



Speech by

Mr ALLAN GRICE, OAM

MEMBER FOR BROADWATER

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TRADE MEASUREMENT AMENDMENT BILL

Mr GRICE (Broadwater—NPA) (5.35 p.m.): This Trade Measurement Amendment Bill 1991 is a legislative change that is necessary to keep the State's trade measurement branch as up to date as the measuring devices that they are charged with testing. It is thus enlightening and instructive to learn that the inspectorate that operates under this legislation is responsible, through its laboratory station, for the manufacture and installation of new measuring devices and the commencement of work on the manufacture of a high-precision weighing instrument to test large weights for industry in Queensland.

The new high-flow LPG test unit that is used to inspect bulk LPG meters for household and commercial deliveries is again testimony to the up-to-date competence of the inspectorate. The average consumer would never in their daily activity have need of the inspectors of the trade measurement branch of the Department of Fair Trading, yet every day of their lives is conditioned by the work of this group in their constant checking of all weighing, measuring and, these days, even paying machines. Such is the competence of this inspectorate that I am told that, in the past 12 months, only 312 complaints were received. When compared to the transactions of all descriptions that take place daily, that is indeed a testimony to the diligence of the inspectors and their vigilance.

A complaint has been made by traders who have their measuring devices checked randomly. As members would expect from reputable traders, there is no dispute to either the right to conduct or the need for such inspections. However, when traders then receive a charge from the department for this random check, they are understandably peeved that, having breached no statute, they are required to pay for the privilege of being proved honest. In the Minister's reply, she might make some comment about that. It does not seem to be quite a fair situation, because it appears to be very much the case that honesty really does mean that one has to pay. It is a random test, and then one gets the bill. I can understand a charge for traders who ask to be checked, but random testing should be accepted as a Government activity and thus non-chargeable.

The only area on which I would appreciate clarification on the ramifications of this legislation is in relation to amended section 10, which will read—

"If an article is sold at a price determined by reference to measurement of the article, the party who operates the measuring instrument or decides the measurement, is guilty of an offence if—

- (a) he or she directly or indirectly misleads any other person who is a party to a sale of the article as to the measurement of the article or the calculation of the price, to that other party's detriment."

Although I understand the intent of this amendment, and certainly agree with the intent, I have a concern that, under this proposed new section, an employee operating such devices, which may be faulty, could be held to be responsible for inaccurate weighing or measurement. Again, I ask the Minister to comment on that issue in her reply. Obviously, that would be totally unfair to unsuspecting employees. I hope that the Minister takes measures to ensure that this amendment does not intend that to be the case. It is commonsense—and I would ask the Minister to comment on this issue—that there are two different categories of people who may be involved in an unfair weight of produce, that is, somebody who is having a bit of a roort, and an innocent employee.

I believe that this would be a retrograde step, as the trade measurement inspectors are a highly specialised team and should be left to operate on its own in the area of trade measurement. If such a consideration is being pursued, I hope that the Minister will immediately desist from this line of thinking. This specialised section of the Department of Fair Trading has earned a very enviable reputation for its performance and should be allowed to continue with its important tasks under its own management.

These amendments to the Trade Measurement Act can be only beneficial for the proper administration of Queensland trading houses. I commend the Bill to the House.
