teacher numbers. The other high school is the Pine Rivers State High School. It is an excellent school. I am sure that the member for Kurwongbah would agree with me. Recently, I had the opportunity to attend the opening of the vocational training centre and the amphitheatre.

I wish to speak about road safety outside schools. Under the present system, speed reduction signs apply only to roads with low volumes of traffic. Almost all of the roads where the real dangers exist have no speed reductions. The failure of the current system is that the motorist sees the existing speed reduction sign seven days per week, whether it is school holidays or not. The speeds vary from local authority to local authority. In Brisbane, the speed limits are reduced at 7 a.m., and the perception in the motorist's mind is that there are no school students around at that time and therefore no need to reduce speed. But the contempt for the signs extends right throughout the restriction period. The police have indicated that almost every vehicle passing through the school zones is over the prescribed 40 kilometres per hour limit in the metropolitan area. Again, two schools that are seriously affected are the Bald Hills State School and the Aspley State School, which are located close to busy roads and are on fairly narrow roads. I would like to mention that the P & Cs are most concerned about the safety hazard that this is creating for their school children.

I would like to mention briefly the ALP's attitude to tollways. Before the last State election, the eastern tollway was going to stop at the Logan River; it would go no further. But now, after the election, the road proposal has been extended further again. This may be the fate of the airport tollway. Although that has now been cancelled, if the ALP is lucky enough to win the next election, maybe it will be resurrected. Everybody is concerned about what other secret tollway plans there may be. I would like to reflect back to 8.45 a.m. on Tuesday, 16 August, when the Helensvale bikeway and Pacific Highway overbridge were opened by the Minister for Transport. The member for Albert moved a vote of thanks to the Minister and spoke of the progress in the area. He went on to say—

"We ain't seen nothing yet."

The member stated further—

"The Minister will probably not thank me for this, but it will not be too long before more initiatives are announced, such as the feeder road from Yatala to Browns Plains and the eastern tollway from Redlands to Sanctuary Cove."

It is quite obvious that Government members know what is happening with the roads, yet they are unprepared to come clean and share their knowledge with the public. A number of people in Eight Mile Plains have written to me expressing their concerns about proposed roads in their area. I seek leave to table those letters from the residents.

Leave granted.

Mr J. N. GOSS: Most people would consider the Aspley electorate to be an urban electorate, but I would like to come to the aid of the large pineapple-growing industry in the area just to its north. The Federal Government plans to raise sales tax on a category of locally produced pineapple juice by 10 per cent, once again making it more difficult for local producers who presently cannot compete against imported pineapple juice. The State Labor Government has not rushed to the aid of those farmers and has done nothing about it. This Government is probably too embarrassed to criticise Canberra for raising industry costs and lowering returns. Those pineapple farmers might be close to Brisbane, but they are doing it hard. Thanks to the Federal Government, their costs have increased substantially. That is an absolute disgrace.

Time expired.

Miss SIMPSON (Maroochydore) (5 p.m.): In rising to speak on Appropriation Bill (No. 2), I think it is relevant to mention that last week in this House the Premier very proudly told the

Parliament—he actually boasted—that the average length of stay at the Nambour Hospital had fallen dramatically. It has fallen by 22 per cent since 1989. The reality is that our overstretched public hospital system is discharging sick people far too quickly with far too little support. One health worker came to me just last week and said that she was very concerned that it was tantamount almost to granny abuse that the elderly were being shoved out into the community far too quickly.

I have seen people who have been pushed out into the community needing a much higher level of home care, but they have not received that support. The reality is that the money saved by people being forced out into the community through early release has not gone to the Blue Nurses and other community services in order to meet that very real need. The scandal is that the Premier was actually proud about the fall in the average length of bed stay. He did not tell the Parliament that that efficiency drive is causing a lot of heartache and fear for the sick and elderly who have to leave hospital before they can cope.

Nambour Hospital now has one of the lowest average bed stays in the State, but people are also now leaving hospital needing a higher level of home nursing. The community nurses have not been funded to cope with that, and sick people are suffering because of it. Some medical breakthroughs have contributed to people having to stay for shorter periods in hospital or not at all after surgery. However, there are still hundreds of patients who are not ready to be home alone without in-home support. The reality is that, because of the long waiting lists, the pressure for hospitals to cut their bed stays is horrendous. As a result, people are leaving hospital before they should leave hospital, and people are going home without support in the administration of pain relief. Some people are facing grave risks to their health. They certainly have not been given pain and discomfort programs in order to help them cope once they go home.

Day-surgery procedures are good at reducing hospital waiting lists, but many patients still require home nursing or care. There has not been a corresponding increase in funds to community nursing services to cope with the growing demand for help for people just released from hospital. I urge the Government to heed these concerns. When I visit community groups, particularly those groups dealing with the elderly, I find that elderly people really are petrified about going in for day procedures or other procedures which might see them in hospital for a few days. These days, many elderly people are living on their own; they are living without a wider family network; they do not have

people who can stay overnight with them; and they do not have people who can help them administer drugs. That is of grave concern.

With regard to the public health system on the Sunshine Coast, it is a crying tragedy that the public dental system is in a state of decay. Many people are coming to me saying that they just cannot get in for a basic check-up. What sort of a public dental system is it when one cannot get in for a basic dental check-up for about two years? That is not a public dental system! People going through that system are concerned about the fact that the dentists are so overworked. They are concerned about the fact that there really should be an extra 50 dentists right across Queensland, and there should be at least another two dentists at Nambour.

The Queensland Health Department is a fitting litmus test for the Labor Government, because Labor has a long reputation in Australia—and certainly in Victoria—of spending big and hiding the real debt liabilities while failing to deliver those big dollars to the service coalface. That is certainly the case in Queensland Health, which has been choked by bureaucracy and a highly paid middle management at the expense of service delivery.

I have no pleasure in reporting upon the Government's failure to adequately staff and fund the public dental system. It is incredibly depressing for those professional health carers who have chosen to serve in the public system when they are being so overworked and receiving so little recognition from the Government. The public dental system has ceased to be a health service when emergency cases are about the only work that is being undertaken. There are next to no preventive dental check-ups, and dentists are definitely being overworked.

I suggest that, when the Premier visits the Sunshine Coast on 7 November to wave his royal hand, "His Highness" listen to the people who can no longer get to see a public dentist. I also suggest that the Premier make a promise to put extra dentists into Nambour General Hospital, or else an increasing number of Sunshine Coast needy—

Government members interjected.

Miss SIMPSON: This Government seems to have forgotten about the people who genuinely need public health services. If extra dental resources are not provided at the Nambour General Hospital, an increasing number of Sunshine Coast needy will have very little to smile about.

Mr Nunn interjected.

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

Miss SIMPSON: Good dental care is about prevention, but when basic check-ups have lengthy waiting lists of up to two years, the system can only be called a total disgrace.

The record of the Government on the Sunshine Coast, even with the presence of the former local Labor member for Cooroola, Ray Barber, is of late delivery on infrastructure and services. A project in the former Labor seat, the Pacific Paradise Primary School, was built one year late, not one year early. The Kunda Park/Maroochydore Road upgrade was well over a year late being started. The Yandina bypass, also located in the former Labor member's electorate, was supposed to have been started in 1991 but during his term was pushed off the 1991 list and is now to start in 1995. There are also rumours that that project will not take three years but could take up to five years to complete, which is totally unacceptable.

The Maroochydore ambulance station was programmed for 1993-94, but the Labor Party is now talking about it being two years late and being started in 1995-96. There is a pattern of the Labor Government's projects running behind by many years. In the case of the Maroochydore ambulance station, the Minister's excuse was that the Government had to build other projects such as the Noosa ambulance first. As my honourable colleague for Noosa will tell people, Noosa did desperately need its new station, but that project also was running a year late under this Labor Government.

The tragedy of the bungle over the ambulance station at Maroochydore is that the Government has failed to maximise the prime development site of the old ambulance station, which is too small for the service's future needs. The old site is the size of a house block and located a stone's throw away from the beach. I am lobbying for a joint centre for the ambulance and fire brigade in Maroochydore to be located near the motorway for quick access to the largest number of people and to the hospital. If the Ambulance Service had not been bleeding from the overzealous rate of change under this Government during the past four years, then Maroochydore would have had a new station. It also would not have seen the loss of value of its present site. The old site would have realised a greater return of value to be used in the redeveloped ambulance/fire station, but while the Government was mucking around failing to meet its own Capital Works Program of April 1992, that prime site was hemmed in by other developments and will never realise its maximum

value. I believe there had also been offers for that site by developers and that has been a loss for the resources of the Ambulance Service.

The voice of Sunshine Coast public transport users needs to be heeded. I would particularly like to canvass and bring to the attention of the House the need for a central bus interchange in Maroochydore to take the Sunshine Coast beyond the year 2000. The bus interchange, which could incorporate a multilevel car park, is essential if the coast is to meet the growth of the area and keep cars out of the Maroochydore CBD. I would love to see the number of people visiting the Sunshine Coast and Maroochydore continue to climb, but the way of the future is to encourage better use of public transport networks so that more people do not necessarily mean more cars. Under the proposed two contract areas for the Sunshine Coast bus operators, Maroochydore is on the dividing line. I believe the ideal place for such a bus and taxi interchange would be in front of the Maroochydore Police Station, and that is something that I will certainly be talking more about with the local council.

While on the issue of public transport, I must say that there is no doubt that Sunshine Coast residents deserve and need a better network. I have been urging people to get involved in the present review process so that their voices are heard. Last week I presented a petition on behalf of 1 005 Sunshine Coast residents who are calling for those services, and I wish to acknowledge the hard work of Sunshine Coast mother, Daniela Vlasak, who organised that petition.

The transport providers, particularly the six or seven bus companies on the Sunshine Coast who are being asked to form a de facto marriage under the two contract area system, have legitimate concerns about the impact of the new Government regulations. I am concerned that the Government really needs to listen to the concerns of these operators instead of saying, "Wait and see how it goes." Some of the small operators do not have the profit margins that enable them to wait and see how it goes. This level of instability in the industry also makes their financing opportunities very difficult. It is all very well for the Government to tell people to wait and see when it is not risking any of its own money. I would have more confidence in the outcome if the Government said that it would compensate operators who had no longer remained viable or who would suffer undue financial hardship under the new contracts regime.

I also want to acknowledge a significant petition from 1 179 Sunshine Coast residents that I presented last week calling for a

reassessment of bus safety legislation, and this is certainly very timely in view of the recent tragedy. As the petition organisers Christine Bennett and Andrew Arbuthnot have maintained, the Victorian Government has implemented a number of measures towards greater bus safety in that State and I believe it is timely that this Parliament pays heed to them. I will be following this matter up with the Transport Minister and seeking his responses to their detailed submission.

Once again, as community expectations rise I believe that the community needs to share the cost burden of upgrading school bus stock to newer and more costly standards. Deductions in Government charges and taxes is one way of achieving this so that we know that we still have a bus fleet on the road to service the needs of school children.

I would like to touch on some matters of grave concern with regard to the services provided by the Department of Family Services on the Sunshine Coast. In December last year I warned that the front-line workers in the fight against child abuse were burning out. The average rate of time for child care workers in the Family Services Department is only about nine months because the work pressure upon them is just so incredible and they do not get support from the Government. Now we are seeing that people are actually threatening to go on strike to highlight just how desperate this situation has become, because the Minister for Family Services has not been listening to their plight.

In the Estimates hearing of 23 June, I also raised the fact that there are 255 direct Family Services officers and 222 administrative staff. I think that this balance highlights the fact that there needs to be a greater emphasis on the workers in the field. There is no doubt that there needs to be more Family Services workers. Recently, there was a very successful police phone-in to inform police of potential child abuse. The message I received from the police is that, even though they received a good response to the phone-in, when it came to sending Family Services officers out to follow up inquiries, they could not get them inquiring into cases as quickly as necessary. The Family Services officers are overstressed and overworked.

Recently, a very distressed mother complained to me that her child had only just reached the point of being willing to talk about the alleged abuse suffered; however, no Family Services officers were available to talk to that child for several weeks. I cannot imagine what it must be like for that child who has gone through a terrible situation and has finally come to the

point of admitting the abuse and saying, "Mum, when can I talk about it? I want to put it in the past", to be told that the Government workers cannot get to the child because they are so snowed under with emergency cases. That just highlights how pitiful the situation is.

The police who have to liaise with Family Services officers—and the police are overworked as well—say that when it comes to being able to get access to Family Services officers to go out and deal with child abuse cases, there are not enough of them to go around. It is just an absolute disgrace. The police are not blaming the workers themselves; they are saying there just are not enough of them. It is of major concern that in this day and age, when there are such grave needs in such a genuine area of social welfare, that the system is crumbling and letting these children down. It is letting down the parents, volunteers and foster parents who step in and say, "We care about these kids and we will help." Those people also need support, and they are not getting it.

I wish to mention police staffing on the Sunshine Coast. On 8 June this year, I mentioned in this House the imbalance in the ratio of police to population on the Sunshine Coast when one compares it with the rest of Queensland. I was the first to raise this issue and I have been pleased that I have received the support of the local council and other people in lobbying the Government to get this ratio addressed. It is all very well for the Minister to say, "But we do not use ratios of police to population as a measure of police staffing." When one realises that, on the Police Department's own statistics, the Sunshine Coast has something like one officer for every 974 people compared to the State average of one officer to 476 people, one sees that it just does not wash. Yet the Police Minister turns around and says, "Just ignore those police ratios; they do not matter. We do not use them as a measure of putting police in the field." When there is such a great disparity in the police to population ratio between the State average and the Sunshine Coast average, we know that it just does not add up.

The Sunshine Coast desperately needs new officers. The police will tell the Minister that. As people behind the scenes know, a police station on the Sunshine Coast was trashed on the weekend. That is the sort of thing they are facing. How can the police look after the public when the Government will not give them the resources to do so, especially when the police do not even have the resources to look after their own police stations?

Certainly, coming into the new year period I would urge the Government to put the District

Response Team back in place. It is unfortunate that this team has just been disbanded because it had been very successful in the work that it had done. I would urge the Government to look at reimplementing this team, or putting in place a similar team available for rapid response to crime—and I urge the reinstatement of that team in addition to existing police numbers. It is desperately needed.

Coming into the new year period, there also needs to be a clarification of just where the public stands in relation to public drunkenness and what the police powers will be to deal with people at new year, because we want to keep the Sunshine Coast a nice family spot. The behaviour on the coast was better last year than it was the year before, but the message has to be clear that there is to be no drinking in the streets and no public drunkenness. We will fight to maintain our family atmosphere on the Sunshine Coast and we will fight to maintain security for the tourists who come to visit. I urge the Government to make sure that we do have the police in order to bring that about as well as the promotional funds necessary to get that message out.

Finally, I would welcome moves to establish the cop shop in Maroochydore, as has been proposed, though I suggest that a more effective means of policing is to actually get back into community-based, 24-hour stations. We should pay the police extra money to live in the communities with their families. I think they deserve it. I think it is worth paying for extra police cars and a community presence. People in towns such as Bli Bli, Maroocha, Mudjimba and Pacific Paradise need to see the police out in the community. They need to know that if they knock on the door of the police station, there will be an officer there, or at least direct access to the police. They need an actual presence that will be there around the clock, not locked up in a shopping centre after hours. Certainly, any measure to get back to real community policing and to give the men and women in blue the extra powers on the street to deal with the situations that arise would certainly go a long way to reduce the increasing crime rate under this Government.

Mr STEPHAN (Gympie) (5.21 p.m.):
Madam Deputy Speaker—

Mr Bredhauer: I never thought I'd say it, but it will make a bit more sense now that you are about to speak.

Mr STEPHAN: I always make sense. It certainly gives me a great deal of pleasure to join in this debate on the appropriation of funding for this State. From listening to what some members have said, I realise just how much we are going astray.

Mr Bredhauer: I said it would be more sense; I didn't say it would make sense.

Mr STEPHAN: I did not have the pleasure or the pain of listening to the honourable member's contribution, so I cannot make a comment on that. However, I did listen to the member for Archerfield, who is not in the Chamber. He made the point that many projects were begun by Forgan Smith—bridges, dams and so on. Obviously, the honourable member has not learnt much from that experience. There is no doubt that we need water conservation and more roads, but I believe the honourable member is having a bit of trouble in working out where to put them. The development of this State must continue if we are to play any role in Australia's future or, indeed, in this generation.

The Treasurer was a bit like former President George Bush when he made the comment, "Watch my lips, no new taxes." We watched the Treasurer's lips. He tried to claim that there are no new taxes, but we know that that is not correct. The Labor Government's ability to treat Queenslanders simply as an instrument to raise Government revenue is becoming legendary.

Mr De Lacy: The difference in tax rates between Queensland and the other States is getting bigger all the time, so your Tory mates must be increasing them.

Mr STEPHAN: Victoria had a fellow by the name of Cain, and South Australia had Mr Bannon, who really spent up big in those States. The Treasurer would have to admit that the Labor Party in Queensland was trying to distance itself from the policies of those two fellows. Somebody has to repair the damage; and if there has been an increase in revenue gathering in those States, it is because of what the Treasurer's friends did. Before the 1989 State election, I remember the Premier saying, "What Mr Bannon has done for South Australia and what Mr Cain has done for Victoria, we are going to do for Queensland." This Government is going down that same track, and I would like to think that it will bring that to an end.

Mr McElligott: We've heard that a few times.

Mr STEPHAN: I am reminding the member to make sure that he does not forget it. Government members will carry that problem around on their backs. The Premier made that comment, and Government members cannot blame anybody for reminding them what he said.

Let us look at what this Government has done in relation to revenue gathering. According to the Budget papers, receipts from taxes, fees and fines have risen by 53 per cent in four years, jumping from \$2.292m in 1989-90 to \$3.523m in

the last financial year. The typical ruses include extension of the bank accounts debits tax and payroll tax; elimination of stamp duty exemptions for home buyers; the waste management levy; and increases in car registration fees.

"By 1990, no Australian child will be living in poverty", Mr Hawke said. However, kids are living on the streets, and they are far worse off than they were even last year. The situation is becoming very difficult. Many families are trapped in a poverty roundabout, and they are unlikely to be able to get out of it in the short term. Government members choose not to remember some things. The imposition of taxes by Mr De Lacy and his colleagues has been done through stealth. They are certainly not meeting their responsibilities. In fact, they are trying to run away from them as much as possible.

I turn now to the Department of Primary Industries and the lack of advisory services that this Government has been able to put in place over a very short period. I refer to advisory services for primary industries and horticultural industries. One very well known horticulturalist, who had the avocado industry at heart—he was a world-renowned figure in the growing of avocados—was sent by this Government to areas where there are no avocados—areas such as Stanthorpe.

Mr Nunn interjected.

Mr STEPHAN: This is not a laughing matter. The member for Hervey Bay might think that is very funny; but he will begin to wonder why we can no longer rely on our primary industries. There is no sense at all in what this Government is doing.

I refer also to funding cuts for those who are still involved in primary industries. Those who have provided advisory services to primary producers in the past are now having difficulty finding the time to provide those much-needed services. That is an indication that this Government places very little reliance on primary production. Because that is not where the votes are, it is walking away from those people. The Government must get away from that sort of mentality. It must consider the primary production areas of the State and realise how much the rest of Queensland relies on those areas to allow them to continue living in the manner to which they have become accustomed. I sound a note of warning to this Government to be very careful not to pull down primary industries in this State.

Mr Bennett: How?

Mr STEPHAN: I am saying that the Government should not try to pull them down. I thought I was explaining some of the decisions that this Government has made that have made it

very difficult for our primary producers—add to that the drought and the recent fires, which have created a very real problem in our rural communities and affected their viability.

Problems have also been created by noxious weeds and other vegetation that is not necessarily classified as noxious weeds. Giant rat-tail grass is one that I have mentioned before in this House. It is certainly causing a great deal of concern because of its ability to be spread by feral animals and farmland animals and also by vehicles going from one property to another. It is estimated that its cost to rural Australia is in excess of \$3 billion.

If the State Government was genuine in its Budget statement in 1993-94, when it listed the land sustainability goal to facilitate the protection and enhancement of the State's land resource for present and future generations, we would also expect that it would give encouragement to achieve that goal.

The Rural Lands Protection Board deserves every encouragement in its use of biological control methods. Without an increase in commitment from the State Government, the work done to date will be lost. We cannot continue to use chemicals in the control of insects, diseases or noxious weeds. We can only rely on biological control measures. What we are looking for in the area of biological control is receiving some little support for the control of noxious weeds that have been infesting the countryside. It is certainly taking a long time to reach its mark. Biological control measures have been used with limited success in the control of groundsel. A lot more research is needed. The primary producers are willing to give assistance, but they need encouragement and support. They need to know that the Government is going to be there where and when required.

That also applies to some of the other areas of primary industries. It was not all that long ago—perhaps nine months ago or 12 months ago—that we heard about the rail closures. The Premier made the statement, "Use it or lose it." That is a different type of string that the Government is pulling. I raise the example of the Mary Valley line. Pineapples and other produce have been transported on that line for a long period. The Government's method of being difficult and disadvantaging those producers is to steadily increase freight rates on the Mary Valley line. The Government then provides the incentive to go somewhere else by offering a lesser price if the pineapple producers load at Traveston. That makes it very difficult. The Government has not considered the extra transport vehicles that will be travelling along the road. Eight thousand tonnes of pineapples are

now being transported along a road that is already not sufficient for the traffic that uses it. In places, the road is very narrow. The bitumen shoulders are dropping away. School buses and private individuals use that road. That stretch of road has a bridge that is certainly not up to the standard required to carry those loads and it is not high enough in flood time for people to cross after a few inches of rain.

I would have thought that those factors would make it more reasonable to continue to use the railway line and get as much produce off the roads, rather than put more on them. This obviously is not on the Government's agenda. I wonder what would happen if the rest of Queensland were to operate according to that same mentality, if all of the other lines and rail services in Queensland were told that they should pay their way. I think we would have a bit of an uproar from many areas throughout the State if the Government applied that mentality to their rail services.

I will refer to road funding and the Government's inability to maintain that funding. Perhaps it would be an idea if Government members spoke to their Federal colleagues about that. We have seen a very large reduction in road funding from the Federal Government to the State Government. In 1983, for example, \$1,200m a year was allocated for road funding. In the present Budget, that has been reduced to \$820m. The volume of traffic that is using the roads cannot cope with the bad state of the roads, and yet less money is being spent on them. One only has to travel around different parts of the State to see that. I suppose one could point to the main highways where the road conditions are quite good, but when one gets off the beaten track for a while one begins to realise that all is not well and that we need to have a very close look at the mentality of the Government and its procedure for determining the amount of road funding in the Budget that the Treasurer handed down. It is all very well for the Government to continue to gather extra taxation and to make out that by doing so it is creating more jobs. In fact, the Government is not doing that. It is making it more difficult for those who are in business to remain in business.

One matter of great concern to me is education. We had a debate on education only yesterday. It is interesting to note where some of the criticism of the Education budget is coming from. I note that one person, who, I believe, would have been a candidate for the Labor Party has now left that lot opposite, will not have anything to do with them, and has joined another political party. That is an indication of what members of the Teachers Union think about the Government's policies. This is a situation in which

the Government must surely take an interest. It has to rethink its attitude. If one of its members is walking away from it, there must be something wrong. I would like to think that the Government would take a little more notice of those who are at the coalface.

An allocation is required for more primary and secondary schools in the coastal area—the growth area. My electorate of Gympie is part of the hinterland of the Noosa Shire. Considerable growth is occurring in that area. There is great pressure on existing school buildings and there is a need for the expansion of the high school buildings at Pomona, for example, where they have a high tops at the moment. There is not sufficient room to expand. The land has been set aside for a high school. That certainly needs to be used right now. Other areas such as Imbil and Rainbow Beach, for example, also require high schools, although they are not in the same category as Pomona.

Earlier in the debate a comment was made about school musical programs. That is one area that I believe has been a great plus for the education program right throughout the State. It has existed for 10 years or 12 years. Wherever I go I find that there is great enthusiasm and demand—particularly from the students but also from the parents—for the musical program. It is great to see the young girls and young lads taking part in it. They are really enjoying that program and the opportunity to be able to perform. Our group in Gympie went across to Japan recently on an exchange program. They played in three or four different cities and joined some of the musical programs in that country. Those types of activities really bring out the best in young people. It really does a great deal for those people who are interested in music and in learning a little more from their fellow students whether in this country or overseas. Programs of that nature are ones that we can hang our hat on with a great deal of pride.

Time expired.

Mr VEIVERS (Southport) (5.41 p.m.): It is a pleasure to speak to the Appropriation Bill (No. 2). Last week in this place, the President of the Queensland branch of the Labor Party and Minister for Tourism attacked the coalition over its tourism policy. What was the Minister's major concern about this policy? What was in this policy that was, according to the Minister, going to destroy the Queensland tourism industry? What, in the Minister's own words, would be an absolute disaster for the tourism industry? Why was the Minister's office inundated by calls from tourism operators throughout the State expressing so-called concern about the

coalition's policy? The dastardly reason was that the coalition planned to upgrade the tourism portfolio so that it would stand alone in Cabinet and be represented by a senior Minister.

What a disgrace to think that an Opposition in this State plans to upgrade tourism, plans to spend more money on tourism and plans to sharpen its focus! If that is the best that the Minister for Tourism can do in attacking coalition policies, then I suggest that he would be better served concentrating on his Labor Party administrative duties—and is he not busy in that department now! He should abide by the old adage, "If you have nothing good to say, shut up, rather than put your foot in your mouth."

On this issue, the Minister has been a bit embarrassed. The coalition has solid and constructive plans for Queensland's tourism. Its plans for tourism will be designed to assist the industry in its development through to the twenty-first century. The Opposition is prepared to back the industry both in terms of budgetary assistance and in creating an environment conducive to investment in the industry. People are going overseas to Asia instead of investing here. The Opposition will restore credibility and stability to the Queensland Tourist and Travel Corporation.

An honourable member interjected.

Mr VEIVERS: I thank the member very much. The Opposition will ensure that the corporation has stable, established leadership and a strategic plan designed to guide all tourism sections through to the next century. It is a strategy that will give the tourism industry—

Mr Welford interjected.

Mr VEIVERS: The member cannot talk. Already, this Government has gone through four QTTC chairmen. The Government is shelling them out like peas. The Opposition's strategy will give the tourism industry the stature in Government that other wealth-creating industries enjoy, such as mining and primary industries.

We have in Queensland a Tourism Minister who is not prepared to say that tourism should stand alone as a ministerial portfolio. We have a Minister who is underselling the industry. This industry has provided significant revenue and job creation for this State through years of recession and drought.

The coalition is prepared to provide the tourism industry with the vote of confidence that the Goss-Ludwig Labor Government so clearly thinks that it does not deserve. It would not, as the Minister says, lead to the industry being bogged down in bureaucratic red tape. I fail to understand how the Minister could draw such a conclusion.

Mr Welford: Not surprised.

Mr VEIVERS: No, I am not surprised, and neither is the member. He is on the Minister's committee, yet he does not even know what is going on. What the Minister has said is illogical claptrap. The Opposition's commitment is to free the tourism industry from the bureaucracy that has been built up over five years of Labor rule. Under the Opposition's commitment, Queensland's ability to host major events such as the Indy grand prix and the World Masters Games would be enhanced rather than diminished. The Queensland Events Corporation would remain but would come under the tourism umbrella instead of being an add-on, as it has become with Labor. What blatant hypocrisy for a Minister and a Government that transferred the Queensland Events Corporation to the Tourism portfolio only last year, and only then to relieve the poor old accident-prone Treasurer from the responsibility. If that were such an important issue, why did Labor wait for more than five years in Government to do it?

I now turn to the Gold Coast Indy grand prix, which the Minister last week told Parliament would be a casualty of the Opposition's plans for a separate tourism portfolio. Again, what criticism coming from a Minister who, in 1989 as Opposition Tourism spokesman, told the people of Queensland that the Indy was an event that should not be supported; that it was a two-bob, dodgy National Party inspired event. What criticism coming from a Minister and a Government which has presided over an Indy debt of more than \$70m—\$70m lost to the taxpayers of this State through blatant bureaucratic mismanagement. It is nothing else but duplication and incompetence.

Let us not forget Compass Airlines. That same Minister said that he would support Compass right down the line and, \$10m of taxpayers' money later, he bolted and distanced himself from the debacle. Now, some five months before the 1995 Indy, we are still to hear from the Minister the results of his whirlwind tour around the world in search of sponsorship for the race. Members would remember that trip. The Minister spent a couple of weeks in the United States and Canada looking for major sponsors to replace FAI, which decided that it was better off channelling all its money into the Dick Johnson racing team. What success the Dick Johnson racing team had, too. Under FAI sponsorship, it won Bathurst. Five months before the Indy, we still do not know how much the Queensland taxpayer will be exposed to funding for the event. Will it be the \$5m, which was spoken about last year, or the \$5m that blew out to \$10m, or what will it be?

Following the public departure of Bob Jane and the NASCAR series, we still do not even know the range of events that will be staged during the Indy weekend—or has the Government got Bob Jane back on side again? I remember the Minister telling us, "Everything will be all right, mate. Trust me." For example, the cost of the Lang Park upgrade was going to be \$15m and it blew out to \$27m. I might add that it still needs to be finished. So, trust the Minister?

When it comes to the Indy, it is about time we saw some action from the Minister; it is about time he started to deliver some results. The future of the race, which contributes so much to tourism, has been under a cloud because of the blatant mismanagement of the event by this Labor Government—a Government that has turned sour everything it has touched. I say to the Treasurer that this sort of management will not occur under the next coalition Government, because the race will be administered by the private sector operating under private sector conditions, just as it was planned by the National Party Government in 1989.

I would also like to take this opportunity during the debate of the Appropriation Bill to raise an issue which affects the Queensland Tourist and Travel Corporation. Many members would be aware of a range of charges being levelled against companies and individuals tendering for video post-production work with the State Government. One of those companies, or its subsidiary, Cutting Edge, was involved in a tendering scam involving a Queensland Transport public servant. Cutting Edge was also the successful tenderer for the provision of post-production services with the QTTC. It won the contract over five other companies. Let me make it perfectly clear: I have no reason to question the tendering process of the QTTC. I understand that, following an investigation by the CJC, it was established that there was no impropriety in the way the contract was awarded. However, that company, Cutting Edge, was able to establish itself in the market and frame a competitive and ultimately winning tender on the back of self-confessed corrupt activities. Another company, Dynamic Vision, won work from Queensland Transport because, at that time, one of its principals was prepared to bribe a senior departmental employee. The profits made from that work were then used to establish Cutting Edge, purchase equipment and to provide facilities. In that instance, the tendering process has discriminated against companies that acted fairly and with propriety. I think that all members would realise that. This is an anomaly which, I believe, the Minister has a responsibility to address.

Another major issue on the Gold Coast has arisen because of the Government's mismanagement of an additional \$1 billion in the health system. The effects of this mismanagement are clear as they relate to the Gold Coast Hospital. As members would see, waiting lists for surgery have become longer. Dr Sing is amazed that people are not getting into the hospital. Recently, he confirmed that in the past four months 618 patients scheduled for surgery at the Gold Coast Hospital have faced the trauma of last-minute cancellations of their operations. Those cancellations were forced upon surgeons because of a lack of resources at the hospital. How can anyone understand the trauma and pain experienced by those people who have gone through preoperative procedures, such as fasting and all the rest, only to be turned away at the last minute. They are then placed on an ever-increasing waiting list for surgical procedures that demand immediate attention. The crisis in Health hits heavily on the Gold Coast, which has an aged population and a high utilisation of the public hospital system. In Queensland, we have seen additional Health funding channelled into middle-level bureaucracy and not to where it should be—at the hospital bedside. This is placing enormous stress on health-care workers, who have increased responsibilities and diminishing resources.

One indication of the Government's bungling of the Health portfolio was revealed recently at the Gold Coast Hospital. Recently, Ward 7A underwent an upgrade at a cost of more than \$15,000. Immediately following this upgrade, the ward was closed. It has not opened since. I will continue to hold the Government to account for this mismanagement of the Health portfolio.

Another issue that has affected the Gold Coast, and in particular Gold Coast businesses, has been the Government's inability to improve the traffic flow along the Pacific Highway. Since it was elected, the Labor Government has done nothing to improve this highway. The simple fact is that, had it got on with the job immediately, as it said it would, the Pacific Highway would now be a highway of world-class standard. The agenda for Labor has been clear: to delay and procrastinate on the Pacific Highway upgrade to justify its decision to build a new toll road.

The transport stupidity has had an adverse effect on Gold Coast tourism and businesses, something that I am sure members opposite know. Truckies who once had three trucks back loading three trips a day to Brisbane have had to buy three more trucks because they can now only fit in two trips per day, if they are lucky.

Mr Dollin: Business has gone up 100 per cent.

Mr VEIVERS: And the cost is handed on to the people at the other end—the end users. The honourable member should not interject on me about this issue.

Another issue about which I would like to speak involves the Commonwealth Government as well as the State Government, that is, the growing demand for university places and the growing demand for the expansion of the Gold Coast campus of Griffith University. Application data for the Gold Coast campus of Griffith University illustrate the dramatic growth in demand in the region. First preference demand for undergraduate places at the Gold Coast campus has increased by 115 per cent in the period from 1990 to 1994. Shares of first and total preferences for university places in Queensland for the campus have increased by 81 per cent over that period.

The growth in the area has been so substantial that regional education authorities have built 21 new schools on the Gold Coast and local areas in the last nine years. Yes, members opposite did build and start new schools in the area, for which I will give them a pat on the back. But we will need plenty more. The authorities anticipate that there will be a need to build one or two new schools each year for the next 10 years.

The proportion of 15 to 19-year-olds in the Brisbane-Gold Coast corridor currently exceeds the national average and will continue to exceed the national figure through until at least the year 2000. Therefore, there is no reason to believe that the need for higher education places for young people in the Gold Coast corridor and on the Gold Coast will be proportionately lower than the national average.

As has been indicated, the Gold Coast campus of the university endorses the use of weighted participation rates and actual 1993 enrolments as the benchmark for interstate comparisons.

Mr De Lacy: You ought to do well on that one.

Mr VEIVERS: That is all right. I did not have grants and gifts with which to go through university; I had to pay my own way to get to where I am, not like the honourable member.

Mr De Lacy interjected.

Mr VEIVERS: I will not be drawn into responding to that interjection; I would lose time.

As a result, the university does not accept the use of the Queensland age-weighted participation rates as the basis for projecting the level of need for higher education places in this

State compared with the rest of the nation. To redress the current imbalance, the national average age-weighted participation rates should be used to estimate Queensland's current and future need for places.

If total population trends and national average participation rates are used to assess the State's requirements for places, the Queensland shortfall of Commonwealth-funded higher education places is 3 000 below the national average level of provision in 1993. The shortfall will rise by a further 3 000 places to a total of 6 000 places by the year 2000. The university is cracking at its seams.

This afternoon, it was interesting to hear the member for Ipswich saying that he has had a grant for 60 hectares of land in his electorate for which to build a university. That is terrific. I will not knock that; that is good work. We will need a university out there. However, we have 22 acres on the Gold Coast that we want the State Government to grant to us, as it did in the case of Ipswich.

A Government member: Fair go!

Mr VEIVERS: That land was put aside for the university. It is on the map, but we cannot get the State Government to grant it. I will tell the House why we are not getting it: because we are a conservative electorate. The Government will neither give us the money to buy it nor grant us the land.

Mr Quinn: They will sell it for \$4m.

Mr VEIVERS: The member is right; they want to sell it to us for \$4m and make some money. This afternoon, the member for Ipswich was crowing that the Government would grant his electorate 60 hectares—and that is so that the Government can get some kudos. We want the same on the Gold Coast, but we cannot get it.

To redress this shortfall, Queensland should be allocated a further 500 commencement places in each year from 1995 until the shortfall is eliminated. That will take some doing. Population growth in the region will be 30 per cent higher than the Queensland growth rate and 150 per cent higher than the rate of the national population growth over the next 17 years.

Mr Dollin: What a Government we've got.

Mr VEIVERS: Just listen to the honourable member saying, "What a Government we've got." Everybody is coming over the border. Does the member say that the Government is delivering services? Two months ago, 1 000 people per week were coming into Queensland. The latest news is that—and members opposite would know about this—the figure has dropped to 640 per week, probably

because the member opposite has not used underarm deodorant. The figure has dropped. The Treasurer will know about this. It has dropped right off.

A Government member interjected.

Mr VEIVERS: Yes, it is a fact of life.

Mr De Lacy: Have you been down there counting them as they come across?

Mr VEIVERS: I was thinking of getting into the building industry. It is noteworthy that the population of the Gold Coast area will reach that of South Australia by 2011. In that corner of Queensland there will be a greater population than that of South Australia. Yet South Australia still has more university places than the number allocated to Queensland. How fair is that?

Mr Nunn: We don't know.

Mr VEIVERS: The honourable member does not know. What a goose! It is because the Federal Government is the same colour as the State Government, and it does not want to give us any places.

Mr Quinn: Do you know that one of their 1989 election promises was that because they have a special relationship with the Federal Labor Government they would get the required number of university places?

Mr VEIVERS: Is that right? I did not know that. Because of their special relationship with the Federal Government—which is a socialist Government like this Government—members opposite promised, when they were trying to win Government, that one of their promises was that they would get us more tertiary places. Yet when I asked the honourable member about this, he said, "We don't know." He has been over on that island for too long.

Let us have a fair share of the university places. The scale of the growing imbalance is enormous, as I have just pointed out. It is all right for members opposite who have had their university education, but we have young people coming on. We have to give them an education to give them a chance.

To equalise the provision within the existing scale of higher education by 1999, 10 000 places would have to be relocated from Victoria, with some 4 000 being directed to Queensland. From the way the honourable member spoke, there is no chance of our ever getting those places, because he did not know anything about it.

I turn to resource allocation in higher education. Higher education has to be reshaped to pursue objectives of fair access and to provide for a highly skilled, flexible and relevant work force. Opportunities must be given to Australians

and in particular south-east Queenslanders with the greatest potential. In trying to gain entry to university, they must not be restricted by where they live. If they are not restricted, they could get a grant. Policy initiatives that largely protect the status quo—I would go back to university if I could get what the Treasurer got—in higher education resource allocation will not produce desirable outcomes and will be divisive.

This should be the plan: funded load allocations must be unlocked within the triennial planning cycles, starting with 1995, and be redirected. South-east Queensland, particularly the Gold Coast area, constitutes a special case requiring urgent attention because of rapid population growth and development. Growth in higher education, which is essential for international competitiveness, targeted to address population shifts—to places such as the Gold Coast—from the earliest possible time, will contribute to responsiveness in the system. Policy objectives must pursue fairness of access in growth areas rather than offer more limited and less desirable options such as displacement to the south and various forms of remote learning.

Time expired.

Sitting suspended from 6 to 7.30 p.m.

Hon. K. E. De LACY (Cairns—Treasurer) (7.30 p.m.), in reply: I would like to thank all honourable members who contributed to this debate. Appropriation Bill (No. 2) is really Parliament's opportunity to approve and appropriate all unforeseen expenditure for the 1993-94 financial year. Now that we introduce the Budget and pass it through Parliament before the year to which it refers, there is no need to have two separate Appropriation Bills in the old sense of the word. Appropriation Bill (No. 2) is really needed now only to appropriate unforeseen expenditure.

I noted that the Leader of the Liberal Party tried to imply that somehow unforeseen expenditure equated to overspending. It does nothing of the kind. The need to have unforeseen expenditure does introduce a measure of flexibility into our budgeting system. Under the Financial Administration and Audit Act, it is not permissible to appropriate before the event expenditure which cannot be foreseen. Every year, there is unforeseen expenditure. To put this year's amount of \$650m into context, in the 1988-89 year—the Budget year before we came into Government—the total appropriation for unforeseen expenditure was \$3.720 billion. To suggest that unforeseen expenditure is overspending simply misses the point that all of the expenditure was accommodated within the available revenue and that we finished the financial year with a surplus of \$36m.

As is the custom, many members use the Appropriation debate to raise issues that relate to their electorates. If I could immodestly say it, as I sit here and listen to these travelogues up and down the roads and valleys of the electorates, visiting the schools, the hospitals, the roads and the bridges, I probably know more about the electorates of Queensland than anybody else in this Chamber. I think it does provide a worthwhile opportunity for members to place on the public record not only their concerns with respect to their electorates but also very often the finer points of their electorates. I might say that it is obvious that there are a lot of fine electorates out there and great places in which to live, and I might say that they are generally fairly well represented.

I think the most significant aspect of Appropriation Bill (No. 2) was the fact that Queensland is now net debt free. That is really a very significant achievement, and it is something which has been recognised on this side of the House and also in many other quarters. The international credit rating agencies and all of the competent financial commentators in Australia recognise the fact that Queensland's financial position is very strong indeed and certainly a long way better than that of any other State in Australia. But the significant thing is that it puts us in front of virtually every other State or province subnational jurisdiction in the world. I think members have heard me say this before, but I have done a bit of a study. There is certainly no State in the United States of America, there is no Province in Canada and there is no State in Germany which can claim to be net debt free. So it puts us in very rare company indeed and certainly positions us well for the future. In the context of the fact that the other States of Australia have net debt in aggregate of about \$75 billion, I think anybody who does not give credit for our position really is wearing jaundiced glasses.

I think honourable members would have expected that the community in general would have said to the Goss Government, "Congratulations. You have done a very good job." But I guess I have been in politics too long to expect that to happen, and I might say that it did not happen. Apart from members of the Government, nobody else seemed very impressed with the fact that Queensland was net debt free. The Leader of the Opposition said we inherited it; the Leader of the Liberal Party said that we did it by raiding hollow logs; the SPSFQ said we did it on the backs of public servants; the business community said we did it because of payroll tax; QCOSS said we did it by underfunding social services; rural communities said we did it by closing railway lines; the AMA

said we did it at the expense of health care; teachers said we did it by increasing class sizes; smokers said we did it by increasing the tobacco tax; the Greens said we did it because we are development mad; New South Wales and Victoria said we did it because of fiscal equalisation; and the Uniting Church said we did it because everybody is gambling on poker machines. Now Mr Borbidge says that we are not net debt free at all. I do not know; which one is right? I think the only message one gets from that is that it is really difficult to please all the people all the time. I might say that I have been in a very difficult position this last six weeks defending the fact that Queensland is net debt free and that we have QIDC making profits and Suncorp making profits. It really is a tough life being Treasurer!

I think honourable members will excuse me if I do not go through everybody's address and comment on it, but I think it probably is important to comment on the address by the Leader of the Opposition, the prince of hyperbole. It seems to me that all the time he is becoming more extreme, more irrational, more hysterical, more abusive and more wrong. The more he goes like that, the more he goes down in the polls. In the past, I think most people just simply saw him as irrelevant. But I think now the Leader of the Opposition is starting to be held in contempt. He is certainly held in contempt in this Chamber, and I suspect by more people than those who reside on this side of the House. He is certainly held in contempt out in the electorate, particularly in the rural parts of the electorate, which should be the home of the National Party.

The analysis presented by the Leader of the Opposition in his speech was so flawed as to really make him into a joke. I propose to demolish one by one each of the arguments that he raised so that everybody can see precisely what they are dealing with. He began by introducing that old debate about whether we should talk about gross debt or net debt. He attacked me for some years ago talking about gross debt, and then proceeded to use gross debt as an argument himself. The debate about gross debt or net debt was put to bed in 1991 when the Commonwealth and all the States signed the uniform presentation agreement on how they would present their financial accounts. It was decided that net debt was the appropriate figure to assess the financial position of the States. But Mr Borbidge decided to use the gross debt figures, and he said—again with that hyperbole for which he is noted—

"By how much have the Premier, and the Treasurer . . . clawed it back? . . . not by a cent—zilch!"

The fact is that the ABS has published Government debt statistics from the 1987-88 financial year, and that includes gross debt. The gross debt in 1989-90 was \$16.012 billion. At the end of 1993-94, it is \$13.444 billion. So even in terms of gross debt, the Goss Government has reduced it by something like \$2.5 billion. So point No. 1 from Mr Borbidge is wrong—dead wrong.

His second point was about the impact of interest rates on the market value of debt. Mr Borbidge thundered—

"The biggest single factor in the alleged reduction in debt was a move in interest rates . . ."

It is very clever of him to pick that up, because it has been a contributing factor. Do honourable members know where he picked that up from? He picked it up from my speech, because I said that that was the case. It is true that, as interest rates increase, the value of debt goes down. So I will give him that point; I said that in my second-reading speech. However, there are a couple of points that ought to be made. It impacts on both sides—on the assets as well as the liabilities—and it has been impacting for the last four or five years. The fact is that, since we have been in Government, interest rates have gone down a lot more than they have come up again. So as to whether the volatility in interest rates has had an impact on the value of debt—it has tended to increase the value of the debt, and if we were operating in a stable interest rate environment, then we would have been net debt free substantially before 30 June this financial year. So much for Mr Borbidge's second claim.

The third thing he did was attack the concept of market value for debt. He said—

"Since what we see recorded in the Treasurer's debt sums as the State's liabilities is really the market value of that debt and not the debt itself, this move, then, had the apparent impact, on the Treasurer's formula, of reducing the State's debts by \$1 billion."

That is, give or take \$300m or \$400m. He continued—

"In fact, the cash liability has not moved at all."

But what is the value of debt? Is it the market value or is it some other value? The value of anything at all surely is the market value, and the market value of assets and liabilities is now the internationally accepted standard for the measurement of financial assets and liabilities, as stated by the International Monetary Fund, the Australian Bureau of Statistics, the Commonwealth and all the States and the

Territories. The only real measure, whether one is measuring assets or liabilities, is what they can be sold for or bought for. So we have all of those august bodies—the IMF, the ABS, the States, the Territories and the Commonwealth—on one side, and Mr Borbidge is on the other side, claiming that that is an inappropriate measure. I will leave that up to honourable members.

Mr Borbidge then came to his next conclusion. He said that Queensland really is not net debt free, that, somehow or other, I have used shonky the figures. He said, to use his words, that it is an obfuscation and a lie. I would just like to make the point that we have signed the uniform presentation agreement and we are required to prepare our accounts in accordance with national uniform standards.

Mr Elliott: What would the net debt have been when you took over, under those standards?

Mr De LACY: It was \$4.3 billion; and we now have net assets of \$200m. Under these national standards, not only do we comply with the standards, but the ABS works with us and actually signs them off. Either later this week or early next week, the ABS will be publishing its document titled Public Sector Financial Assets and Liabilities Australia in which it will give its version of the net debt position, and of course the NFRs, etc., of all the States of Australia.

I hope Mr Borbidge is not waiting with bated breath to prove the point he made that Queensland is not really net debt free. I think I would be prepared to back my figures before backing his. The fact is that net debt in Queensland has been reduced from \$4.3 billion when we came into Government to zero as of now, and, once again, we have the ABS and all of the financial commentators on the one side and Mr Borbidge on the other. Honourable members can take which version they like.

Mr Borbidge then spoke about the HOME Scheme—"the disastrous HOME Scheme", to use his words—again, the prince of hyperbole. I reject that. It was not a disastrous scheme. Our HOME Scheme enabled 18 000 Queenslanders to get into a home of their own. Most of those people would otherwise have been denied the opportunity of getting into a home of their own. If that is a disaster, perhaps we ought to have more of them. Also, the Queensland Government did not lose a single cent on the scheme and it got a clean bill of health from Standard and Poors.

Mr FitzGerald: The home buyers weren't too happy.

Mr De LACY: They got into homes, and

they would not otherwise have got into them. It is true that we do not include that home lending debt in the net debt calculations.

Mr Elliott: Why is that done?

Mr De LACY: It is not included simply because that is the agreement. Home lending is considered to be public financial enterprise and, therefore, Suncorp is not included, QIDC is not included and home lending is not included. I might say, from my point of view, I could not care less whether they included it or it not. If we did include our financial institutions, then our net debt position would be substantially stronger again, because as I am sure everybody here knows, the finances of Suncorp and QIDC are very strong. So I could not care less, but I think there was a move by the other States of Australia to exclude that debt from the measurement because they were embarrassed about the size of their debt. We have signed a uniform presentation agreement and we abide by the rules. However, it is true, as the member for Lockyer said, that all of those loans are covered by mortgages, so they are not net debt in that sense of the word. If we are only looking at financial assets, certainly they would add to the net debt but, as I said, if we brought on board all of our financial institutions, our position would be substantially stronger again. Mr Borbidge stated—

"It simply does not appear. Eight hundred million dollars plus, and it is not there! . . . What is the excuse?"

Mr Borbidge claimed it was a great little piece of obfuscation. There was no obfuscation, we were just abiding by the uniform presentation agreement.

Mr Borbidge spoke about the great expose—railways. He stated that his favourite example of the campaign of obfuscation—this is his new word, "obfuscation"—and lies in relation to the true nature of debt concerns some lines in the 1992-93 annual report of Queensland Rail, with a total impact approaching some \$2 billion. He was referring to an amount of \$704m. He is talking about \$704m, but he characterises that as an amount approaching \$2 billion, and I suppose it is; it just has a long way to go. Give or take \$1.3 billion, it is \$2 billion already. This does not come out of the public accounts. I am pleased Mr Borbidge raised the issue because that amount of \$704m was taken out of railway accounts and brought back to Treasury accounts. That was done because it was debt raised for social expenditure. It was not being serviced by income. As we are corporatising rail and these other institutions, they must be put on a proper commercial basis.

It amuses me that, later in his speech, Mr Borbidge spoke about the trilogy. He said that the trilogy was in place before the Goss Government came into power; that what the trilogy means is that one does not borrow for social infrastructure. Mr Borbidge drew attention to that \$704m—and it is social borrowings. So in his own words, Mr Borbidge has destroyed the argument that the trilogy was in place before the Goss Government came into power.

Mr Elliott interjected.

Mr De LACY: That is right; it does not service itself, just social debt. So we took it away from rail and brought it back to Treasury. But obviously, if it is in Treasury's accounts it is still in the public accounts. So it is still there, and it is still included in the net debt figure. That was argument No. 6 from Mr Borbidge.

Almost to the end of the speech, Mr Borbidge said—and this is the grand daddy of them all—that the other reason why we have reduced debt so much is that our trading enterprises are paying off debt quicker than what they intended. That is true. But did he say that is good? No. He said—and listen to this—

"In fact, we could see negative outcomes. Trading enterprises forced to reduce their debt have done so at the expense of the very cash reserves that provide them with the capacity to undertake new works and new services without incurring further debt."

Mr Borbidge has turned every fundamental financial principle on its head. He basically said, "If you have less debt, you are in a weaker financial position. If you get rid of your debt, you cannot build new infrastructure and you cannot meet your commitments." That is the sort of shonky thinking that probably has got some other States into trouble. I suppose the obverse of that is that if one has more debt, one is in a stronger financial position.

Mr Elliott: It depends on your assets, doesn't it?

Mr De LACY: No, I do not even think that is the case. I believe that if one has less debt, one is in a stronger position.

As to the assets of the electricity industry in Queensland—we have an asset worth \$10 billion and net equity in that asset of about \$8 billion. By comparison, Victoria has an asset of \$12 billion, but it has zero equity; in other words, it has about \$12 billion worth of debt.

Mr Elliott: We won't trade them that, will we?

Mr De LACY: No, I would not. I believe that it just makes the point that anybody who can

stand up here and passionately argue that if one reduces debt one gets into a weaker financial position shows what sort of financial drivel—and that is all one can say—is coming from the Opposition. For a person who would be Premier to make a comment like that really is extraordinary. I ask all honourable members to remember, when Mr Borbidge next stands up here and thunders with all the nonsense he carries on with, that every single point he made in that speech was wrong—dead wrong. Mostly, it was just utter drivel. I cannot think of a better word than that to describe it.

Finally, Mr Borbidge said that we inherited the trilogy. We did not inherit the trilogy. If there is one thing that I can take responsibility for, it is the trilogy and for letting everybody know what the trilogy is—the basis of the financial management system in the State of Queensland. Sure, we did inherit the policy of fully funding accruing liabilities; and I confess that. But our debt policy of not borrowing for social infrastructure was introduced by the Goss Government. Still in our Budget we have the \$704m of rail infrastructure, to which I referred; \$535m for health infrastructure; and \$418m for roads infrastructure. That is still in our Budget—still being serviced and paid off by us—all social infrastructure. So to say that we inherited the trilogy is completely wrong. That is an initiative of the Goss Government and something of which the Goss Government can be very proud.

I finish where I started. I thank everybody for their contributions. I believe that, generally, the debate has been constructive. Sometimes members of the Opposition lapse into that negativism for which they are known—excluding the shadow Ministers. But the members on the Opposition back bench generally made intelligent and rational appeals for support in their own electorates—as did members of the Government, although perhaps a little more persuasively. After all, that is the role of the members of Parliament. I believe that most members of Parliament are carrying out that role very well.

Motion agreed to.

Committee

Clause 1, as read, agreed to.

Schedule, as read, agreed to.

Clause 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LOTTERIES BILL

Second Reading

Debate resumed from 7 September (see p. 9345).

Mrs SHELDON (Caloundra—Leader of the Liberal Party) (7.59 p.m.): Although it has been said many times before, I wish to reiterate the mandate on which this Government was elected in 1989. That mandate was one of accountability—remember it? Government members have forgotten it—financial accountability as well as moral accountability. What we have here before us today, in the shape of this Lotteries Bill, is an effort by the State Government to once more duck financial and moral accountability. In fact, what we may well have here is a blatant attempt to cover up mismanagement or worse under this Government. It seems that, when the Treasurer is informed that he must provide greater scrutiny for the Auditor-General, he plays a classic sleight of hand trick. He says to the Auditor-General, "Yes, you can have greater scrutiny, but all past sins of the Golden Casket Art Union Office are to be wiped clean." I did not think that the Labor Party was into retrospective legislation, but it obviously is, because that is what the Treasurer is doing.

Mr Bennett: Just get on with it.

Mrs SHELDON: In my own good time, my ignorant friend!

The Golden Casket Art Union Office is calling for absolution from the Treasurer, and Mr De Lacy is playing God. Let us look at some of the sins that are being absolved by the Treasurer and why I foreshadow an amendment to the Bill to remove clause 85, which would provide retrospective protection for these dubious activities by the Golden Casket Art Union Office. This clause allows the Government to clear certain expenditure and actions by the Golden Casket Art Union Office over the past three years. This includes the loss of more than \$3m from dubious entrepreneurial activities. These activities were not able to be properly scrutinised by the Auditor-General at the time, and, if this Bill is passed as it currently stands, they will never be able to be scrutinised. This retrospective action by the State Government smacks of a cover-up and must be scrapped.

There have been activities, and expenditure, particularly in the area of expenses for Golden Casket Art Union Office staff, which must be investigated. Instead, the State Government is sweeping them under the mat,

and approving all the activities retrospectively. If the State Government does not support my amendment, the coalition will have to consider what sort of accountability the Government of this State really has. We had considered opposing the Bill in total, but because aspects of the Bill are good, I am not inclined to do that. I ask the Treasurer to consider seriously my amendment and to agree to it on the basis of accountability—both moral and real financial accountability.

The question has to be asked, and I would like the Treasurer to listen and answer it: why does he want to sweep all those previous activities under the carpet? That is what he is doing. The Golden Casket Art Union Office was involved in a research project designed to develop alternative casket and lotto newsagency terminals. While that research may have been within the confines of the office's guidelines, further activities were not. In fact, on top of some at best dubious accountability for expenditure and some possible conflict of interest by public servants in the casket office, there was also serious concern expressed by the Auditor-General, Barrie Rollason, that money was spent not just unwisely, but also unlawfully. Surely that should be of grave concern to this Treasurer.

In his second-reading speech, the Treasurer has attempted to tell us that this Bill before the House today is to make the casket office more accountable to the Auditor-General. That is certainly a goal that I would applaud, but unfortunately the Treasurer has also used this Bill to cover up some activities that must be fully investigated. The Golden Casket office's subsidiary, GC Systems, is at the centre of these activities. The Treasurer would be aware of reports in the *Sunday Mail* over the past few months that have highlighted some of these concerns. Those reports have been supported by my own investigations, which have also found some interesting activity by both GC Systems and staff within the casket office.

GC Systems has lost more than \$1.5m developing so-called entrepreneurial activities outside of the casket office's jurisdiction. On 18 February this year, Mr Rollason said GC Systems had spent this \$1.54m unlawfully. In his report, Mr Rollason said—

"Audit held the view that the Casket Office was not empowered under its current legislation to incur expenditure on these projects and that its investment in a company did not increase its powers and function to do so."

So, the Golden Casket set up GC Systems, and spent at least \$1.54m that it was not allowed to

spend. Did the Treasurer immediately determine whether that activity should be thoroughly and independently investigated?

Mr De Lacy interjected.

Mrs SHELDON: No, he did not. He has heard what the Auditor-General said. Is the Treasurer disputing his words?

Mr De Lacy: No. He investigated it. That's why he said that.

Mrs SHELDON: That is why he said it. What has the Treasurer done to stop it—brought in retrospective legislation.

Mr De Lacy: Then he asked us to do this, so we're doing it.

Mrs SHELDON: He asked the Treasurer to bring in retrospective legislation?

Mr De Lacy: Yes. I will read the letter to you, if you like.

Mrs SHELDON: I would very much like a copy of that, because it seems to me that if he does bring in this retrospective legislation he is just absolving himself from the difficulties that were obviously there and for which he possibly may—

Mr De Lacy: As per usual, you are 100 per cent wrong.

Mrs SHELDON: Oh yes, really? I was referring to difficulties over which the Treasurer possibly may encounter problems. Very obviously, they spent money that they should not have spent. That is sleight of hand by the Treasurer, and he has to admit it.

So, did the Treasurer immediately determine whether this activity should be thoroughly and independently investigated to see how these activities could occur? The Treasurer moved to have legislation introduced—this legislation—to not only cover up this unlawful expenditure, but also to ratify it and approve it in retrospect.

The casket office's actions in the development of the MAID terminal must also be investigated. The latest annual report for the Golden Casket Office for 1992-93 details how the spending of \$2.72m in the development of the MAID terminal and associated revenue collection device developed. However, the MAID project was abandoned at the prototype stage, ending with a messy piece of legal action between the casket office and the manufacturers, Nerang-based Trac Systems Australia. Millions of dollars were thrown away in bungling by the casket office.

A further \$154,000 was spent on international lottery development, with accusations that public servants spent wildly

trying to sell Queensland's lottery technology to Hungary and the Ukraine—another failed venture and another bill to the taxpayer. It is another example of where the Treasurer has abandoned accountability to sweep it all under the carpet.

Apart from the failed financial activities of the casket office's entrepreneurial arm, questions must also be asked about the activities of some public servants in the office. I have been informed that a couple of public servants may have gained commercial advantage through their involvement as directors of a private company that was commissioned to do work for the casket office. I do hope that the Treasurer will clear this up for us and show that the information that I have been given is incorrect. Information has also been passed on to my office that public servants involved in the failed international bid may have misused funds and expenses through unnecessary jaunts around the world. If that is the case, I think we need the Treasurer to determine that because we should not be passing retrospective legislation that would encompass those activities, thereby giving them some sort of credence and legality. This information is being circulated widely, and I believe it must be independently investigated if it has not already been investigated. It would appear from this Bill that the Treasurer really wants it all to go away. This is not good enough.

I do not have a problem with major parts of this Bill. In fact, the general thrust of this legislation is satisfactory, and the streamlining of the casket office into the new Golden Casket Lotteries Corporation is welcome. However, this retrospective absolution for past sins, and perceived sins, of the office's entrepreneurial arm is not—and how can it be—in the best interests of Queensland taxpayers, and not in the spirit of a Government that is interested—or says it is interested—in accountability.

It is for that reason that I will move an amendment to the Bill. I foreshadow an amendment to omit clause 85 and remove the retrospectivity aspect of the Bill. In the interests of accountability and in the interests of protecting the trust that the Queensland taxpayers have put in the Treasurer and all of the members on the other side of the House, I urge the members of the Government to support my amendment.

Apart from those problems that I have mentioned earlier, there are also some other problems with this piece of legislation. The Bill fails to provide adequate checks and balances for the new Golden Casket Lotteries Corporation. I am not convinced that this Bill

provides the increased supervision by the Auditor-General that the Treasurer claims.

I also have concerns about the role of the so-called advisory board which seems to be little more—or could be little more—than a rubber stamp for the Treasurer. If anything, this Bill seems to bring the Golden Casket Art Union Office more under the direct control of the Government and the Treasury Department rather than moving it to an arms-length position as a truly corporate entity.

Mr De Lacy: They can make the decision without a stamp.

Mrs SHELDON: The Treasurer is the one who labours long about truly corporate entities at arm's length from the Government, while all the time much of it is a shonk.

While addressing the problems of this Bill, I also wish to bring forward again an issue I raised earlier this year. In May, when the annual report for 1992-93 was released, I called on the State Government to end the annual rip-off of Gold Lotto, scratch-It and Golden Casket winners. At the time, I stated that cutbacks in the Golden Casket Art Union Office meant that, in just one year, the Government had more than doubled its take from unpaid winnings. Winners were often no longer notified by mail, even though sometimes they had placed their address on the ticket. For the State Government to pick up \$7m in one year from so-called unclaimed winnings means that Queenslanders are being ripped off by State Treasury. The \$7m collected in 1992-93 goes back to the Government, which sucks it into general revenue. It is more than double the \$2.8m in unpaid winnings in 1991-92 and 20 times the \$353,000 in unpaid winnings in 1991.

The State Government should return to the old system of writing ticket buyers' names on ticket butts and always taking the address and following up winners instead of just placing their names in the paper. May I add that many old people do not buy the papers. They may have been given a ticket or this scratch-it by their own family for a present. They do not see the results of the lottery in the papers, they do not follow it up, they do not get their winnings and it all goes into Keith De Lacy's black hole.

Despite a drop in profits by the office this financial year, the Treasurer is still receiving a big take from the Golden Casket Art Union Office. I find it interesting that while the casket office profits dropped \$34.3m on the 1992-93 year, the Treasury take from net profit and stamp duty dropped only \$8.4m to \$162.6m from the previous year's record haul. That was based on a total operating revenue of \$544.7m. Obviously, the State Government is still receiving its take from the casket office while hundreds of ordinary

Queenslanders are left out in the cold not knowing that they have won money.

I believe it is the State Government's duty to inform every winner that it possibly can, even if that means changing back to the old system or updating the computer system. Let us face it, everything is now on computer; it should not be all that difficult. The sad thing is that, as I said, many of those people who are missing out are elderly, or those people who need it the most. They buy a ticket or a scratch-it hoping that that will improve their situations. People who miss the notification in the paper, particularly many elderly people who were brought up under the old system, are still under the false impression that if they do win, they will be contacted.

So there is a need to overhaul the Golden Casket Art Union Office, but I do believe that retrospectivity is not needed or desirable. I think that the Treasurer has opened himself up to some serious questioning about the role of the State Government in trying to hide—

Mr De Lacy: By who—you and Chris Griffiths?

Mrs SHELDON: Does the Treasurer say that Chris Griffiths wrong? At least he legitimately and meaningfully questions accountability in this State, which neither the Treasurer nor any other Government member likes. The Premier rode into Government on the white horse of accountability. That horse has not just gone grey, it has gone damned well black. And Government members sit there and support this sham!

In conclusion, I again urge members of the Government to vote for the coalition's amendment. As I said, the coalition is concerned. We did consider opposing the Bill in its entirety, but I do not believe that is the way we should go. I think that the Treasurer should seriously consider this clause about retrospectivity.

Mr D'ARCY (Woodridge) (8.14 p.m.): As usual, the Opposition has it wrong. For economic reasons, this Bill is a very important one. The amount of money spent on gambling throughout the State is increasing rapidly to millions and millions of dollars, and the current Acts that govern gambling have become outdated.

This Bill, which is quite extensive, addresses most of the problems that we are facing. Provisions that have been in great need of redress and in urgent need of amendment have been dealt with in this Bill. Of course, the important thing is that, in terms of the Financial Administration and Audit Act 1977, the Golden Casket Lottery Corporation now becomes a statutory body. Basically, it now covers all aspects of gambling within the Lotto/casket

system and the expanded gambling system that Queenslanders face.

It was disappointing to hear the Deputy Leader of the Coalition pick on some very minor points within the Bill and dwell on them. She raised the issue that often the holders of winning tickets could not collect their winnings because they were not aware that they had won. Because of the expanded means of gambling within the State—whether it is through a bet at the TAB or a ticket bought at a fete—the onus is largely on the person who gambles to find out whether he or she has the winning ticket. Through this legislation and many other Acts, the Government will ensure that the money is available to be collected by winners. If people do not collect their winnings, it really is a case of caveat emptor, or buyer beware. Unfortunately, in this day and age, things move very rapidly. The important point—

Mr FitzGerald: Listen to the member for Burleigh when she gets up.

Mr D'ARCY: I realise that the member for Burleigh has a brief on this subject; that is why I am covering it now. I understand that many people have not collected their winnings. However, the fact of life is that if people purchase tickets, whether they be for themselves or for somebody else, it is their responsibility to make sure that, if they have won, their winnings are collected. The Government, through this Bill and through other Acts, makes the money available. We have a very honest system. In some countries, the money is not always available. The onus is on the person who buys the ticket.

As I said, this Bill is very extensive, and I will go into some of its features in a moment. The member also referred to clause 85, which relates directly to the audit by the Auditor-General. Basically, that refers to two separate legal opinions that were obtained. It is as simple as that. The Crown law office did not provide a great deal of clarification. It provided a legal opinion to the Auditor-General that, under current legislation, the Golden Casket Art Union Office was not empowered to incur the expenditure. However, prior to incurring any expenditure, the Golden Casket Art Union Office had obtained independent legal advice stating that such expenditure was within its power. That legal opinion was given by Richard Chesterman, QC. Clause 85 addresses the ambiguity in those two legal opinions. It was done at the request and with the full support of the Auditor-General, who wanted to see the ambiguity of the two opinions cleared up. If we had failed to put that clause in the Bill, we would have defeated its purpose.

Those are the two points that were raised by Mrs Sheldon. It amazes me that when we are

debating legislation that brings the whole range of gambling into the modern era, the member dismisses a Bill that contains some 85 clauses and a Schedule in a few moments.

We have to have trust and faith in the Treasurer. We are moving along the same lines that other States are moving. This Bill virtually brings us into line with what is occurring in other States, and it is very necessary. Many things occurred within the old art union office which needed to be cleaned up in this legislation. This Bill addresses those problems which had not been addressed previously. For example, this Bill provides a better system of monitoring licensees. We will have more power over the licensee. In the past, problems have been experienced. I do not want to go into them in great detail, but there have been problems that were not able to be addressed under the Act. Under this legislation, licences will be able to be tendered in a true and proper fashion. That is the sort of accountability that was so glibly dismissed by the Opposition.

It amazes me to see that we have gone so far with the changes to the Act that it is necessary to tell the Opposition even the basics. It might be of interest to members to know—and I do not know whether the Treasurer outlined this obvious point—that our system of lottery is so successful that it is being used and sold overseas. A mail order business on the Gold Coast—and it has been fully investigated—sells lottery tickets from Australia, mainly to the north American market. This is not opposed by the Government. The business operates on commission. It is one of the largest businesses in the country. In fact, I believe it is the largest single user of Australia Post. That business is actually selling our lottery tickets on a commission basis to the north American market. That could not be done unless there was confidence in the system, in the Government and in the way that the system operates.

The changes that we will bring about tonight through this extensive Bill were necessary. They have brought gambling within the lottery and lotto systems within the realms of what is needed to meet the needs of a modern society. As to flaws—unclaimed prizes exist in all betting systems. That problem can be addressed by the buyers of the tickets. When we buy a ticket, it is necessary to check it. I commend the Bill to the House.

Mrs GAMIN (Burleigh) (8.22 p.m.): In joining the debate on the Lotteries Bill, I want to speak briefly on the difficulties encountered within the present system when Queenslanders and others seek information on casket ticket results. Now that printed result sheets are

unfortunately no longer available at casket agencies, there are some problems in this regard. I want to give the House some detail about this, because I believe it is important.

In September of this year, it was pointed out to me that the Golden Casket lottery telephone results service was providing ticket holders with wrong information. Golden Casket advises ticket holders to dial a 0055 number from anywhere in Australia to find out whether they have won a prize. These calls cost 70c a minute.

My complainant had two tickets in \$5 jackpot casket number 101, and dialled the number to check the results. She followed the instructions for dialling a sequence of numbers—for example, we are asked to press a number if we require certain information, and so on; it is quite complicated—and eventually she was told that neither of her tickets had won a prize.

Later on, she came across a copy of the printed results in the local newspaper. She still had her tickets in \$5 jackpot casket 101, and she checked them again. She found that one ticket had won \$10, and that the other had won a one-off consolation prize. Fortunately, even though she been given the wrong information over the telephone, she had not destroyed her tickets and she was able to claim her prizes.

When she brought this matter to me, I carefully verified her information for myself by going through all the rigmarole of telephoning 0055 33128 to check on her ticket numbers in Golden Casket \$5 jackpot draw 101. I also checked the first three prize-winning tickets as advertised in the newspaper—prizes of \$1,000, \$2,000 and \$200,000. The telephone results service assured me that each number I checked had not been successful in winning a prize. However, the published newspaper advertisement showed that prizes had been won as follows: ticket No. 69579 won a one-off free \$5 ticket; ticket No. 34592 won a prize of \$10; ticket No. 33966 won first prize of \$200,000; ticket No. 14146 won second prize of \$2,000; and ticket No. 15103 won third prize of \$1,000. I gave up on checking the rest of the numbers; the 0055 service was obviously wrong.

This exercise proved to my complete satisfaction that the 0055 number not only gave unreliable but, certainly in this instance, totally incorrect results. Naturally, we must wonder just how many prize winners in \$5 jackpot casket 101 believe that they did not win a prize simply because they relied on the faulty telephone results service. If they are not on-line registered card holders and they have destroyed their tickets, then it is now too late for them to try to claim a prize.

Then, as a result of media publicity, I received a great blast from the Golden Casket acting director, who thundered that he would be "very surprised" if this was happening. I provided Mr Bale with complete details. Mr Bale replied by letter on 23 September. He said that the 0055 results service is provided by Interactive Telemedia, which is based in Melbourne, and has provided this service to the Golden Casket Office since February 1993. He admitted that the results for the \$5 jackpot casket draw number 101 on the 0055 results service were incorrect. He said that Interactive Telemedia accepted responsibility for loading an incorrect file, and that a different jackpot draw had been loaded, and that this is the only time that such a thing has happened. I am not sure that I can accept that it has only happened once when \$7m in prize money went unclaimed last year.

These problems obviously do not worry people with on-line cards; eventually, they can be located and they receive their prize. But Queenslanders who do not hold on-line registered player cards, and visitors to Queensland who do not hold these cards, do not necessarily have access to newspapers which publish printed results. If they cannot rely on the 0055 number for an accurate message, then, as a result, revenue from unclaimed prizes may well have been accumulating wrongfully into Treasury funds.

More than \$7m in winning lottery prizes was unclaimed in Queensland last year, including a \$200,000-ticket sold in Toowoomba. The legislation that we are dealing with today now provides that unclaimed prize money will remain with the new Golden Casket Lotteries Corporation, which will be a statutory body in terms of the Financial Administration and Audit Act 1977. This unclaimed prize money may now be utilised by the corporation for additional casket and lottery prizes.

But utilising unclaimed moneys into additional prizes is not the point. The point is that gamblers must be given a fair go and a fair chance of claiming their prizes if they are lucky enough to have scored a winning ticket. It is one of the basic rules of gambling that, if the gambler cannot win, then it is no bet. Caskets and lotteries are standard forms of gambling. People do not buy tickets unless they expect to have a chance of winning. They certainly do not buy tickets without bothering to check whether they win or lose.

The recent Queensland situation that I have described was also repeated recently in New South Wales. One Sydney ticket holder claimed to have double checked ticket results with monitors at two different newsagents and was

advised that he did not win a prize. Fortunately for this ticket holder, he held an on-line registered player card and the lottery office forwarded cheques a few weeks later.

In his second-reading speech, the Minister said that the integrity of lotteries in Queensland is of paramount importance to both the Government and the lottery-playing public. Provision of correct results is a vital part of this service, and I hope that the Golden Casket Lotteries Corporation will now ensure that players who do not hold on-line registered player cards are never again put at risk of losing their prizes due to inefficiencies in the systems of providing results.

We cannot afford any loss of public confidence in our casket and lottery systems. That would be a financial disaster for this State, which relies heavily on this source of revenue for the provision of essential Government services. The integrity of lotteries in Queensland is only as good as the systems of distributing prizes to patrons, and the Minister must ensure that the integrity is not compromised by any deficiencies that might damage public confidence in these systems.

Mr VEIVERS (Southport) (8.29 p.m.): In my years as an Opposition member, I have witnessed many acts committed by this Labor Government. I have witnessed a period of history in which many of my colleagues were damned for alleged indiscretions, and the Goss Government promoted itself as squeaky clean and above reproach. In fact, today the reverse is true. I have never seen a finer example of it than in this place this evening.

Tonight, the Goss Labor Government seeks to introduce legislation which is abhorrent to every principle of democracy, fairness, honesty and legality that we know—every principle, at least, that we on this side of the House know. Our Labor colleagues seem to think that the sins of yesterday can apparently be obliterated with a simple Bill.

Tonight, they put before this House the Lotteries Bill under the guise of a Bill designed "to strengthen regulatory activities which would detract from the integrity of the conduct of lotteries". This is a most foul cover-up. Interestingly enough, it is all spelt out in the Explanatory Note to the Bill. One of the reasons for this Bill, according to this note, is the increase in activities which have detracted from the integrity of State lotteries, detracting not only from the name of the lottery but also from the name of the State. That is a good reason, we would all agree, but what is not mentioned is that these activities which detract from the precious integrity of our State were in fact facilitated and

approved by representatives of this State's Government and Ministers.

Clause 85 of the Lotteries Bill seeks to "put to rest any confusion regarding powers of the Golden Casket Art Union Office to develop and expend moneys on the Government revenue collection project and on instant casket opportunities outside Queensland". Let me translate the rhetoric. "We are in deep trouble, so let us find a way to cover our collective backsides." This Bill is nothing less than an attempt to introduce retrospective provisions to clear the slate of all the incompetent and wasteful decisions. This Government has foolishly and irresponsibly spent moneys earmarked for charitable organisations under the auspices and noses of the Treasury Department. This money unlawfully expended was partly identified by the Auditor-General, Barrie Rollason, in his report to Parliament. He provided the art union office with only a qualified audit certificate, questioning the legality of some casket activities. Mr Rollason included a qualification, stating that the development of a Government revenue collection system and expenditure of opportunities for the instant casket contracts outside Queensland were undertaken with the backing of legal opinion provided by its own legal source. Mr Rollason sought independent law advice from the Crown law office which indicated that the office was not empowered to expend moneys in such a way. Obviously, Mr Rollason has been instructed to toe the line because he is now publicly applauding the Government's move and its decision to include the casket office's entrepreneurial activities as an acceptable part of its role.

The Treasurer of Queensland has admitted accepting legal advice from a firm of solicitors, namely Clarke and Kann. A partner in that firm was at the time a shareholder of Golden Casket Systems. This advice was accepted in preference to the advice of the Crown law office, which has since clearly indicated there was more than a tinge of illegality about the entire process.

There is no doubt that the Treasurer has been compromised by his involvement, as has the Minister Assisting the Premier on Economic and Trade Development, Mr David Hamill. Both of them, with the aid of the ever-helpful Premier, now seek to get their mates off the hook and remove any taint of illegality. But like the proverbial mud, we are going to make sure some of this sticks. Other high-ranked public servants were also in on the act. Interdepartmental committee meetings discussing the actions of Golden Casket Systems were attended by David Barbagallo—there is a name we remember—the Premier's esteemed policy adviser on information technology and telecommunications,

the Assistant Under Treasurer, then acting director of the casket office, Warren Bale, and other Treasury and Premier's Department representatives. In fact, it would be hard to believe that the entire Cabinet was not at least briefed on the plans for GCS, especially when we know that visiting delegates from other countries were invited to attend the official testing of the proposed equipment.

For those members who may not be aware of the nature of this illegal activity, I intend to extrapolate. In the early 1990s, Queensland's Agent-General in London, Mr Ray Anderson, was instructed to accompany private industry and Government employees on a tour of Europe to discover the opportunities to enter the multimillion-dollar European lottery market. Mr Anderson reported that there was significant demand for gaming operations systems and equipment in Hungary, Germany, the UK and the Canary Islands.

Among that delegation were two Government employees, Mark Harrison and Merv German, both directors of the Government-owned company Golden Casket Systems, a now defunct subsidiary of the Golden Casket Art Union Office. Both of these men have been heavily involved in the promotional activities of Golden Casket Systems. They were present at meetings of the special interdepartmental committee set up to discuss the potential for export of Golden Casket Systems overseas, chaired by David Barbagallo.

In September 1991, the director of the Golden Casket Art Union Office, Kevin Leyshon, executed an agreement with the Government-owned business Golden Casket Systems so that it could market and promote Queensland Lotto equipment and technology to markets outside this State. A little time and a lot of money later, the company has been disbanded after sustaining a loss of \$625,000. In total, the Golden Casket Art Union Office has lost more than \$3m of public money, revenue collected from Queenslanders and supposedly circulated back to Queenslanders, and what for? Not for a good cause in the interests of all, but on a failed project and illegal promotional activities which were apparently in the hands of public servants pursuing their own private interests.

Amidst cries of inadequate accountability, wasted public funds and blatant examples of self-interest and conflicts of interest on the part of some public servants and contractors, this Government is seeking to sweep everything under a massive rug. Instead of investigating the revelations of the Auditor-General and the Crown law office that there are suggestions of unlawful activities, the Premier and his boys—the

Treasurer included—are going to legalise the acts via retrospective legislation. Despite the fact that the Crown law office regards these entrepreneurial activities of the Golden Casket Office and its now defunct subsidiary company, Golden Casket Systems, between 1991 and 1993 as technically unlawful, Mr Goss does not think that is sufficient to warrant an investigation. Instead, it is a good reason to change the law!

The original plan was for Golden Casket Systems to develop and promote equipment capable of initialising and validating scratch-it tickets but also capable of accepting banking and bill-paying transactions at casket agencies. However, the machine, called the E7000 MAID terminal, experienced difficulties in the development stage, and plans were abandoned after more than \$2.7m had been spent. GC Systems was set up as an entrepreneurial arm to market this lottery technology overseas. No-one doubts that the market is there and that Queensland companies have the technology and equipment which can more than satisfy it, but that does not justify illegal means of tapping into it.

Suddenly there was a change in direction by GC Systems and its mother agency, the Golden Casket Art Union Office—a change that seemed to conflict with the resolutions of the IDC headed by David Barbagallo. Initially, the Government was clearly indicating a preference for private enterprise to assume the role of marketing and selling the new terminal products, particularly overseas. The IDC apparently did not consider it safe for the Government to take on the significant risks of promoting a new and untested product into an unquantified marketplace using taxpayers' money.

With the creation of GC Systems and the intention that that agency market the Lotto technology, private enterprise activities were effectively locked out. Remember that—private enterprise activities were locked out. The Government had available public funds which were obviously not available to private companies. The Government was quite recklessly using these public funds for risks that even more qualified private companies were unwilling to put money on.

There also seems to be considerable doubt cast upon the expertise and ability of those public servants who were charged with marketing products under the umbrella of GC Systems. One computer systems expert liaising with potential buyers in Amsterdam discovered many were unwilling to deal with GC Systems and in particular director Mark Harrison as they considered him to be unethical and dangerous. One overseas client alleged that both Mark

Harrison and fellow director and CEO Merv German had done both the Golden Casket Art Union Office and the Queensland Government significant damage in the credibility stakes. These allegations came from other companies involved in the trade dealings and clients in the UK as well. In a letter, this particular computer expert says it is wise to avoid any involvement with GC Systems and says—

"We must hope like hell that Kev Leyshon realises what's going on sooner than later."

We are talking about a Government-owned company which in two years of operation spent \$118,000 on legal fees, \$168,000 on travel and accommodation and \$428,000 on miscellaneous expenses. In 1992-93, consultancy fees were more than half a million dollars, including \$44,000 to a company called 2i Corporation. Another strange coincidence—the principal of 2i is Mr Ian Ovens, who was also a director and founding shareholder of GC Systems. Incestuous, is it not, to say the least?

While a director of GC Systems, Harrison established and conducted a private lottery-related company. Merv German, GC Systems director and chief executive officer, was heavily involved. This private venture was set up at the same time to target the same markets as Golden Casket Systems. These two men were supposed to be acting as representatives of Golden Casket Systems and promoting the interests of the Golden Casket Office overseas. Documents show that Transaction Technology International, or TTI, was set up by Mark Harrison to take advantage of the markets which the Government company was attempting to penetrate in the UK, Ireland, Europe, particularly Hungary and the Ukraine, and the Canary Islands. A major United Kingdom lottery conglomerate was negotiating with TTI to offer the company a shareholding with a seat on its board. A major Lotto company in England, Winchester Cox and Company Limited, sent a fax to Mr Harrison and Merv German, inviting TTI to become a shareholder in October 1991.

Surely there is a clear conflict of interest when the director of a Government-owned agency established to promote the casket office's technology overseas is simultaneously operating a private company which just happens to be trying to break into the same market. Even the merest suggestion that there has been any impropriety of any kind in the activities of the Golden Casket Art Union Office has absolutely terrifying implications. It should be obvious by now that there are serious questions of self-interest and self-implications of conflicts of

interest which must be addressed and not obliterated by retrospective legislation.

But the plot thickens. When we delve further into these documents we discover that a certain solicitor, who just happened to work for the Brisbane legal firm that gave legal advice to the Golden Casket Art Union Office, was also involved in this private company, taking hand-written minutes, preparing its business plans and, by all indications, keen to take a personal stake in the venture. Bruce Purdue, from Brisbane firm Clarke and Kann, was clearly heavily involved in the development of TTI and was also involved in GC Systems—two roles which would have denigrated his objectivity when giving legal advice to the casket office. In a letter to Geoff Stephenson, Director-General of the Department of Transport, Mr Purdue discussed Clarke and Kann's involvement with Golden Casket's technology developments. He also takes the liberty of name-dropping, taking time to praise Merv German and Mark Harrison who have, he says, visited Hungary and who were instrumental in bringing about the visit of potential Hungarian clients to Australia. TTI was registered following a highly secretive meeting between Harrison, Purdue and the Golden Casket Systems Chief Executive Officer, Merv German. At this hush-hush meeting it was agreed that the company be owned equally by those present and the degree of each party's involvement was spelt out. It was agreed that a new company needed to be formed in the field of information technology.

The other director at that stage was a Mr David Smith from Tandem Computers, who had earlier led a Queensland Lotto trade mission to Europe. Mr Smith apparently woke up early to what the other parties involved were about and withdrew from his position after only five weeks when he realised the conflict of interest. One other who smelt a rat about the legality of the whole thing was Rod Dux, Managing Director of Gold Coast hardware company, TRAC Systems. He was also at the secret meeting to set up a private company in the same vein as Golden Casket Systems. Both he and his colleague, Tony Chand, specified at the initial meeting that TRAC, if involved, would remain separate. Mr Dux could not understand why the Golden Casket Art Union would release the rewarding facility management of Bill Pay to TTI under the proposed arrangements. He realised what interested parties from overseas failed to realise at first, that the casket office had no shareholding in TTI—none—and therefore had nothing to gain from handing over facility management.

The illegality was obviously suspected to some degree by the parties involved. The instructions were that there be no discussion

with outsiders, no loose lips and no loose cannons. In Bruce Purdue's hand-written fax to Mark Harrison setting out the issues to be included in the business plan for TTI, he stresses that copies of the plan be controlled, marked and the distribution recorded.

The connection between the private venture and the Golden Casket Office is clearly indicated in documents in my possession. In the previously mentioned fax from Bruce Purdue to Mark Harrison, dated September 1991, Mr Purdue says that the distinctive edge TTI has is its association with Golden Casket. He calls it the "competitive advantage" and says one of the opportunities open to TTI is to use GC Systems as a base. He lists TTI's strengths as access to Golden Casket's technology, its established contracts and the knowledge of the market. On the other hand, he recognises threats from Golden Casket Systems, Treasury, competitors and adverse publicity.

While we would, of course, expect Government Ministers to try to wash their hands of the whole deal and place the blame for any wrongdoing squarely on the shoulders of a couple of public servants, the documents in my possession suggest differently. In a TTI report dated 7 October 1991, and again in Bruce Purdue's script, one of the interesting developments is contact between Mr Purdue and David Hamill's office. The details of this contact are not spelt out. According to one of the weekly progress reports circulated to those involved in TTI, the Golden Casket Office had been providing the Dai-Ichi Kangyo Bank of Japan with what it refers to as "intelligence" on gaming since 1986. This report refers to a letter dated 23 July 1991 to the casket office indicating that the bank was planning to introduce new, on-line games. Let us not forget the days when Golden Casket Systems, in conjunction with the Golden Casket Art Union Office, went on a spending spree, including purchasing the Skase furniture at an auction just four days after four members of Parliament from this side of the House were gaoled for alleged deception and dishonesty.

Clause 85 attempts to make illegal activities legal—nothing short of that. It seeks retrospectively to make an act that has been recognised by the Auditor-General and the Crown law office as being technically illegal into an act deemed to be authorised by law. To borrow a quote of another, retrospective legislation "always has the air of the bizarre". This legislation has more than an air of the bizarre, it positively reeks of corruption, of looking after one's mates, of trying to cover up major stuff-ups and of trying to manipulate our State legislation to suit oneself. Such a clause does not remove

any doubt, as its supporters claim. In fact, it casts doubt on the legitimacy and legality of our entire legislative system.

The people of Queensland place faith in the Parliament of this State to enact laws which will protect them from acts which are deemed to be illegal because they are against their greater interest. Yet here we have a Government which is attempting to override that faith and simply look after its own interests. What happened to that honest, open, accountable Government? If this Bill is passed with clause 85 intact, no Queenslander will believe in the law again.

This is not some kind of forgiveness that can be bestowed upon a sinner who has redeemed himself; it is an unashamed attempt to change the law, to do it retrospectively, and to attempt to excuse an illegal and completely irresponsible act by a Government agency. As an elected member of this State Parliament I, for one, do not condone that. I also support the amendment moved by the Deputy Leader of the Coalition.

Mr HORAN (Toowoomba South) (8.48 p.m.): In my contribution tonight I wish to speak particularly on the history of the Golden Casket Office and its involvement with the funding of hospitals, particularly children's hospital services.

The Golden Casket commenced in 1917 as a source of funds for Anzac Cottages, which were to provide housing for widows and dependants of World War I soldiers. Proceeds from the sixth draw were used towards the construction of the nurses' home at the Brisbane Children's Hospital. The proceeds then went into the Hospital Motherhood and Child Welfare Fund, which supported many other health projects. The Royal Women's Hospital at Herston was built and equipped entirely from casket funds. Some of the other institutions funded wholly or partly from the casket included the Brisbane Medical School, the Ipswich Maternity Hospital and maternity wards at Kingaroy, Wondai and Warwick hospitals. Direct funding of hospital projects was discontinued in 1975 as a result of the changes made as part of the arrangements for Commonwealth funding for State public hospitals at the start of the national health, or Medibank, scheme.

At present, some funds from the Soccer Pools are used for grants to sporting bodies, but most of the profits of the Golden Casket Art Union Office go into consolidated revenue. From 1992-93, an allocation of \$1.5m from the profits of the Golden Casket Draw Lottery has been designated for various child health projects. However, it is very difficult to work out what is the total amount of profit that comes from the Golden Casket because, in the figures that are provided

by the office, the surplus is given as a combined total for that of the Casket and Instant Casket. We see in 1991 that it made some \$47.7m; in 1991-92, \$55.3m; and in 1992-93, it made \$45.4m. That is the combined profit of the Casket and Instant Caskets. Of that, only \$1.5m goes towards children's health projects.

What happens to that \$1.5m for children's health projects? Basically, \$0.5m has been going to the Mater Children's Hospital—the Brisbane South Regional Health Authority; \$0.5m to the Royal Children's Hospital Foundation—the Brisbane North Regional Health Authority; and another \$0.5m for selected children's projects throughout the State. In the last financial year, the \$0.5m that was available for the Royal Children's Hospital Foundation was used for the second new building at that site, which is often referred to as the Coles building. The first major building there has been called the Woolies building in response to the sponsorship and donations that have come from that company. As I said, the second building has been called the Coles building, and that \$0.5m was put towards that particular building.

The tragedy is that one of the very significant parts of that building, namely, the new oncology outpatients ward, is unable to open because of funding shortfalls. So on the one hand, the Government, through the casket office, is providing \$0.5m to the Royal Children's Hospital Foundation. That money is being used to open that building. But because of the \$3.5m cut made to the Royal Children's Hospital in this year's Budget, a substantial part of that building, that is, the oncology outpatients ward, is unable to open. It is a tragedy to see that money available from the casket office but for that building to be unused.

One of the significant reasons that ward is not being opened is the reduction in State funding, which is part of that \$3.5m cutback that the hospital is facing. In particular—and these all relate to the Treasurer—are items such as resource allocation funding. There is a \$415,000 cut for the children's hospital, which is the flagship of children's services, which has to provide tertiary services right across the State for those hospitals in regions that do not have those services. The other important item that relates to the Treasurer is the productivity dividend, which has been doubled for the Royal Children's Hospital from \$122,300 to \$245,300.

Mr De Lacy: What has this got to do with the Golden Casket?

Mr HORAN: I am talking about the reason the ward cannot be opened. The hospital has casket money towards the Coles building, but it cannot open the oncology outpatients ward

because of the cutbacks that have been imposed on the hospital. It cannot even provide a cleaner or a clerk because of the funding cutbacks, and it cannot open the oncology ward, which was funded through the Golden Casket—\$0.5m through the Royal Children's Hospital Foundation. It is an absolute disgrace, and it shows once again what is happening with all the money that goes through Treasury in this Government. Money is being thrown everywhere, and all we see are cutbacks and closures, particularly in health—\$158m extra this financial year. Yet we see absolutely nothing for it other than hospital budget cuts.

I believe this is the right time to mention what is happening at the Royal Children's Hospital, because the public generally believe that casket funds are used to fund hospitals. People come to me all the time and ask, "Where is all the casket money going?"

Mr DEPUTY SPEAKER (Mr Briskey): Order! The honourable member will come back to the Bill before the House. I have been quite lenient with him.

Mr HORAN: I am drawing to a conclusion. People still believe that the hospitals are funded through the Golden Casket. The point is that there is only \$1.5m in the total budget of \$2.5 billion, and, of that, \$500,000 goes to the Royal Children's Hospital Foundation. Tragically, despite that money going there, the hospital cannot open the oncology ward because of the cuts that this Treasurer has imposed, particularly through the productivity dividend, which is one of the most dishonest taxes ever imposed upon the hospitals in this State.

Hon. K. E. De LACY (Cairns—Treasurer) (8.55 p.m.), in reply: I thank all honourable members for their contributions to the debate. I just wish some of them had discussed the Bill. The honourable member for Toowoomba South, as is increasingly his custom, is getting somewhat hysterical—like his leader. He stands in this House and carries on in an hysterical, unbalanced way, making points that are absolutely unrelated to the Bill. How he could talk about hospital funding in the context of a rearrangement to the Golden Casket, I do not know. I believe it says a lot more about the person who believes there is a link than it says about the health system. The Deputy Leader of the Coalition made—

Mr Horan: Go and talk to all the people who don't like your productivity dividend.

Mr De LACY: That is just utter nonsense. The honourable member is increasingly being treated with contempt in this place because of the absurd way that he carries on. He talks about a productivity dividend. Day after day, Opposition

members claim that all the extra resources that we put into health are not getting down to the coalface. So we introduce a productivity dividend, which means that everybody has to be more efficient, and the honourable member calls it a tax. How would it be if he was running the joint? He would not know.

The Leader of the Liberal Party said somehow that the fact that we are passing this legislation means that the Auditor-General will not be able to scrutinise the accounts of the Golden Casket Office. What utter nonsense! The retrospective validation of the spending powers, which is included in this Act, is being included at the request of the Auditor-General. It is all about an interpretation of whether or not the Golden Casket Systems have the power to expend money on the promotion of those systems. As I have said, they had their own independent legal advice, which said they did have power. This was later confirmed by Chesterman, QC. Crown law's opinion, which was sought by the Auditor-General, said that they did not have the power. Therefore, the Auditor-General qualified the audit and raised it with the Under Treasurer, and the Under Treasurer agreed to take action to validate that expenditure. It was specifically requested by the Auditor-General. A letter from the Auditor-General to the Acting Manager of the Golden Casket Office said—

"It is my opinion that retrospective legislation needs to be enacted to validate past and future expenditure on these activities. This matter was referred to the Under Treasurer and it is noted that necessary action has been agreed to be taken to regularise the expenditure in question."

So what we are doing now is acting on a request from the Auditor-General to put beyond any doubt that the Golden Casket Systems had the power to make those expenditures—nothing more and nothing less. It would be the height of folly for the Opposition to oppose a clause in this legislation that is being inserted to satisfy the Auditor-General—not for any other reason; not to exclude anything from the scrutiny of the Auditor-General. The Auditor-General has had full and unfettered access to the accounts of the Golden Casket Art Union Office. On the occasion in question, they certainly audited it and went through everything and produced the qualified audit. But it was only qualified in the sense that there was some doubt about their legal head of power to carry out that expenditure. This is being rectified in this piece of legislation in accordance with the wishes of the Auditor-General. If the Opposition wants to go against the advice of the Auditor-General, it can, but I do not know what it will achieve.

A couple of other comments were made about unclaimed moneys. At the end of the day, people have to go and claim their money. We have systems in place. As the member for Burleigh said, if a person gets an on-line card, it is absolutely automatic; any winnings go straight to that person. But with scratch-its, there is no way of knowing who purchased those tickets, and there is nothing that the Golden Casket Art Union Office can do to ensure that people get their money. This Bill ensures that all of those unclaimed moneys go back into the prize reserve and are redistributed to the clients in the form of prizes in the future. That is about all that we can do.

The member for Burleigh carried on at some length about the 0055 result service. I was a little disappointed by the fact that she chose to carry on, because I understand that that was a one-off occasion. The member has received a letter from the Golden Casket Art Union Office explaining all of the detail of it. To stand up here tonight to try to impugn the office and the integrity of the office, I thought, did not do her justice.

Just for the record, that \$5 jackpot casket No. 101 is the one to which she made reference. The winning ticket numbers were drawn on 11 a.m. on 15 August 1994. As is the normal procedure, the winning jackpot casket tickets for the drawn jackpot casket were transmitted by the Golden Casket Art Union Office to Interactive Tele-media, the provider of the 0055 result service. The error occurred when the winning ticket numbers for the \$2 jackpot casket No. 101 were loaded in place of the winning ticket numbers for the \$5 jackpot casket No. 101. Interactive Tele-media, the company with which we contracted, has accepted responsibility for loading the incorrect winning ticket numbers for the \$5 jackpot. That error was rectified by the Golden Casket Art Union Office after notification of the problem. This result service has been used by the Golden Casket Art Union Office since February 1993, and it should be noted that this is the first instance of this nature regarding the 0055 result service.

The Golden Casket Art Union Office has put in place procedures to ensure that that situation does not recur. Those procedures include the verification of the first prize ticket number for each jackpot casket passing through the 0055 result service. I might say that there is no evidence that there are more than the usual number of unclaimed prizes in that particular casket. But I apologise to anybody who was inconvenienced because of it. The member for Burleigh was advised that all of that action has been taken and I would have thought that she could have acknowledged that here tonight.

As to the contribution from the member for Southport—I am not sure whether it is worth commenting on. I am sure he did not know what he was talking about. They tell me that the speech was written by Chris Griffiths. I saw Chris Griffiths in the gallery tonight. He was up there clapping and cheering as Mr Veivers was giving his impassioned speech.

Mr VEIVERS: I rise to a point of order under Standing Order 119. What the Treasurer is saying is totally untrue, and I ask him to withdraw.

Mr De Lacy: He was clapping.

Mr VEIVERS: I do not care who claps. They were all clapping. Who cares? I ask the Treasurer to withdraw because they had nothing to do with it. It was all done by little me, and I have plenty more of it if the Treasurer wants it. I know that he is a pretty honest bloke and he will listen to what I said.

Mr SPEAKER: Order! The honourable member has asked the Treasurer to withdraw.

Mr De LACY: I must admit that it did appear to have all the hallmarks of the qualities that he has brought into this House.

Mr SPEAKER: Order! The honourable member asked the Treasurer to withdraw.

Mr De LACY: I withdraw. The member referred at length to two gentlemen who worked for Golden Casket Systems, Mr German and Mr Harrison. I make the point that they were engaged by his Government, not my Government. They were certainly involved and the Golden Casket Systems were involved in entrepreneurial activities. It is not unusual for Government entities to be involved in entrepreneurial activities.

Mrs Sheldon: They should not be.

Mr De LACY: Suncorp has been involved in entrepreneurial activities for years and years. But as I progressively get on top of things, we will make sure that every entrepreneurial activity is conducted in a way that I believe to be acceptable. These people were engaged by the honourable member's Government, not my Government. They have finished under my Government; allow me to make that point. The honourable member said a lot of things, and no doubt those honourable members who read the *Sunday Mail* will read about it on Sunday. If I were them, I would wait with bated breath. When I read the articles of Chris Griffiths in the *Sunday Mail*, I wonder what they are saying—I wonder what the allegations are. I listened to the member for Southport for 20 minutes tonight, and at the end of it I still did not know what the allegations were. Golden Casket Systems was not successful in developing a system which it hoped to

commercialise. It was not successful, and it no longer exists.

In relation to TTI—there is absolutely no knowledge of or records to indicate any dealings between TTI and the Golden Casket Art Union Office. In relation to Golden Casket Systems Limited—payments just in excess of \$8,000 were made to TTI during the period 26 October 1992 to 6 December 1992 for consulting services provided by Mr Mark Harrison. Mr Harrison was not an employee of the Golden Casket Art Union Office during the period that he was being contracted by Golden Casket Systems Limited. I am aware of the fact that he was going around saying that he was going to do this and use the technology he had gained by working for Golden Casket Systems. He appeared to be fantasising about all of the things that he was going to do. It is not a criminal act to fantasise. The Leader of the Opposition fantasises about being the Premier one day, but that is not illegal.

The honourable member for Southport spoke about a solicitor for Clarke and Kann who had shares in Golden Casket Systems. It seems that there was a shelf company called Jeeps Limited that was set up by Clarke and Kann and it held one share in Golden Casket Systems on behalf of the casket office. They were the accountants acting on behalf of the casket office. At no time did Jeeps or Clarke and Kann hold shares in Golden Casket Systems in their own right.

Mr Veivers: It also gave legal advice.

Mr De LACY: Yes, they did give legal advice, but that legal advice was also confirmed by Chesterman, QC. At the end of the day, the honourable member said a lot of words. I do not know what allegations he was making. Everything that has been done has been done legally. Everything has been audited by the Auditor-General.

Mr FitzGerald: Are you sure of that?

Mr De LACY: Yes, I am sure of that. There is only one point that has been qualified—

Mr FitzGerald: Put your job on the line over it.

Mr De LACY: The Auditor-General has the responsibility for determining whether or not expenses are properly incurred and accounts are properly kept. Each year, the Auditor-General has audited those accounts, and in one year they were qualified but in respect of only one point, that is, whether or not they had the legal head of power to incur the expenditure. That is being rectified in this legislation tonight. I would expect that all members of the House would support the request from the Auditor-General to validate past and previous expenditure. Golden

Casket Systems no longer operates. I do not know what else we could say.

There was one other contributor to the debate, the member for Woodridge, and he distinguished himself by actually knowing what he was talking about. I thank honourable members for their contributions to the debate. Although they did not really stick to the legislation, I guess it was interesting.

Motion agreed to.

Committee

Hon. K. E. De Lacy (Cairns—Treasurer) in charge of the Bill.

Clauses 1 to 84, as read, agreed to.

Clause 85—

Mrs SHELDON (9.12 p.m.): Opposition members are opposed to clause 85 for the reasons that we have outlined. Unfortunately, I think that the Treasurer is hiding behind the Auditor-General. He did not explain adequately the very just points that Mr Veivers raised in this place. I wonder: did the Auditor-General have all of that information at his fingertips when, indeed, he wrote the letter to the Treasurer, which he says was written, and which I would like a copy? The member for Southport has raised very serious allegations, and if they are in any way true—and I understand that there is documentation to prove that they are—then I think that this raises very serious questions. I do not believe that in this Chamber we should be passing legislation which validates the sorts of activities about which we have just heard. I am sure that, in that situation, the Auditor-General also would not want such legislation passed.

Until there is a very plausible explanation given by the Treasurer, and not a slick one as was just advised to him by the Premier, we on this side of the Chamber must call for a division on this clause. The Treasurer gives us no alternative. The Opposition cannot agree to allow or endeavour to not stop the insertion of a clause that would retrospectively validate what has occurred in the past. Possibly, the Treasurer could respond to the very just reasons that were given.

Mr Wells: Did you say "endeavour to not stop"?

Mrs SHELDON: The Attorney-General would not have the faintest idea. He should go back to sleep.

Mr VEIVERS: Clause 85 will definitely sweep under the carpet anything that the Treasurer has to hide. I have no doubt that there are things that the Treasurer is endeavouring to

hide. Mr Rollason had a qualified audit certificate questioning the legality of some casket activities, and I have mentioned some. Mr Rollason included a qualification stating that the development of a Government revenue collection system and expenditure on opportunities for Instant Casket contracts outside Queensland were undertaken with the backing of a legal opinion provided by its own legal source. That is a fact. Mr Rollason sought independent legal advice from the Crown law office, which indicated that the office was not empowered to expend moneys in such a way.

Tonight, the Treasurer is saying that that is okay, and with clause 85 he will wipe all that away and no-one will ever know. I assure the Treasurer that that is the wrong move. Quite frankly, in regard to clause 85, I expected more from the Treasurer. Even though we get hot in this place and we jump up and down, I know that the Treasurer is not, shall I say, an unlawful dude. He tries to do it by the book. However, I assure the Treasurer that ramifications will flow. It will rest on his head. Clause 85 is not necessary in this Bill at all. He can still do whatever he wants to do. He can come back and insert the clause after he makes an investigation.

Mr De LACY: I guess when members are in Opposition, they have to try to make something, even if they have to make it out of nothing. There are no ulterior motives at all. The Auditor-General audited the books.

Mrs Sheldon: Are you going to say, "Trust me"?

Mr De LACY: No, trust the Auditor-General; do not trust me. The Auditor-General believed on legal advice from the Solicitor-General that Golden Casket Systems did not have the head of power. I will read what the Auditor-General said a little more comprehensively than I did a little while ago. It states—

"As you are well aware, these matters were the subject of my qualification of the GCAUO consolidated accounts, which did note that these activities were undertaken supported by legal opinion provided to the GCAUO. This opinion differed from the one provided by the Solicitor-General."

Mr Veivers: This is your own people.

Mr De LACY: Did the member say that the Solicitor-General was my own people?

Mr FitzGerald: No, supplied by your own people to the Auditor-General.

Mr De LACY: The letter states further—

"It is my opinion that retrospective legislation needs to be enacted to validate

past and future expenditure on these activities. This matter was referred to the Under Treasurer and it is noted that necessary action has been agreed"—

and this is the necessary action—

"to be taken to regularise the expenditure in question.

It is further noted that the legal advice obtained by the GCAUO confirmed the unique accountability arrangements that operate for GCAUO and as outlined in Appendix B-1 action should be taken to regularise these arrangements."

To put the matter beyond doubt, we have accepted the advice from the Auditor-General to retrospectively validate all of that expenditure. How any reasonable, rational person could oppose that, I do not know.

Mrs SHELDON: Seeing that the Treasurer has referred to that letter, and I have not had the chance to see it, I ask: would the Treasurer table the letter?

Mr De LACY: Okay.

Mrs SHELDON: I thank the Treasurer. The Treasurer also mentioned before that it was okay if public servants or, indeed, ex-public servants—which may be the case in this situation—fantasised about something that was wrong; it was not a criminal activity. I say to the Treasurer that it is a criminal activity if that fantasising has occurred with taxpayers'

money. I think that we must realise the sort of—

Mr De Lacy: I said "fantasise". It doesn't cost you money to fantasise.

Mrs SHELDON: The Treasurer said that himself and he was speaking about questions that had been raised—and I think quite properly—of concern in this place by the Opposition. I do not think that those sorts of glib comments do the Treasurer any justice whatsoever. The Treasurer still has not shown to Opposition members that, indeed, we should not call for a division on this clause and, until he can, we will be asking the Treasurer to omit that clause from the Bill.

Question—That clause 85, as read, stand part of the Bill—put; and the Committee divided—

AYES, 43—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Comben, D'Arcy, Davies, De Lacy, Dollin, Fenlon, Foley, Gibbs, Goss W. K., Hayward, Hollis, McElligott, McGrady, Milliner, Nunn, Nuttall, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Szczerbanik, Vaughan, Warner, Welford, Wells, Woodgate *Tellers:* Livingstone, Pitt

NOES, 29—Beanland, Connor, Cooper, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Healy, Horan, Johnson, Lingard, Littleproud, McCauley, Malone, Mitchell, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Watson *Tellers:* Laming, Springborg

Resolved in the **affirmative**.

Clauses 86 and 87, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

The House adjourned at 9.26 p.m.