



Speech by

Hon. R. E. BORBIDGE

MEMBER FOR SURFERS PARADISE

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FUEL SUBSIDY SCHEME

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (11.30 a.m.): It is very clear from the performance of the Government today that the credibility of the Premier and the credibility of the Treasurer is all but destroyed as a direct consequence of their deceitful attempt to implement a fuel tax in this State. The fact is that time after time after time they have been challenged to produce the evidence and time after time after time they have failed to produce the evidence that there is any better way of maintaining Queensland's competitive advantage other than through the scheme and the mechanisms that were put in place by the previous coalition Government in this State.

Yesterday, after being libelled by the Premier for well over a week, one of the major players in the oil industry in this State invited the Government—invited the Premier and invited the Treasurer—to send in the Auditor-General to go through their books to prove that they had not rorted the system. It is significant that that invitation has not been accepted by the Government. What do we have? We have allegation after allegation after allegation, excuse after excuse after excuse. The fact is that this Government has been in power for two years and two cases have been pursued. If the figures are correct, based on what the Premier and the Treasurer have been telling us—and I do not believe that they are—60 fuel tankers per day are smuggling Queensland fuel over the border into New South Wales. However, in two years there have been two cases pursued and two prosecutions. The Premier and his discredited Treasurer expect us to believe that although they cannot track down what they believe to be 60 fuel tankers per day smuggling fuel across the border, somehow they will be able to track down a few litres when they go missing at any one of thousands of retail outlets across the State. It is a nonsense.

I turn to what the Treasurer said. He said that I did not quote him in full in regard to his support for the scheme as introduced by the previous Government, which maintained the supervision of the scheme at the level of distribution, not at the retail level. The reason why I did not quote the rest of his speech was that I was too modest. The Treasurer went on to say—

"We congratulate the Government on achieving that outcome with the Commonwealth. In other words, the excise is out and the subsidy is in virtually on the same day. Cheques are passing each other in the mail. That provides the safeguards for the consumer. Without that provision, even this arrangement would no doubt fail. We believe the legislation does provide a mechanism to protect the consumer."

Those are the words of the member for Ipswich, the current Treasurer, which appear at page 4126 of Hansard of 30 October 1997.

What did the now Premier say about the scheme that he is tampering with, the scheme that he seeks to dismantle? He said—

"... service station owners suddenly found themselves facing interest holding costs of thousands of dollars a year"—

if we had done what he now proposes. Those are the words of Peter Beattie, then the Leader of the Opposition, which appear at page 4134 of Hansard of 30 October 1997. The reality is that the further one goes up the distribution chain, the better the chances of making sure that the scheme is administered properly.

We did not get any answers today; instead, we got the comedy hour. We got the political version of Benny Hill and Blackadder. We did not get any answers. We got more unsubstantiated allegations—in fact, allegations that have been rejected specifically by the Australian Bureau of Statistics and the RACQ.

The cross-border trade is nothing new. The incentive to buy petrol in Queensland where historically there has been no fuel tax in order to black market the product in other States has always been there. The trade has long been identified at about \$60m to \$70m. That is not some recent discovery. Of course, that trade was going to be a threat to the protection of the subsidy in Queensland after the High Court ruling that imposed upon us all the complexity of the current subsidy scheme, whether that scheme operated at a per capita level or at a consumption level. The Labor Party knew that. We knew that. Everyone had known that for a long time.

Post the subsidy arrangements, the difference was that there was a real interest in Queensland trying to restrict that trade. That is why a very major aspect of the Fuel Subsidy Bill was clause 6, which provided the State of Queensland with very great powers in relation to constraining that trade. Section 92 of the Constitution, which relates to the guarantee of free trade, places some restraints on the State's ability to police that area. However, it does not cripple the State. It does not mean that nothing can be done.

The fact that there have been only two prosecutions is a disgrace, because this legislation gave the Premier and the Treasurer, through the Commissioner for Stamp Duties, all the power that was needed. If it took the current Premier 18 months to pick up the telephone and call his Labor mate Bob Carr in New South Wales to get permission for Queensland inspectors to operate in New South Wales, that also is a disgrace. It is in Premier Carr's interests to fix it, because the New South Wales Government introduced a zonal system that neutralised the impact of the fuel subsidy scheme as one approaches the Queensland border.

I refer to the very significant powers that this Government has decided to use in only two cases in the past two years. The list includes stopping a vehicle and requiring the fuel transport record and powers such as the power to seize evidence. The list goes on: the forfeiture of seized things; the sale of seized fuel; access to seized things; power to require production of documents; failure to produce documents; power to require attendance of persons; failure to certify certain documents or copies of documents; power to require financial records; forfeiture on conviction; dealing with forfeited things; compensation; false or misleading statements; false, misleading or incomplete documents; obstructing authorised persons and steps police officers may take. All of those powers are defined in legislation introduced by the previous coalition Government, supported by Mr Beattie, supported by Mr Hamill and ignored by them for the two years that they have been in office.

The fact that there have been two prosecutions since this Government came into office is an absolute disgrace as these two—the Premier and his Treasurer—dance the dance of the seven veils and try to swoon, laugh and ridicule their way out of an absolute nonsense that has placed the very future of the fuel subsidy scheme in doubt. As my colleague said earlier, they are not fair dinkum. They have got the opportunity to produce the evidence. They have a responsibility to pass on that evidence to the Director of Public Prosecutions. They have a responsibility to pass on that information to the Commissioner for Stamp Duties, who can use the draconian powers vested in him by this Parliament under the previous National/Liberal Government in 1997. They did not do so, because clearly they do not have the evidence. They will not even take up the invitation from Shell to send in the Auditor-General to check Shell's books in Queensland. We know what it has all been about—a deceitful effort to try to introduce a fuel tax in this State. There is no doubt that, if this Government is returned at the general election next year, the people of Queensland will face the end of the fuel subsidy scheme, if it is not made unworkable in the meantime.
