



Speech by

Dr PETER PRENZLER

MEMBER FOR LOCKYER

Hansard 24 November 1999

TRADE MEASUREMENT AMENDMENT BILL

Dr PRENZLER (Lockyer—ONP) (5.27 p.m.): I am wondering whether Spud Murphy received full glasses of beer on the day. They would have needed to be measured also; they may have had too much head on them.

Mr Purcell: He was knocking back long necks.

Dr PRENZLER: I hope they were the full 750 millilitres.

I support the stated objectives of this legislation to implement the recommendations of the Trade Measurement Advisory Committee and thereby continue the move towards uniformity of trade measurements throughout Australia. However, I have some concerns relating to what appears to be a discrepancy between the Bill as presented and the Minister's second-reading speech. The Minister refers to "removing the regulatory burden of marking weights on agricultural products with consequential cost savings". As that is not reflected in the Bill, I ask the Minister for clarification of that point. I also point out that the marking of weight on agricultural products takes minimum time and efforts and costs little. This Bill, aimed at the uniformity and accuracy of measuring instruments, has no effect upon the reasoning behind marking the weight upon agricultural products. I find it confusing as to why the Minister has even mentioned such an age-old and simple procedure.

Two new provisions in Part 2 of the Act will give an inspector discretionary powers in regard to the course of action he or she adopts on finding a measuring instrument that does not comply with the terms of the Act.

Mr Lucas: I heard you wanted to put us back on the gold standard. Is that right?

Dr PRENZLER: On the gold standard? No, not really—the carats can stay there.

This Bill gives the inspector the discretionary power to grant up to 28 days to the trader concerned to amend the problem at hand. In her second-reading speech, the Minister states that that discretion will be exercised only when the discretion is in favour of the consumer. The Bill makes no reference whatsoever to the accuracy or otherwise of the measuring instrument benefiting the consumer but refers only to whether or not it carries an inspector's or licensee's mark.

My understanding is that this mark or stamp indicates only that the instrument was in compliance with section 13 of the Act at the time of verification or reverifications. It does not and cannot provide a guarantee that the instrument remains in compliance indefinitely. Once again, we see that the proposed legislation does not reflect the Minister's comments. I will be moving amendments during the Committee stage to address this lack of qualification upon an inspector's discretionary power.

Another error is located in clause 9(2), which amends section 10(2) of the Act. This appears to include a drafting error that I will also move to amend. Clause 9(2) is incomplete and does not make absolute sense unless exactly what it is the administering authority is deciding the classes and denominations of is inserted. Considering that clause 9(1) refers to the classes and denominations of reference standards of measurement, I suggest that clause 9(2) should also refer to the reference standards of measurements.

I understand that this Bill is to be used as a model by other participating States and Territories. As such, it is imperative, both for the efficient administration of the legislation in this State and for our

standing in the eyes of other Legislatures, that this Bill be free from error or ambiguity and must accurately reflect the recommendations of the Trade Measurement Advisory Committee and the Minister's comments. If the Minister can address any of my concerns satisfactorily, I will be happy to withdraw my amendments. As I stated at the beginning of my speech, the objective of this Bill is commendable and, if our concerns are addressed, I can see no problem with our support for it.
