

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 19 OCTOBER 1951

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Mr. SPEAKER (Hon. J. H. Mann, Brisbane) took the chair at 11 a.m.

ASSENT TO BILLS.

Assent to the following Bills reported by Mr. Speaker:—

Inspection of Scaffolding Acts Amendment Bill.

State Electricity Commission Acts and another Act Amendment Bill.

Miners' Homestead Leases Acts Amendment Bill.

QUESTIONS.

REPORT ON BEYER-GARRATT LOCOMOTIVES.

Mr. CHALK (Lockyer) asked the Minister for Transport—

“In view of the public statement of the Railway Commissioner (Mr. Maloney) that Beyer-Garratt engines are not to be used to haul goods trains beyond Ipswich on the Brisbane-Toowoomba line, except in the case of extreme emergency—also the fact that such decision adds impetus to the rapidly growing opinion that, in the purchase of Beyer-Garratt engines, his department has been ill-advised—will he lay on the Table of the House the report of the Inspectors who carried out the tests on the Brisbane-Toowoomba Inspection recently, so that hon. members will be fully informed of all findings?”

Hon. E. J. DUGGAN (Toowoomba) replied—

“The Beyer-Garratt locomotives were designed and constructed by a company enjoying an enviable reputation in locomotive engineering. Locomotives of this type operate successfully in many countries throughout the world. Their introduction in Queensland has been no less successful. The performance of the locomotives under exacting conditions imposed by the heavy traffic has been excellent, and departmental officers are thoroughly satisfied with their operation. Page 15 of the Commissioner's annual report for the financial year ended 30 June, 1951, shows the saving effected in train mileage on the Yandaran-Rockhampton and the Rockhampton-Emerald sections where, during a period of nine months, the operation of Beyer-Garratt locomotives avoided the running of approximately 195,000 goods and assistant train miles. The decision to discontinue the use of these locomotives to haul goods trains beyond Ipswich was based solely on the representations made in respect of the excessive heat experienced by the heavy pulling of the locomotive with a full goods load on a steep grade through the longest tunnel on the Toowoomba Range, and the arduous nature of the work imposed on the

fireman. These conditions obtain only on a limited section and there has been no objection by the Unions to the operation of the Garratts generally, nor has there been any complaint regarding their efficiency or roadworthiness. It was stated by Mr. Kissick, the Divisional President of the A.F.U.L.E., at an interview which the Unions had with the Commissioner, that the Garratt locomotives were doing good work in the Rockhampton Division, and they had no objection to working them on other lines where there were compensating grades and no long tunnels. Apart from the reasons advanced above, it might be pointed out that the New South Wales Railway Department has ordered 50 Garratt locomotives, and it is understood, also, that South Australia is purchasing engines of this type. The tests made of the locomotives working on the Toowoomba Range were purely Departmental in character, and as the general efficiency of the engines is not questioned I do not propose to comply with the request for the tabling of the reports of the Inspectors who carried out the tests. The statement by the hon. member for Lockyer that there is a rapidly growing opinion that the purchase of Beyer-Garratt engines was ill-advised is without foundation, and in making such an utterance he is doing a disservice to the State. The experience of the Railway Department in the operation of these locomotives has demonstrated that their introduction was not ill-timed, but unfortunately this cannot be said of the irresponsible criticism of the hon. member.”

Mr. Chalk: I did not expect a courteous reply.

Mr. SPEAKER: Order! I hope hon. members will help me in the conduct of the House. I ask that they remain silent when a Minister is doing them the courtesy of answering their questions.

SUNDRY CREDITORS, RAILWAY DEPARTMENT.

Mr. KERR (Sherwood) asked the Minister for Transport—

“What was the amount of unpaid accounts due to creditors on railway account as at 30 June, 1949, 1950, and 1951, respectively?”

Hon. J. E. DUGGAN (Toowoomba) replied—

“The information as requested is not compiled, being of no practical use for Departmental purposes, and is not readily obtainable.”

ESTIMATES OF BASIC WAGE INCREASES.

Mr. KERR (Sherwood) asked the Acting Treasurer—

“In arriving at the estimate of expenditure for the financial year 1951-1952 what amount was allowed for basic wage increases per employee in all Government services?”

Hon. E. J. WALSH (Bundaberg) replied—

“Excluding the Railway Department, where the estimate of expenditure took into account only basic wage determinations to the date of presentation of the Budget, the amount provided for is approximately £40 per employee.”

RAILWAY WORKSHOPS, TOWNSVILLE.

Mr. AIKENS (Mundingburra) asked the the Minister for Transport—

“1. Does the Railway Department propose to enlarge existing and/or build new workshops in the Townsville area?

“2. What are the details of such proposals and will they be given a higher priority than any or all of similar works proposed for the Brisbane area?”

Hon. J. E. DUGGAN (Toowoomba) replied—

“1. and 2. Yes, but there is no immediate intention of implementing such a policy. In letters furnished to Messrs. Keyatta, Jesson, and McCallie, Ms.L.A., some time ago, I informed them that a sum of £9,490 had been provided on the current year’s Loan Estimates for improvements comprising the re-location of the tool store and boiler-tube repair section, accommodation for repairs to steel wagons, accommodation for wagon-bogie repairs and new sub-station for the electricity supply. Also, £63,460 has been provided for new machinery. In addition, that as a result of the representations of the hon. members referred to and the Department’s own appreciation of the development taking place in the Northern Division, it was deemed prudent to resume an adequate area of land to permit of the erection of new workshops when this becomes necessary.”

T.B. CATTLE SLAUGHTERED.

Mr. SPARKES (Aubigny), for **Mr. NICHOLSON** (Murrumba), asked the Acting Secretary for Agriculture and Stock—

“What was the total number of cattle ordered to be slaughtered in 1950-1951 under the T.B. provisions of the Diseases in Stock Acts?”

Hon. A. JONES (Charters Towers) replied—

“The number of cattle ordered to be destroyed during 1950-1951 under the provisions of the Diseases in Stock Acts, 1915 to 1950, because of tuberculosis totalled 1,871 head.”

PUBLIC SERVICE PENSIONS.

Mr. SPARKES (Aubigny), for **Mr. NICHOLSON** (Murrumba), asked the Acting Premier—

“In view of the recent decision of the Commonwealth Government to increase pension rates under its Superannuation Act for retired employees and the depreciation in the value of the £ since the last

increase in this State, will he kindly give consideration to an appropriate increase in the pensions payable to Queensland public servants?”

Hon. V. C. GAIR (South Brisbane) replied—

“The hon. member should know it is not the practice in this House to disclose Government policy in answer to questions.”

CLAIMS, RAILWAY DEPARTMENT.

Mr. LOW (Coorooora) asked the Minister for Transport—

“1. What was the total amount of claims against the Railway Department in 1949-1950 and in 1950-1951 in respect of goods, parcels, luggage, &c., for

“(a) Loss, and (b) damage?

“2. What were the respective amounts approved?

“3. What was (a) the total number of employees of the Claims Branch at 30 June, 1950, and 30 June, 1951, and (b) the total cost of such branch for the years in question, respectively?”

Hon. J. E. DUGGAN (Toowoomba) replied—

“The information in the form asked for by the hon. member is not available, but the following particulars are furnished:—

“1. The total amount of claims lodged, including the uniform-gauge railway, was as follows: 1949-1950, £58,805; 1950-1951, £82,201.

“2. The total amount of claims which were paid in respect of the Queensland system only, but which amount, because of the inability to finalise in the period all claims lodged, does not indicate how the claims lodged during the year were disposed of:—

	1949-50.	1950-51.
	£	£
Losses	13,943	21,216
Damages	4,646	5,488
Delays	814	1,448
Incorrect deliveries	1,204	1,404
Sundry causes ..	329	235
	£20,936	£29,791

“3. (a) 30 June, 1950, 35; 30 June, 1951, 37. (b) This information could not be obtained without expenditure of considerable clerical labour.”

SUPPLIES OF IRON AND STEEL AND CEMENT.

Mr. LOW (Coorooora) asked the Acting Premier—

“In view of the acute shortage of galvanised roofing iron, plain iron, tank iron, water piping, fencing wire (plain and barbed), wire netting and cement, will he kindly advise,—(a) estimated Queensland requirements in tons for 1951-1952, giving each item separately; (b) estimated Queensland production; (c) estimated imports from New South Wales and other

States; (d) estimated imports from other countries (quantity and cost); (e) estimated deficit for 1951-1952; and (f) what action is contemplated to increase supplies to assist home builders and primary producers?"

Hon. V. C. GAIR (South Brisbane) replied—

"The information is being prepared."

PAPERS.

The following papers were laid on the table:—

Regulation under the Explosives Act of 1906 (11 October).

Regulation under the Health Acts, 1937 to 1949 (11 October).

Orders in Council (3) under the Landlord and Tenant Acts, 1948 to 1950.

WEIGHTS AND MEASURES BILL.

SECOND READING.

Hon. W. POWER (Baroona—Secretary for Mines and Immigration) (11.14 a.m.): I move—

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

I went to considerable trouble on the introductory stage of this Bill to outline its provisions. As one or two hon. members sought certain information I now propose to give it.

The hon. member for Mundingburra said that we were not likely to make any investigation into the business of the wholesalers of flour in the State. For his information I might point out that investigations were made quite recently at the premises of four flour mills. In the one at Albion, no flour was on hand. In a mill in Stanley Street, South Brisbane, 150 bags of flour were checked, but none of short weight was found. In another mill in South Brisbane, 150 bags were weighed and no short weight was found. On every occasion where investigations were made, to prove how ridiculous was the suggestion of the hon. member for Mundingburra, no short weight was found.

Mr. Aikens: Did they know your inspectors were coming?

Mr. POWER: Unless the hon. member told them, they would not have known.

Mr. Hiley: Was the check made only as to the weight? Was there any examination of the gluten content of the flour?

Mr. POWER: We are not concerned with that, but only with the weight.

Another hon. member inquired whether it was intended to compel the suppliers of fruit to sell it by the pound. That is not our intention.

An Opposition Member: But they will be able to do it?

Mr. POWER: If they do, they will be subject to the provisions of this legislation.

Another question was asked about the trimming of meat. Provision is made under certain regulations of the original Act to the effect that where meat is trimmed at the request of the customer, the butcher is not required to stand any loss that is occasioned by such trimming. The customer has the right, of course, to claim all bones and all trimmings.

The hon. member for Mundingburra raised another matter connected with butchers' scales and asked that they be made in such a way that the price index would be visible on both sides. I have been advised, however, that his suggestion would be impracticable, as it would necessitate the redesigning of every scale in use in the State. The scales that are used by Brisbane butchers are identical with those used in every other State of the Commonwealth and in every other country comprising the British Commonwealth of Nations, and have been approved by the Board of Trade in London.

The hon. member for Condamine referred to the loss of weight in bread that is transported by train for considerable distances in the country. Some little difficulty is involved in this matter, but it is necessary that we should take some action to deal with people who use that excuse as a defence. In the past they have set up the plea that the bread was baked for more than 18 hours, with the result that the Crown could not get a conviction.

Mr. Sparkes: Would it not be possible to weigh the bread before it left the shop?

Mr. POWER: I can assure the hon. member that this part of the legislation will be administered as sympathetically as possible. If when it is checked the bread is found to be short-weight, all the circumstances connected with the loss of weight will be taken into consideration, and special attention will be paid to the original source, namely, the bakehouse. A check will be made to see whether the bread was of the correct weight when it left the bakehouse. I admit that it would not be reasonable to expect bread to be of the correct weight under the extreme conditions set out by the hon. member for Condamine.

I gave quite a deal of consideration to this matter, and I should like to inform hon. members that one baker to whom reference is made, who obviously has a sense of humour, wrote me a letter that I will read to the House.

Mr. Sparkes: Most bread in the country areas is dealt with in the way that was outlined by the hon. member for Condamine.

Mr. POWER: I quite appreciate that, and I can assure the House that we shall not be very drastic in our treatment of those people. If we find that bread is short weight, we will immediately make a check at the source, that is, at the bakehouse.

Mr. Aikens: You are after only the deliberate law-breaker?

Mr. POWER: We are after only the deliberate law-breaker. I was about to refer to this letter from our friend Mr. Dance, who has built himself a fortress. It speaks for itself. I might say that he begins the letter with, "Dear Bill," leaving out perhaps the words that usually go with "Dear Bill" (laughter). This is the letter—

"Dance's Bakery,
"Cannon Hill,
"The Fortress,
"17th October, 1951.

"The Hon. the Minister for Mines,
"Parliament House,
Brisbane.

"Dear Bill,

"You seem to be in a spot of bother regarding weights and measures, which seems a pity when you have available a good and simple remedy. I refer to the system commonly known as 'dough weights.' This system as used in other places is the complete answer to any unscrupulous baker and perfect protection for the bread-consuming public.

"Think it over, mate.

"Yours sincerely,
"Alan Dance."

Mr. Decker: Very sound advice.

Mr. POWER: I shall show how unsound it is—"Fools rush in where angels fear to tread." If we were to decide to accept the dough weight it would be necessary to have an inspector in every bakehouse in Queensland and, of course, that would be impracticable. Any suggestion that would come from Mr. Dance or from the hon. member opposite deserves to be carefully watched. The hon. member knows, or he should know if he has any intelligence that in order to police the dough weight you would need to have a man in every bakery.

Mr. Decker: It is done in the other States.

Mr. POWER: I am dealing with the practice in this State and I might add that they do not administer the regulations in the other States in the same effective way as we do here. I said before that Mr. Dance had built himself a fortress and for the benefit of hon. members I have a picture of it here. It is surrounded by a brick wall lined with broken glass embedded in cement. I do not know the height of it but it is too high for me to scale. Alongside of it is a house and then a gate and inside the gate there are rolls of barbed wire, barbed-wire entanglements the same as we saw on the foreshores of Manly, Sydney, during the war.

Mr. Decker interjected.

Mr. POWER: The hon. member for Sandgate seems to know a good deal about it. He seems to have a brief for Mr. Dance. He is not concerned about the general public, the workers who have to pay the price for the bread. All his interjections today indicate that he is concerned about unscrupulous

people who rob the workers of their rights. I am trying to protect the public against unscrupulous people. I am satisfied that the great majority of hon. members opposite do not approve of his remarks or his tactics, either. The great majority of them and the great majority of the workers in this State and the great majority of storekeepers would be happy to see that these people who rob the public are dealt with.

Mr. Aikens: The hon. member for Sandgate may have helped him build the wall.

Mr. POWER: I do not know anything about that.

Let us consider the attitude of Mr. Dance. Not only has he adopted this practice but a number of others have erected walls so that inspectors cannot carry out their duties. I am satisfied that no decent, intelligent hon. member opposite will agree that these practices should be allowed. They do not hold the view that these people should set themselves up in defiance of the law.

Mr. Hiley: How long has the wall been built?

Mr. POWER: Not a great length of time. Ask the hon. member for Sandgate; he may know how long it has been built. Not only has Mr. Dance built a wall but a number of other bakers also have built walls. I am not referring to those traders whose bread, when checks were made, was found to be in accordance with the standard weights. We are taking powers to deal with this imposition.

I do not propose to deal with any other aspect of the Bill at the present time, as I propose to listen to the comments of the Opposition.

Mr. Aikens: You are going to lead Dance a merry dance?

Mr. POWER: I have no desire to do so. If Mr. Dance will observe the law we shall be quite happy to leave him alone, but if Mr. Dance or anyone else sets out to defy the law the Government will see to it that the law is carried out.

I will leave any further remarks I may have until I see what the attitude of the Opposition is to the Bill.

Mr. HILEY (Coorparoo—Deputy Leader of the Opposition) (11.26 a.m.): I think that all hon. members will be grateful to the Minister for the very full explanation he gave of the provisions of the Bill on the first-reading stage, and particularly for the details that he supplied to the Committee of the way in which there had been an organised attempt by certain unscrupulous traders to go to great lengths to avoid compliance with the existing law. I want right at the outset to say that I am certain I am speaking for all members of the Opposition when I say that we have a contempt for that rare type of individual in the community who prides himself on being a clever Smart Alec who will go to any length to break the law and completely destroy its spirit. This type of individual

is fortunately rare, although he breaks out in a number of fields. I go so far as to say that at least one-third of the sections contained in our income-tax laws are the result of some Smart Alec's devising some way to avoid paying his just taxation and the result is that the Treasurer has to introduce amending legislation to defeat the aims of that type of individual. Even if we study the traffic laws, you will find many examples of how this State has to protect itself against these unscrupulous Smart Alecs. We should lose no opportunity to impress on the community that where a person carries on that sort of behaviour he will only get a temporary blaze of publicity. He may get some temporary advantage and gain monetarily for the time being, but in the long run all he succeeds in doing is putting an additional chain round the neck of every citizen. That is a most savage and important aspect of our legislation. Such practices should only condition our minds to seek a remedy to deal with this type of person.

But whilst the Minister was good enough to make it clear that the organised section of the trade set itself against improper practices I do not think he can afford, nor can the traders' association afford, to pay any regard to what goes on with one or two traders. I am prepared to do anything that will effectively punish the wrongdoer, but I will look very carefully at such legislation and ask myself whether it is wise to put the whole community, or a whole trade, in chains merely because there are one or two wrongdoers. Consequently, in my approach to this problem before us my concentration will be on something that will hit the wrongdoer and only the wrongdoer. We should not subject the honest legitimate trader to undue hazards and undue supervision merely in a general attempt to deal with the wrongdoer.

I say that the more because I feel there has been some tendency of late in this House and elsewhere to legislate in terms that are too general, and then for the Minister to say, "That is all right; although the law is framed in such a way that every person will run the risk of offending the law, the decent citizen need not worry; it will never be invoked against him." I regard that as a dangerous principle for two reasons: firstly, it puts the question whether the penalty will be imposed on the decent citizen in the mind of the administrative officer who is the person to determine whether a prosecution will lie or not. That is not a very nice situation. Secondly, you are making great sections of the community aware that they are breaking the law because they cannot help it, and you tell these people that because the Minister says it is all right the law will not be invoked against them, but only against the deliberate wrongdoer. The effect of that course of conduct is gradually and steadily to undermine the respect for law in the community. It is a dangerous thing for any community to put laws on the statute book that no decent person can avoid breaking. I propose to show how a most proper person could not avoid breaking the strict letter of

the law. The Minister says that such a person will never be dealt with. That does not alter the fact and it is accentuated by the Minister's statement that he knows the law will be broken in terms of such stringency and honest traders will not be able to help getting on the wrong side of the letter of the law, and the remedy will lie in a wise and tolerant administration that will deal only with the persistent wrong-doer.

Mr. Devries: Do you not think equity and good conscience and the merits of the case will come into it?

Mr. HILEY: That is a consideration when you come to read the strict letter of the law. I ask the Minister who is in charge of education: does he think it is a good legislative principle that the law should clearly impose a duty on somebody that in fact he cannot carry out completely? That is a good legislative principle? That is the question. I do not think it is a wise legislative principle to pass a law that is so drastic that no honest trader can avoid breaking it.

Mr. Aikens: Like four miles an hour across intersections.

Mr. HILEY: That is a typical example. I question whether it is done to make it easy for departmental officers to get a conviction if they want to do so. I doubt whether that is the legislative principle that should govern our approach to the problem of laying down a duty on this important question of policing weights and measures.

Having stated my general approach, let us examine the principles of the Bill to see how they conform with that approach. At the outset, I want to congratulate the Minister on having in one of the early sections set out by statute to bind the Crown. I am exceedingly interested, particularly as the Secretary for Public Lands is in the Chamber. That hon. gentleman reminded the Committee only a few short weeks ago that it was utterly impossible in practice for any Minister to accept a direction by statute that would impose an obligation on his Cabinet brothers. We were told that in the plainest language. Although we were unhappy about it, I think the Committee reluctantly accepted the advice of the Secretary for Public Lands that it was something that could not be altered and was in accordance with the traditions of Government practice established here and in other parts of the British Commonwealth of Nations. But here we have it not as a casual inference but laid down as a direct instruction.

First of all, we have a clause binding the Queensland Crown and secondly we have an open invitation to the Commonwealth Crown, which could not be bound by our statute, at least to co-operate. So that if the Commonwealth Crown is prepared to subject all its instrumentalities of weights and measures to the provisions of this Bill we can give effect to that provision. I repeat that I congratulate the Minister and I believe that what he is doing is the best thing. It may not follow tradition, but here is one instance in

which I think that a departure from tradition and the adoption of this principle is the best and wisest thing. This principle of Crown privilege, in innumerable applications over recent years, has been carried altogether too far. I have always contended that as the State intrudes more and more into the private lives of citizens and businesses it becomes an intolerable rule that the State is relieved of all the responsibilities and is allowed to do what it will. I do not propose to remind the Assembly of the many directions in which the Crown privilege is abused, but I do remind hon. members that they are multiple, and I am delighted that the Minister has done something that none of his colleagues has ever done before. I feel certain that the presence of such a clause did not escape the close examination of Cabinet, and I hope that the Secretary for Mines and Immigration has introduced into Queensland legislation a new principle that will set a precedent for all time. If he has done that, he has done something of the utmost importance in the legislative development of this Assembly and this State.

The two particular matters on which I wish to speak touch Part IV., which deals with the marketing of bread, and Part V., which deals with the sale of articles. Before we examine the details with relation to bread, let us spend a little time studying some of the current practices of the baking industry, practices that are governed by the type of equipment at the command of the industry, something that cannot be changed overnight.

In the first place, let me remind the House that the breadmaking industry is one of tied economy. Quite rightly, the Commissioner of Prices has always said that the price of bread is one of the most critical determinations he has to make. I should say that Mr. Fullagar has succeeded in his periodic determinations in holding the price of bread in relation to the cost of producing bread to a very close margin, and I commend him for that. Of course, it is his plain duty to do it. But I remind the House that that provision carries with it an obligation that when the Commissioner of Prices determines his price-fixing formula he assumes that every sack of flour will produce 100 loaves of bread. That is the basis of his formula, and then, by a matter of simple arithmetic, this means that a baker is able to weigh out separately, for each 2 lb. loaf of bread, dough to the weight of 2 lb. 4 oz. That is the standard practice; 2 lb. 4 oz. of dough, if it is properly mixed, should produce a loaf as close as can be to 2 lb. in average weight.

Let us remind ourselves that the great majority of ovens in this State are not tunnel ovens where each loaf is a uniform time in passing through the tunnel; they are ovens of the Scotch type, in which the back of the oven is loaded first. The tins are pushed from the front through to the back. Gradually the oven is loaded until the front is filled. Then, when it comes to emptying that oven, the last loaf put into it is the first loaf out. It is loaded from the front and emptied from the front.

Mr. Kerr: It turns out to be the best.

Mr. HILEY: Not necessarily. Conversely the loaf at the back is the last out; it is the first in but the last out. Baking time is from 50 to 60 minutes but the baking time for the first loaf is exceeded by as much as 20 minutes. There is no less dough in that bread; it has the same dough content and the same amount of flour and other components as the last loaf to go into the oven, but because of the mechanics of the baking trade it is 20 minutes longer in the oven.

We remind ourselves that if there is one complaint that is laid at the door of the baking trade, it is that too much bread is underbaked. The reason why it is underbaked is the fear of transgressing the weight requirement. The result is—and I am now replying to the statement made by my colleague the hon. member for Sherwood—that the average baker, because of the knowledge that his oven is of the Scotch type and some of his loaves therefore will get more than the normal time of baking, cuts down the baking time to avoid over-baking and under-weighting of the loaves at the back of the oven. A great percentage of the bread marketed is moist, soggy, and unpalatable because it is under-baked bread, and the under-baking is due to the fact that the baker dare not run the risk of turning out under-weight loaves because they have been baked right out.

To give an idea of the weight factor, I told hon. members of the House that the dough when it goes into the oven weighs 2 lb. 4 ozs. and the tendency is to lose 1½ ozs. during the process of normal baking. And then, during the first four hours after baking, there is further loss of weight. The bread is still hot and is stored in places where some evaporation takes place. During the first four hours further loss of weight occurs but, under normal circumstances—and I stress the word "normal"—that loaf should still be, if it has not been over-baked, slightly over the 2 lb. requirement four hours after it has left the oven. There is the variable factor that no baker and no shopkeeper can control—in fact no one can control. The Minister is placing an obligation not on the controllable cycle but on the uncontrollable cycle at the time of the sale of bread, and, because baking hours are limited, it is exceedingly difficult to command much discipline at inspections. With the few inspectors employed inspections cannot take place at the dough stage. It is an administrative problem that has exercised the mind of the Minister and his department ever since the weights of bread have been under consideration. In order to get better use of his inspectors and to cover greater ground, the Minister makes the inspection at the point of sale, either on the bread cart or in the shop or in the baker's cupboard. There is no doubt that on this basis an inspector can cover multiple shops in one day whereas if inspection took place at the dough stage he is cramped down to a limited period of hours.

We have to observe that the only point in the cycle at which the bread weight is controllable is when it is in the dough because you have not then variables that intrude when it leaves the oven. When it leaves the oven, particularly if the Scotch type of oven is used, there is still a variation because of the length of baking-time, and consequently there is greater evaporation. However, once the bread gets into the baker's cart or into the storekeeper's shop there is a stretching out of the number of hours, and according to the climate and the length of time it is kept, there will be an infinite variety in the ultimate weight of the bread. If the bread has to be kept for several hours on a day when there is a westerly wind or when there is very low humidity, the evaporation from the bread is very rapid with each passing hour. I am just as concerned as is the Minister to discover some way of avoiding under-weight bread, but in imposing an obligation that carries right through to the storekeeper, the Minister is introducing variable factors that are outside his control, outside the storekeeper's control, and outside the baker's control.

Mr. Power: In spite of what you say, a loaf of bread must weigh 2 lb., and the price of bread is fixed on the weight of bread.

Mr. HILEY: That is the Minister's attitude?

Mr. Power: Yes.

Mr. HILEY: If the Minister sends his inspectors out to bakers' shops in Brisbane on a westerly-wind day he will find that every loaf in every shop in Brisbane is less than 2 lb. in weight. The content of gluten, starch, salt, and everything else that goes into the making of bread will not be affected; all that will be lost is the moisture-content, and nothing will keep that in bread when the humidity is low. That is the duty that the Minister is imposing upon the shopkeepers of Brisbane, and for that matter upon the western shopkeepers, who have to keep bread in an exceedingly dry climate for some time before it can possibly reach the customer. I must confess that the Minister said that this legislation will be sympathetically administered, but I repeat that I am very disturbed at the placing upon traders of an obligation that they cannot humanly carry out. That is where I question whether the approach that is being made to this matter is the wisest that could have been made.

I should like to mention another matter, and this touches the whole question whether the Minister is doing a great disservice to the industry in Queensland. In the muggy months of the year in this State the problem of various fungi in bread made from wheat-flour is constantly present. No doubt some hon. members have had the experience of trying to eat a loaf of bread in which rope has developed. It is a fungus-growth that spoils the bread and gives it a foul odour, and is something that every baker has to guard against during the hot, muggy period of the year. There are certain defences

against rope, one of which is to bake the bread well and reduce its moisture-content. However, that is something that the average baker is not prepared to take the risk of doing, because as soon as he does he exposes himself to the hazard of contravening the weight regulations. The result is that he tends to turn out a muggy loaf, and he adds things like acetic acid and other specifics to retard the development of rope. Would not this community be better served if he turned out a well-baked loaf that was more palatable and less subject to an attack of rope and these other wheat fungi? The present tendency in the trade is for bakers to turn out under-baked bread that is soggy and over-moist. That is something to which I should like the Minister to give serious consideration. The quality of bread and its keeping qualities are of some importance.

Mr. Burrows: What would be the variation on an ideal day where there was not an excess of humidity?

Mr. HILEY: I did not come prepared to answer that question but it would only make the loaf of bread that would otherwise pass the weight test comfortably, fail to pass it. There is little doubt about that but it is something that we can surely arrange to have done if the Minister accepts the suggestion I am going to make to him, which is to hold up the Committee stage of the Bill until Wednesday of next week in order that the various suggestions I am going to make to him may be examined by his departmental officers. The Minister could ask the Government Analyst on Monday to take two loaves of bread and examine the effect of having them for a certain number of hours in a certain atmosphere.

Mr. Power: I am concerned only about the weight of bread and they can overcome all those difficulties by putting more dough into it.

Mr. HILEY: But the Commissioner of Prices says—

Mr. Power: I am not concerned about the Commissioner of Prices.

Mr. HILEY: Let us be quite clear that we have the point that the Minister is making. I gather that he says that no matter how many loaves you may make from a sack of flour it all comes down to the final weight in any and every condition.

Mr. Power: Yes.

Mr. HILEY: If that is his attitude then the baker is going to find himself ground between the upper millstone of the Inspector of Weights and Measures and the lower millstone of the Commissioner of Prices. If the Commissioner of Prices is prepared to accept the same outlook as the Inspector of Weights and Measures all the force of my objections fall to the ground. If the Commissioner of Prices is prepared to say that in order to get over this problem under any and every condition the average number of loaves from a sack of flour shall

come down to 98 or perhaps 97, I am prepared to say that that will be giving the baker a chance.

Mr. Decker: Or 90 instead of 100.

Mr. HILEY: There is no need to come down as much as that. If the Commissioner of Prices, who now uses the formula of 100 loaves to a sack of flour, was prepared to come back to 98 or, say, 97, I should imagine that the Minister in charge of this Bill would look for the same weight in the loaf of bread. You cannot have it both ways. You cannot have the Commissioner of Prices saying that the baker must get 100 loaves out of a sack of flour—

Mr. Devries: Has that suggestion been made to the Commissioner of Prices!

Mr. HILEY: I do not know. The Minister in charge of the Bill says, "I do not care about the Commissioner of Prices."

Mr. Devries: That is his own attitude.

Mr. HILEY: The Minister says that there must be 2 lb. net weight under any and every condition, a 2 lb. net weight for a loaf carried down the Diamantina to Diamantina Lakes, taking all day from Winton. That would never do and you, Mr. Speaker, know how absolutely impossible that would be.

The Minister has already shown a generous attitude in explaining the measure to the House and his willingness to reason his way through and I am suggesting that all these matters might be thoroughly examined by the people concerned. The minute the Minister comes back and says "This matter has been thoroughly discussed with my colleague, and the Commissioner of Prices, and we have worked out something that is workable," I shall be perfectly content.

Mr. Power: The matter of price is one for the Commissioner of Prices, not for me. I am concerned only with the weight of the loaf and not with the number of loaves that should come out of a sack of flour. There may be a lot of merit in what you say but that does not concern me as Minister in charge of weights and measures—it is a matter for the Commissioner of Prices.

Mr. HILEY: The Commissioner of Prices says that the baker is required to get 100 loaves out of a sack of flour.

Mr. Power: That is no reason why I should allow a baker to sell short-weighted bread.

Mr. HILEY: The Minister says that it does not concern him, that he is concerned only with the weight, but is the Minister content to know that the public are getting a 2 lb. loaf merely by getting an over-weight and soggy loaf because of the excess moisture in it? That is a poor way to be satisfied. Who is going to suggest that there is no monetary value in excessive moisture? Because there is excessive moisture in an under-baked loaf, the Minister says, "I am satisfied; I want the loaf 2 lb., whether it is full of moisture and under-baked."

Mr. Devries: And a lot of indigestion into the bargain.

Mr. HILEY: Exactly. That is not a very fine approach to the whole economy of this question. I hope that out of the discussion there will be some talk between the Minister and the Minister who administers prices to see if some sweet reasonableness cannot be introduced into the control of the economy of this industry.

That deals substantially with the main point, weights of bread, and I want to pass quickly to the next matter dealt with by the Bill, namely, cut bread. The Bill, in dealing with sliced bread, introduces some new regulations that in my judgment are calculated to drive sliced bread almost into the discard. It provides that sliced bread must be packed in a package—completely packed—and on top of that comes in a further provision that every such package must have printed either on the package or on the label, exactly what it is and what its weight is. The Minister will appreciate that on the present prices of wrapping paper, even if it is available—and it is not—to wrap and label a 2 lb. loaf of sliced bread is going to cost 1d. extra.

Mr. Power: How would sliced bread be handled if it was not wrapped?

Mr. HILEY: Sliced bread hardly ever goes to the retail customer.

Mr. Power: Rubbish! It is delivered at my place every day.

Mr. HILEY: The hon. gentleman is one of the rare users. The great bulk of it goes out to staff canteens, cafes, hotels, and similar consumers.

Mr. Power: You are entirely wrong. Bakers deliver that bread. Dance delivers sliced bread to retailers.

Mr. HILEY: The Minister can check on my statement, but I am assured by people who do an extensive trade in sliced bread, that the great bulk of the trade goes to the trade consumer, to staff canteens and so on. These people must get it in sliced form because they have to get lunches quickly and because of the tremendous demands in the luncheon hours. These luncheon rooms must have their sandwiches made up for the rush period and have not the time to slice the bread. If those costs are to be put on the consumer, it will increase their costs again, and if they are not, there will be no sliced bread. Would it not be sufficient for the Minister to apply those costs, if he must apply them, to the retail user who prefers to get that bread in a sealed package?

Mr. Power: The matter of cost does not come into the question so far as I am concerned. That is a matter for the Commissioner of Prices.

Mr. HILEY: If the Minister is not concerned with some of the consequences of his action, that he is going to put 1d. onto the cost of sliced bread, he should be. We are concerned enough about rising costs, and every Minister should seriously make all the

contribution he can against putting impositions on the trade that will push costs onto the public. We have heard enough about what this Government can do towards combating rising prices and here is one direction in which they can consider the effects of costs—increased costs on cafes, boarding-houses, canteens and places like that—by deciding whether you are going to make it obligatory on the trade to put separate labels on sliced bread or whether you will allow it to make bulk deliveries.

Mr. Power: You should have a look at Clause 29.

Mr. HILEY: The Minister starts off here by saying that no person shall sell any sliced bread that is not packed in a package. I can assure the Minister that an obligation does attach to both bulk and retail users. I think he would show the right spirit if he excluded some of the bulk houses, if he still feels he must apply the provision to retail trade.

Mr. Power: If I do that Dance will still rob the public, as he has been robbing them all along. That is the position; how can I get over him?

Mr. HILEY: I would consider, rather than make the position impossible for the whole trade, bringing down a Bill to put Dance out of business.

Mr. Power: There are some others too.

Mr. HILEY: Get some power to deal with the wrongdoer, but do not take powers that will put an impossible burden on all the industry because of the few wrongdoers. As I see it, those are the dangers of the way the Bill is drawn. By putting the obligation on the retail shopkeeper the Government will cause many shopkeepers who handle bread, really as a convenience to customers, once they are subjected to the risk of a fine—and if the bread is on the shelf for a few hours when the moisture is evaporating and it falls below weight they are breaking the law—to cease to handle it. I prophesy that many storekeepers, rather than run that hazard, will not sell the bread at all. This community is suffering from the problem of bread distribution badly enough as it is. We have seen delivery after delivery go out. When I was a youngster bread for sale at the shop was not heard of; all bread was sold from carts and delivered to the door. Today in the metropolitan area about 60 per cent. is delivered but about one-third is sold through the shops of the city.

In the country the Act applies to only 18 towns, and of those five are exempted and the Act is enforced in 13. In the smaller towns the great bulk of the bread is handled from the bakehouse or from other shops. If you are going to make such a penalty attach to a shopkeeper who is completely honest and scrupulous—the day a westerly wind blows nothing can stop the bread from going below weight—many will say that they will not run the risk. I ask the Minister whether the community can see sufficient

facility for the distribution of bread in sight to justify him in running the hazard that many shops will cease to stock bread.

The other main objection to the Bill is that the pointed obligation of the separate packaging and labelling of sliced bread will either add considerably to the cost of it—which is something to be deplored—or will stop sales of sliced bread, and staff canteens and other places that must have sliced bread will not be able to get it.

There has been some talk in the city of the letter the Minister read to the Committee this morning. Master Dance has boasted that he wrote to the Minister along the lines that the Minister read to the committee. He has also boasted of why he did that. He has said in several quarters that the one thing that will stop crook baking is dough weights and his suggestion is this: "I have stopped the Minister from bringing in dough weights. I have written a letter recommending it; and the fact that I have recommended it will stop him from considering it." I can assure the Assembly that that came to me from several quarters in this city. I did not know whether the Minister would read the letter to the Assembly, but I intended to make reference to it directly I heard of his purpose in writing it.

This question of dough weights does deserve examination. One objection, in addition to that mentioned by the Minister, is that a baker will lay out the 2 lb. 4 oz. portions of dough on the table and then, before putting them into the tins, which in turn are placed in the oven, will take a piece out of each of the weighed portions if there is no inspector in sight. This practice is known as trimming the batch, trimming a piece from this tin, that tin and so on. I am sure that no baker who knows his trade will permit himself to break the skin of the dough once it has started to work because, if he does it loses the carbon dioxide, a product from the yeast. Again, if he does that, once the loaf has started to work—and no dough is put in the tins until it has started to work—any disturbance with the loaf disfigures it. There is no hope of concealing the evidence of this trimming because when the loaf is turned out of the oven it will bear a scar clearly indicating that interference has taken place.

I suggest that the Minister make inquiries of the officers of his department who know the practical aspects of the baking trade. Let him examine whether in fact there is any substance in this objection to dough weights as far as their effectiveness is concerned. I repeat that the dough-weight system is being employed in some places in Australia, and I am assured that it is successful. It is the method recommended by the Bread Research Institute of Australia, whose job it is to study the technical aspects of the industry and to determine how bread can be best manufactured, having in mind both economy and quality.

I am inclined to agree with the Minister that dough weights would limit the use he could make of his inspectors, but let me

point out that no inspector is primarily and exclusively an inspector of bread weights. He is an inspector of weights and measures. During the time when the bread is going into the tins the inspector could put in those hours checking bread weights, and the rest of his time is available to check the weights in any other industry in the town in which he is working. I suggest, therefore, that it should not be beyond the powers of departmental organisation to make some trial of dough weights to see whether it is successful, but I repeat that Dance has boasted in this city that he was determined to stop the application of dough weights, and he wrote that letter to the Minister for that express purpose. I ask the Minister in all seriousness to bear that statement in mind when he considers his reaction to that letter.

Mr. Power: I treated it humorously.

Mr. HILEY: Then I ask the Minister to think back over his own department's relations with this man. Dance has been one of the most astute law-breakers with which his department has had to deal, and I am sure the Minister agrees with me.

Mr. Power: I think we have got him this time.

Mr. HILEY: That may be so but my only concern is whether in catching him the position has not been made impossible for every honest baker and shopkeeper. I repeat that I should have been prepared, in order to catch a persistent law-breaker like this, to agree to the passage of a measure aimed purely and personally at that law-breaker and at putting him out of business, but I hesitate to impose impossible burdens on every baker and every storekeeper merely to catch that one person. In other words, we should shoot Dance with a rifle, not with a shotgun that shoots a multiple of pellets and covers the whole of the industry.

Mr. Power: That is murder that you are advocating.

Mr. HILEY: Now the Minister is being facetious. I repeat that I hope the Minister will give the matters I have mentioned very careful examination. I ask the Minister to arrange with the Government Analyst to get a batch of a dozen loaves of bread and then present to this House figures concerning weights. Let him get a dozen loaves of uniform weight and keep them a certain number of hours. Keep some 4 hours, others 8 hours and some 12 hours in humid conditions, in moderate conditions, and in dry conditions. The Government Analyst could do that with ease and I should like the Minister to present the results obtained. I prophesy that there will be a tremendous gap between the condition of the loaf after 12 hours if stored under moist conditions and the condition of that stored under dry conditions. I will not ask him to make the temperatures excessive—make them no drier than, say, 80 degrees, which is far less than the temperature of the typical house or store on a summer's day. Remember that the problem of rope and fungus in wheat-flours is essentially a summertime problem in

Queensland and it is a problem we have to address ourselves to. By stopping a baker from turning out soft, soggy bread you are minimising the rope hazard.

Mr. Power: Cleanliness overcomes rope to a large extent.

Mr. HILEY: Not necessarily, although it goes a long way towards it because rope can be found in the cleanest bakery and once it gets in it is the devil's down job to get rid of it.

I come now to the second aspect of the Bill that I want to deal with, the sale of articles. The greatest protection the public has is a freely competitive market offering well known and regarded brands. If you get an under-supplied market with a scarcity of goods and the customer cannot choose his article, that is the period when the greatest danger arises. There are some problems on this question with which the Minister unquestionably has to deal, but again I am concerned as to how his proposals will work in the hands of the ordinary storekeeper and I propose to submit samples of various articles of weight and measurements so that the House can judge how a storekeeper would comply with the requirements of the measure in respect of them.

First of all, I must say that I think that some of the provisions are altogether too broad. I propose to deal with that matter in the Committee stage, but so that his officers can have an examination in advance, let me indicate the nature by referring to Clauses 32 and 33 where there are provisions dealing with how contracts shall be entered into. I think the language employed is too broad. There is no limitation and the result is that when you say they have to be sold by measure it seems that in future we shall not be able to buy shirts as we ordinarily buy them, by number. We might want a size-6 shirt but because the shirt would have to be sold by measure it would have to be sold by the number of inches. There is, again, the sale of a shoe and no longer shall we be able to order a size-7E shoe. That shoe, because it is a measure of a shoe, will have to be sold as a shoe so many inches in length and width of tread. I ask the Minister to consider whether the language employed is not too broadly expressed. There is no doubt in my mind that a shirt or a shoe is an article sold by measure. You buy it by size, and according to the size you pay the price.

Mr. Power: You are drawing the long bow on that.

Mr. HILEY: It is obvious from the Minister's interjection that he has not the slightest intention of so applying this legislation, and I agree that it should not be so applied. However, his departmental officers should ascertain whether the language used in Clause 32 does not apply on a much broader and wider basis than was intended.

The Minister has set out certain things that must be sold by standard weight or standard measure. An exception is made in

the case of troy weight or metric weight, which are used in the case of some metals, precious stones and drugs. However, the clause goes on to say that all articles sold by measure shall be sold by standard measure. At present there are available for sale in this city considerable quantities of imported steel that have been measured on the metric system, and those metric measurements are not capable of exact conversion into standard measurements. In the case of imported articles that are fabricated in metric components, it is essential during this period, when we must use imported supplies, that the Minister should take that fact into account and recognise that some goods will come in that must of necessity be offered to the public in metric measurements.

Mr. Aikens: Metric measurements in size or weight, or both?

Mr. HILEY: Metric measurements in size. Take, for example, angle iron; usually it may be bought as 2½ in. x 2½ in. x ½ in. but in the case of the imported article the purchaser gets an angle iron the measurements of which are fairly close to those but not precisely the same. That is merely one example of imported articles that are freely available for sale on a metric measure.

Mr. Decker: Fishing lines are another example.

Mr. HILEY: As I am reminded by the hon. member for Sandgate, that would apply also to certain imported fishing lines and other sporting gear. For that reason, I think the department would be well advised to consider whether it will be possible to apply a standard measure in every instance.

Mr. Power: We have power under the Bill to grant certain exemptions.

Mr. HILEY: The Minister will have to do quite a bit of it.

Mr. Power: We have power under the Bill to meet cases of that sort.

Mr. HILEY: Further on in the Bill there is provision to the effect that all grain, agricultural and vegetable seeds, mill by-products of grain, hay, &c., shall be sold by standard weight and not by measure. I have seen haystacks sold in the field, and they cannot possibly be sold by weight. They are invariably sold by measure. I have seen the tape run over a haystack and an estimate made of its content. Take the case of a mill by-product such as molasses. It is never sold by weight; it is always sold in 45-gallon drums.

Mr. Power: We have power under the Bill to grant certain exemptions.

Mr. HILEY: All I can say is that that power will have to be abundantly exercised. I am merely giving some examples to show how necessary it will be to grant exemptions. The Bill is in express language.

Mr. Power: That is to get the crook.

Mr. HILEY: Any person who sells any of those things by measurement and not by

weight will be guilty of an offence. That is the wording of the Bill. It does not say, "unless excused by the Minister." It is laid down that a man shall be deemed to have committed an offence if he sells any of those things by measure instead of by weight.

Mr. Aikens: You are afraid that there will be more exemptions than applications?

Mr. HILEY: It is not the correct legislative approach to the problem to put a law such as this on the statute book.

Again, take buttermilk, which is invariably sold by the gallon. To suggest that buttermilk should be sold by weight would be quite foreign to all dairy-farm practice. It is always sold by measure. But the Bill says that it is a punishable offence if you sell it by measure and not by weight. The matter calls for careful examination and we should ask whether this is a workable approach to the problem to which the Minister has directed his attention.

Mr. Aikens: The householder will then have to order 2 lb. of milk instead of 2 pints.

Mr. HILEY: No. Only certain things must be sold by measure.

Mr. Power: The things you are complaining about are contained in the old Act and they are also contained in the New Commonwealth Act, which will supersede ours when it becomes law.

Mr. HILEY: We are confronted with the matter now, and if there is something that appears to be wrong, which we can right for the future, I am justified in drawing attention to it.

The final point I want to deal with is the question of pre-packed foods offered for sale.

Mr. Power: Molasses is not an agricultural product; it is a mill product.

Mr. HILEY: The hon. gentleman may be correct, but it seems to me that under the definition contained in Clause 33 (3) it could be a mill by-product and concentrate, or a prepared stock food.

Mr. Power: All the steel products that you speak about are subject to contract, and they are exempt. That refers to galvanised iron and angle iron also.

Mr. HILEY: I can assure the Minister that certain merchants in this city bring in supplies of steel and put them on their shelves. They will sell broken lots from their shelves. I purchased broken quantities recently. It was the only way in which I could get them in some cases.

The next question is the obligation imposed on shopkeepers with regard to guaranteeing the weights of articles pre-packed and put into prepared containers to be put on the shelves by storekeepers for sale by them. There is some attempt to lessen that responsibility, but the method of lessening it is of itself unworkable. The lessened responsibility can only apply to those packs so long as the packer is a resident of Queensland. It can apply also to a southern packer, so

long as his company is registered in Queensland or to a British company in respect of which some person is registered in Queensland, but the storekeeper has to get a written guarantee in respect of every parcel, certifying that the particular lot of goods does in fact contain the weight expressed on the notice. In practice, no written guarantee in respect of the quantities is likely to be given by any trader—the task of doing it would be terrific. Therefore, the obligation in most cases would still lie on the retailer. I ask the House to look at some of the classes of goods for which he will be asked to accept responsibility.

Mr. Aikens: The packer can get over the difficulty by saying that the pack contains an approximate weight.

Mr. HILEY: As an example, I submit to the House this "Rolled and pinned tape—5 yards." How in the name of fortune can any storekeeper say that it contains 5 yards? If he unrolls it to measure it, he soils it and destroys its marketable form. It would be said that it was a broken package and he would be exposing himself to the greater hazard that the people would say that he had been tampering with the goods.

Mr. Power: Do you not think that the purchaser is entitled to some protection, that if he buys 5 yards he should get it?

Mr. HILEY: I do. The question is: are you going to put the responsibility on the retailer himself?

Mr. Power: We are bringing the wholesaler into this too.

Mr. HILEY: Where he is resident in Queensland or has established an office here. In many instances the Government are making it physically impossible for the retailer and making him a sitting shot, as he cannot protect himself.

Mr. Power: Is not the person who buys the article entitled to some protection? All your argument is in favour of the storekeeper.

Mr. HILEY: The protection to the buyer or customer lies in the fact that he usually deals with firms carrying reliable brands. That is the essential protection. It is the only protection that is worth while—protection in purchasing reputable brands and the goodwill that surrounds the article.

Mr. F. E. Roberts: No new firm will then be able to build up a goodwill.

Mr. HILEY: Goodwill is established by the fact that a small percentage of the public begin to buy a particular article, and the number of purchases increases. That is the story associated with goodwill established by firms that turn out reliable products. Goodwill is developed progressively.

Take another example. I have here a roll of Scotch adhesive tape certified to contain five yards. It is impossible to disturb that packet without destroying the quality of the article. Yet we ask the retailer under this Bill to destroy the package by certifying that it contains 5 yards.

Mr. Power: Purchasers who ask for 5 yards perhaps will not get it.

Mr. HILEY: Take my next example, a packet of 25 envelopes. It is a standard line available in every small store. I counted the number myself and found the packet contained 26. Strangely enough I have given three examples where I made the count myself. This packet happens to contain 26 envelopes. I ask the House to observe that this type of packet offers no protection. The manufacturer may perhaps set the machine to turn out and pack 25 or more envelopes, and it is an easy matter for one or two to slip out. Nevertheless this packet contains the required number. That is one problem the Minister will be up against.

An Opposition Member: The same could apply to matches.

Mr. HILEY: Anyone who would try to take out half a dozen matches from a box would find it pretty hard. That is another example. Then I bought a packet of drawing pins, which the label states contains 36. I counted these laboriously and found the box contained 37. Again it is impossible for the retailer to say that a packet complies with the label; he only makes the discovery that it does not when customers start to bring complaints to him. The real protection lies here: if a customer makes a complaint to a retailer, the retailer can say to the manufacturer or packer, "I am not going to run your particular line as it is short in number or weight and it brings me into trouble with my customers." That is how the trader works, but under this Bill, a storekeeper would suffer a penalty if a package supposed to contain 25 contained only 24.

Mr. Power: Do you think an inspector will waste his time counting the number of drawing pins in a box?

Mr. HILEY: The Minister virtually says that no inspector will ever try to carry out the law in that regard. Is that not a reason why we should not ask ourselves: what is the use of placing a law on the statute book that will not be carried out?

Mr. Power: We will deal with other lines other than drawing pins and envelopes.

Mr. HILEY: Let us come to a line of foodstuffs. I have in my hands packets of two kinds of Queensland products. One is lemon butter and the other is chutney. The containers are identical in size, but because of the varying weight density of the contents one container is branded 11 oz. and the other 12 oz. The storekeeper cannot take the lid off—to do so would be unhygienic—and you ask the storekeeper to accept punishable responsibility for the contents. These two are the same—perhaps I am not quite right there—and it may be if they had come from the South the storekeeper would have to accept responsibility. I ask the Committee: is the storekeeper to accept responsibility for the weight contents of merchandise of this kind? To carry out his obligations he would have to be a seventh son of a seventh son.

The illustrations can go on through all sorts of products. Take a common tin of fruit, with which we are all familiar. This packer packs a tin and the weight is 1 lb. 14 ozs. An exactly identical tin offered by another packer on the Riverina is marked 1 lb. 13 ozs. I ask you to observe what the average housewife asks for when she goes into the shop. She asks for a 2-lb. tin and gets what everyone popularly regards as a 2-lb. tin. If I said to the Minister that I wanted a 2-lb. tin the Minister would know that.

Mr. Power: As long as the weight is declared.

Mr. HILEY: It is declared 1 lb. 14 oz. If the weight is not declared the Minister wants a direction to go out that the man must supply and introduce a system of the exact weight of the tins and the article given to the customer, unless the weight is branded on the package, or it is weighed in the presence of the customer. The trade calls it a 2-lb. tin. We understand what it means. Is it common sense to ask the trader to sit down and write 1 lb. 13 oz. tin?

A Government Member: Do you believe a man is justified in selling a 1 lb. 13 oz. tin as a 2-lb. tin?

Mr. HILEY: I think the Minister gave the answer where in popular parlance we call it a 2-lb. tin and the weight is branded on it.

Mr. Power: I did not give that answer. I said the weight would be declared on the tin. Do not accuse me of saying what I did not say. I do not want you to do that.

Mr. HILEY: I thought the Minister said it. Let us be quite clear. In the case of a tin that is branded 1 lb. 14 oz. the housewife asks for a 2-lb. tin and she gets what the trade popularly calls a 2-lb. tin. All 2-lb. tins in practice contain fruit and syrup. There is no separation on the label or anywhere else. I have known my wife refuse to buy a certain brand of goods because there was too much syrup and not enough fruit in the tin. She gets to know the brands that are reliable and buys those brands. I say that we are undertaking a very great task if we try to replace the whole structure of public regard for a brand and commercial goodwill with enforceable regulations written down to apply to every retailer in every shop.

I am 100 per cent. behind the Minister in dealing with the persistent and deliberate wrongdoer, but I question whether the method he is adopting is a fair approach to the honest shopkeeper.

Then there are all sorts of examples where it becomes extremely difficult to comply with the requirements of the amendment. Take an ordinary tin of sardines. I have in my hand an unwrapped tin of sardines. In that case we have only the weight-factor of the tin, but in the case of this other tin I am holding you have to take into consideration the paper package wrapped round it, the key to open it, and the label, all making a composite package, and nobody would dare

puncture the tin to determine its contents because to do so would be to ruin those contents. I mention these as illustrations of the sheer impracticability of saying to the retailer, "You are to accept responsibility for that." The responsibility should lie with the packer, if he is a local packer, or with the importer, if there is a local importer. In the case of the importer, the test should be applied at the time of import by bulk sampling.

Mr. F. E. Roberts: But many of the big retailers are their own importers?

Mr. HILEY: But there, through Australia House and the Customs House, you have particulars of everything that comes to this country by import and that is the point where these things should be picked up. To try to catch this type of package when it is on the retailer's shelves is an unreal and unfair approach to the problem of weights. If the Bill had set out to make provision that all imported packaged goods should not be released or offered for sale until a test had been made of the contents I should be prepared to accept it because that would be the correct approach to the matter. The point at which to pick it up is either the time of packing or the time of import. To wait until the packet is in the hands of the retail trader and make him punishable for it is entirely impracticable and unfair.

Mr. Power: At present the Act provides that the retailer can be dealt with for selling any article that is under-weight, and this amendment is for the purpose of bringing in the wholesaler with whom we cannot deal at present. Under the existing law, we cannot touch the wholesaler in the case of pre-packed goods that you mention.

Mr. HILEY: But you can get at the wholesaler if he conducts his business here or has his business registered here.

Mr. Power: Already the law provides that we can get at the storekeeper, in the case of goods that are weighed up, if he sells at less than the prescribed weight. The amendment will enable us to get at the wholesaler, whom we could not get at before.

Mr. HILEY: Then the fact that we are introducing the amendment for that purpose indicates clearly that the Minister recognises himself that the blame rests with the wholesaler.

Mr. Power: In a number of cases, yes.

Mr. HILEY: We are amending the law and bringing in a completely fresh law. By the fact that he is going after the wholesaler, the Minister recognises the unfairness of trying to deal with the retailer for this kind of thing.

Mr. Power: We could have dealt with the retailer all along, under the existing law.

Mr. HILEY: And whilst the Minister is correcting that in the one instance he is not abandoning it in the new legislation.

Mr. Power: We are not abandoning it.

Mr. HILEY: And the fact that this has been on the Statute Book for 50 years does not add any merit to it in my eyes. All I am concerned about is having a law that will fairly protect the public and fairly deal with the real wrongdoer.

Mr. F. E. Roberts: But the point is that if the contents of an imported article are not correctly shown on the tin or bottle, the Customs officers pick it up and it is brought to the attention of the importer.

Mr. HILEY: That is so, and that is the point at which it should be done.

Mr. Dewar: The Customs officers rarely see the stuff.

Mr. HILEY: They do.

Mr. Dewar: They can, but they rarely do.

Mr. HILEY: I can assure hon. members that in this State the Customs officers make a very good check of this sort of thing. Cases have come to my notice in which the importer has been forced to alter the brand on the tin to accord with the results of the Customs inspection. That is the point at which the test should be applied. To impose the obligation on every small storekeeper means that he cannot do it physically nor can he spare the time to do it and I suggest that the point deserves very full examination by this House—whether the very commendable purpose the Minister has in mind is being approached in the most desirable manner. I repeat: we have to find some way of dealing with the anti-social characters, to find some way to stop the person who persistently short-weights from being allowed to trade. I would go as far as that. I hesitate to put laws on the statute book of this State that will mean that every trader, every baker, every storekeeper must at some stage find himself in defiance of the law. I think the matter deserves more thorough examination before we allow ourselves to do that sort of thing.

Mr. TURNER (Kelvin Grove) (12.41 p.m.): The ordinary citizen has no objection to the general law and neither does the man in business, because he appreciates it. I do not know how we could make a law to catch the unscrupulous person and protect the decent person in industry. When the Industrial Court makes an award it makes a general law, a law to apply to every employer, and the employer welcomes it because he knows that so far as conditions and wages are concerned he is on an equal footing with his unscrupulous competitor.

Dealing with the bread industry I want to say that Mr. Dance to whom the Minister referred has been a menace in the industry ever since he became associated with it. That applies not only to his manufacture of bread but to his observance of industrial conditions in the industry. I remember that some years

ago a representative of the Transport Workers' Union and an industrial inspector chased this person round Hawthorne and Bulimba one Sunday afternoon when he was delivering bread contrary to the State Transport Act. Hon. members may remember that there was a big statement in one Sunday morning's paper that he went so fast that the doors of his delivery cart flew open and there were loaves of bread strewn for miles along the roads in those districts.

I think it impudent for Mr. Dance to sit in the lobby and when the Minister tried to assure the Leader of the Liberal Party that he had got Mr. Dance this time for that man to shake his head like this (indicating), as much as to say, "No, you have not." It is impudent for any man to sit in the lobby to this House and defy a Minister to check an unscrupulous individual. I think such a man should, as the Leader of the Liberal Party suggested, be chased out of the industry, as he is not a fit and proper person to be in the industry. He is the sort of person who has built a wall round his premises to keep industrial officials and Government inspectors out. I have a strong resentment against the adoption of such practices.

The hon. member for Aubigny the other day spoke disparagingly of our inspectors and called them snoopers. I want to say that our inspectors and union officials do their work decently and the decent employer who obeys the law welcomes industrial inspectors, health inspectors, weights and measures inspectors, and union officials at his premises at any time, because he knows he has nothing to fear. Those men are doing their job decently. When you get the type of man who would build a stone wall around his place to keep these men out and go to the extent of putting glass on top of the wall and barbed-wire entanglements, I think that such a man should be chased out of the industry.

Dealing with the articles that the member for Coorparoo produced in the House, I say that it is many years since 2 lb. tins of fruit or jam were on the market in Queensland. In the days when I was in industry, there was an occasion when the late Hon. P. Pease, I think—it was one of the earlier members of the Labour Government—became the Minister controlling the State Stores. On one occasion he paid a courtesy call on the State Stores and he saw some jam on the shelves. He picked up one tin and noticed that it was branded "13 oz. net" and that the larger size was branded "26 oz. net." He asked the manager of the State Stores, "How do we buy our jam for the State Stores?" The manager replied, "We call tenders for so many pounds of jam." An examination of the invoices disclosed that the Government were paying for a full pound of jam but receiving only 13 oz., and in the case of the larger tins they were paying for 2 lb. of jam but receiving only 26 oz.

An Opposition Member: That fact was not discovered till the Minister noticed it?

Mr. TURNER: No. The Government then issued an order that all tins of jam, either coming into this State or manufactured in this State, must contain either 16 oz. net or 32 oz. net.

Mr. Nicklin: You know very well why those weights were introduced here.

Mr. TURNER: I know why they were.

Mr. Nicklin: It was done to give an advantage to the State cannery.

Mr. TURNER: Nothing of the kind! The real reason was that the Government were being caught. The records will show that the Henry Jones combine had to refund to the Queensland Government some thousands of pounds of jam that was short-supplied under that contract. No action could be taken in respect of previous contracts. Following that action by the Government, in an effort to defeat our local manufacturers, who were being encouraged by the State Government, a tall, narrow tin containing 1½ lb. was put on the market. Unless that tin and the 2 lb. tin were placed side by side, it was difficult to tell which contained the greater amount, with the result that the housewife frequently bought the 1½ lb. tin, which was only 1d. less than the 2 lb. tin. I pointed that out to the then Minister, the Hon. W. Forgan Smith, and he ascertained that 1,500 cases of 1½ lb. tins of jam were then being loaded in Melbourne for shipment to Queensland. He immediately put through an order in council to stop that jam from coming here.

Mr. Nicklin: Notwithstanding all that, the State cannery went broke.

Mr. TURNER: The State cannery went broke because—

Mr. SPEAKER: Order!

Mr. TURNER: As the hon. member for Nundah interjected when the hon. member for Coorparoo was speaking, everything that comes here from a foreign country is examined by the Customs Department. When the Customs officer, or the shipping clerk of any company goes down to the wharf to inspect any goods that are being imported into this country, he gets the invoices from the Customs office and samples are taken from each shipment. In the case of sardines, or tinned fish of any kind, Customs officials weigh and measure the oil content, the fish content, the tin, and even the key, to ensure that the article is up to specification.

Mr. H. B. Taylor: Do you not agree that that is the proper time for the weights and measures inspector to do his job?

Mr. TURNER: That is the protection given to the storekeeper in respect of imported goods, particularly pre-packed goods. If any are under weight or there is anything wrong in any particular the Customs Department order the goods to be placed in bond, and they are not released until the whole matter has been satisfactorily settled.

The only way in which there was protection for the housekeeper in respect of the local manufacturer has been for the purchaser to buy only certain lines that gave satisfaction. There has been difficulty in that respect too. In the last couple of decades new methods of business have been adopted whereby manufacturers have bought into small general stores and where they could not do this they have entered into contracts under which they gave big discounts to storekeepers who would stock only their processed goods. Then when the housewife entered the store and asked for a certain line she was told by the storekeeper that he did not have that line but he had another good line that he could recommend. The housewife would refuse to take it and leave the shop. The result has been that many storekeepers have lost their life savings because their sales gradually diminished and they were unable to meet their obligations to the manufacturers or the packers, who eventually closed on them. At times the manufacturers have offered the storekeepers jobs in their businesses but only for a few months until they were able to deduct sufficient wages from the storekeeper as their employee to meet the financial obligation of the storekeeper to the manufacturer. Then they would turn him adrift.

Mr. SPEAKER: Order! That is not the matter before the House.

Mr. TURNER: I am trying to point out the difficulties that confront our officers in the matters that the Minister is trying to remedy with the Bill. I think this is the only way in which it can be done.

The hon. member for Coorparoo submitted two glass containers, one containing lemon butter and the other a condiment, one being 1 oz. heavier than the other. The reason is that one contained 80 per cent. of sugar, and the other had no sugar content at all, although both contained the same volume of foodstuffs.

Mr. Sparkes: What about tinned fish?

Mr. TURNER: I have already dealt with that, and if the hon. member had been in his place in the House he would have heard me. These are the things that our officers have to deal with, but they can only be dealt with satisfactorily when we have enough inspectors to put one in each of the packing houses. That is done in the case of goods packed for export, which have to be up to a specified standard. We have Commonwealth inspectors to do that work and at times State inspectors acting on behalf of the Commonwealth. That is the only satisfactory way of dealing with the matter and it is the only way in which we can deal with the unscrupulous bread manufacturers who deliberately defy the law.

I agree with the hon. member for Coorparoo that the adoption of the dough-weight system is the easiest, simplest and the most effective way of keeping a check on bread. The grocery trade is not a big-margin trade; it is one of the smallest-margin trades in the land. It is one of the trades where those engaged in it have to work physically harder

in relation to their business and earnings than any other section of the retail trade. This amendment will hit the grocer harder than anyone, and we are asking the grocer to accept responsibility for weights when neither his margin nor his time-factor will give him the ghost of a hope of successfully measuring up to it. If we insist that the proper dough weight shall be put into the tins the bread is baked in it will afford a much easier method of check. If inspectors discover bread in a retail shop or bread that has been delivered to a home short-weight they can ascertain the manufacturer, go to the bakehouse unannounced—if they can get through the stone wall—and check the dough weights. That is the only method by which it can be done, but if that is not sufficient only one thing remains to be done and that is to amend the legislation with a view to chasing that kind of person out of business and allowing the business to be done by decent, honourable men.

Mr. CHALK (Lockyer) (12.56 p.m.): The Deputy Leader of the Opposition dealt very fully with the part of the Bill relating to the baking trade. I am sure that the points he raised will be carefully studied by the Minister, because he is a Minister who always gives consideration to points raised in this Chamber.

The second point raised by the hon. member for Coorparoo related to the retailer of commodities that are sold in very large quantities. However, the part of the Bill I desire to refer to is that relating to our primary industries. This clause states—

“All grain, agricultural and vegetable seeds, mill by-products of grain, hay, straw, chaff, and concentrated or prepared stock foods shall be sold by standard weight and not by measure.”

That clause will create considerable difficulty and hardship to the primary producer. The Minister in his introductory speech said in reply to an interjection by the hon. member for Mundingburra about this Act—

“It applies to all people who give short weight, and I was giving facts in connection with short-weight bread particularly and outlining the reasons why we were taking out certain of the provisions in the existing Act.

Another provision in the measure will deal with people producing commodities such as potatoes, and so on. It has often been found that in the opening up of a bag of such commodity there is a large amount of foreign matter—soil, for instance—in the bag, and the correct weight of the commodity concerned is not there. There is a clause in the Bill to provide against the inclusion of foreign matter.”

This is the point I ask the House to observe—

“We make an allowance of 2½ oz. of foreign matter in all bagged commodities, and where that proportion is exceeded we propose to take action.”

I have in my pocket 2½ oz. of soil to demonstrate the absurdity of such an amount. All potatoes would have to be washed.

Mr. Power: That should be 2½ per cent., not 2½ oz.

Mr. CHALK: I am pleased to have that correction but if the Minister refers to his “Hansard” proof, which I now produce, and to the reports published in the “Courier-Mail,” he will see that he has been reported correctly as the reference in both cases is to 2½ oz. I accept the assurance of the Minister that it was 2½ per cent., because it is vital to those people who, for instance, bag potatoes. Having obtained from the Minister the statement that the 2½ oz. that appeared in the “Hansard” proof and was published in the “Courier-Mail”—

Mr. Power: It did not appear in my “Hansard” proof; it appeared in the one from Parliament House.

Mr. CHALK: It appeared in the proof that I had. Having received the Minister’s assurance that this should have read 2½ per cent., I am happy to leave that subject. I hope the “Courier-Mail” and the Country Press will see that some publicity is given to this correction because yesterday morning I had four telephone calls drawing my attention to that statement.

On the agricultural side of the Bill the clause states—

“All grain, agricultural and vegetable seeds, mill by-products of grain, hay, straw, chaff, and concentrated or prepared stock foods shall be sold by standard weight and not by measure.”

I want to point out how difficult this will be in the country. Take a load of chaff. Any experienced farmer who is buying chaff to feed his stock, or any experienced merchant who happens to be buying baled hay usually goes along to the farm, or it may be brought to the store of the merchant, and the buyer tests one bag or bale and having done that he knows fairly well whether it is reasonably well filled or not, and consequently he buys or rejects the produce on his own inspection. That has been the basis of the sale of chaff, and particularly baled hay, for a long period. I think that this clause will cause a considerable amount of hardship in the country areas. In 9 cases out of 10 in the country where these transactions take place, the buyer and seller are far from a weighbridge. If the Bill becomes law it will be an offence to buy or sell chaff or hay other than by weight and if anyone commits this offence the penalty may be up to £100. I know that the Minister will say that the Bill will be so administered that it will not cause extreme hardship; but I think we are wrong in introducing legislation of this kind if it is not intended to carry it out. By agreeing in this clause we shall be creating fear in the minds of the people who are buying and selling primary products. At the present time in the Lockyer and many other districts of Queensland drought conditions prevail and I know of instances where haystacks are being sold on the spot. I think the hon. member for Coorparoo mentioned this morning that the usual procedure in purchasing a haystack is to take measurements of it; and that is so;

and having done that, reasonably experienced farmers know immediately the approximate tonnage, and they are prepared to pay on that basis. The same applies to baled hay. At the present time, owing to drought conditions, farmers are going from one area to another, where they are far removed from weighbridges, to buy feed for their stock. The same thing applies even in the irrigated areas. I know of one farmer who is selling baled green lucerne at the moment. According to this amendment, it will be an offence if he sells it to another primary producer without first having it weighed.

However as the law will provide in future that it must be weighed, the next point to consider is how we are going to do the weighing. For instance, at Forest Hill and at Gatton there are first-class weighbridges at the railway sidings and they are used a great deal by primary producers. The hardship to which I refer will not be felt so much in those areas as in other districts. As an illustration, I have in mind the fact that in Grantham we have a very old weighbridge. I do not blame the Railway Department for this. I know representations have been made to the Minister and I feel that eventually it will be improved, but the present weighbridge is out of date. The practice now is to weigh loaded vehicles two wheels at a time. By that I mean that first the front wheels of the vehicle are run over the weighbridge and the weight of the first half of the vehicle taken. It is then reversed onto the weighbridge and the weight of the back half is taken. Both railway men and merchants have agreed that by this method they can assess the weight of the vehicle and its load with reasonable accuracy. But that will not be complying with the provisions of this Bill. That being so, those people at the foot of the range who have commodities they wish to sell will be forced to bring those commodities to Gatton for weighing. The absurdity of this clause is demonstrated when it is applied to the primary producer.

Mr. Power: It is already contained in two Acts.

Mr. CHALK: I know it is.

Mr. Power: What are they?

Mr. CHALK: The first part of the Act that is being amended now. That is the only Act in which it is contained.

Mr. Power: It is not.

Mr. CHALK: Is it in the Railways Act also?

Mr. Power: No. You do not know what you are talking about. It is in the Stock Foods Act.

Mr. CHALK: I am prepared to accept the Minister's word for that, but that does not alter the fact that the penalty laid down in this Bill will cause fear to the primary producers. It will mean that people living at Grantham, for instance, will have to take their commodities to Gatton to be weighed, and it has to be remembered that in most of these transactions the people concerned

are practical primary producers who are much more experienced in the matter of buying and selling primary produce than are we who are discussing this amendment. I appeal to the Minister to give some consideration to this point.

The same thing applies to pumpkins. In nine cases out of ten they are sold by the bag. The merchant who buys them from the primary producer inspects them and knows to within just a few pounds what the bag of pumpkins weighs. He knows whether he is getting value, yet under this Bill the primary producer will be compelled to cart his pumpkins to the nearest weighbridge before selling. As I said earlier, I believe the Minister is reasonable with most of the Bills he brings down and I think that if he will give serious consideration to what I have mentioned he will realise that the plea I make is reasonable. I have said that it is unfair, particularly to the primary producer, although I believe the Minister has some argument in his favour if he applies this clause to a merchant selling to the consumer. In most instances the merchant has scales and the consumer, particularly in regard to pumpkins and similar things, is not as conversant as he should be with what he should be receiving for his money. Therefore, I say that from a merchant's point of view I think perhaps there is some merit in the clause, but I appeal to the Minister to consider the matter from the point of view of the primary producer, and to give consideration to the possibility, even at this late stage, of so altering Clause 33 (3) that it will not apply to the person who is growing a commodity.

Mr. KERR (Sherwood) (2.26 p.m.): This measure was very ably discussed this morning by the Deputy Leader of the Opposition, and he has not left much for other hon. members to say. His comprehensive survey of the possibilities of the measure leaves very little for me to add. I do not think anybody can take exception to the main principles of the Bill, which are to protect the consumer of the goods from the actions of the unscrupulous. We are in accord with that, but there are details to which we can take exception. The Minister is trying to rush a measure like this through the House, because it was only last Wednesday that we had the introductory stage. I know that he has put through a lot of legislation this session—

Mr. Power: I asked the Leader of the Opposition whether it would be suitable, and he agreed that it would be.

Mr. KERR: Surely not in all stages! I do not doubt the Minister's word, but as this measure is such an extensive one and affects so many people we should have had a greater opportunity of studying its effects.

I wish to deal with the case of the retailer, and to foreshadow an amendment I propose to move. The Minister is going to make the retailer of goods—whether bread, packed goods, weighed goods, unwrapped goods, processed or manufactured goods—

Mr. Power: It is in the Act.

Mr. KERR: But this measure is all the more determined than ever—

Mr. Power: It is bringing in the wholesaler.

Mr. KERR: I have no complaint about that. Provision should be made that if you go into a retailer's shop and find an article that is short-weight, the article shall be impounded, and we should trace the manufacturer or the packer. He is the man who in my opinion should be liable.

Mr. Power: That is what we propose to do.

Mr. KERR: But the Minister does not say that. The Bill makes use of the words "or sells," which covers every retailer, whether of bread or any other article. It is a provision that is too far-reaching and will greatly harass storekeepers, perhaps more than the Minister appreciates at the moment. I am sorry that the Minister is rushing this Bill through the House—

Mr. Power: Because people know the position they are robbing the public hand over fist.

Mr. KERR: The hon. gentleman brought in this measure to deal with one particular individual and he stated so in this House. That man has written the Minister a letter, and the Minister has swallowed it lock, stock and barrel. The very thing that this man does not want is to have the bread weighed in the dough, and by this measure the Minister is playing right into his hands. He is not getting down to the real cause of the trouble. The hon. member for Coorparoo has already given the House full details of the wastage that occurs from the making of the dough till the bread is sold, and in my opinion this legislation will be impracticable of implementation without causing a great deal of trouble and distress to the person against whom no charge should be laid. As the Secretary for Public Instruction interjected, this no doubt will result in an epidemic of indigestion and many other intestinal complaints.

Mr. Power: The Department of Health and Home Affairs will deal with that.

Mr. KERR: That may be all right, but the Minister intends to insist that a loaf of bread shall contain the correct weight, which will create quite a lot of trouble.

I should like to correct something that was said previously. I made an interjection earlier in the debate about which there was some misunderstanding. What I intended to convey was that the first loaf into the oven is the last loaf out, and naturally it is the best loaf. The people who eat that loaf are eating well-baked bread, and are not consuming a lot of moisture. I want to make that correction now, because it is really what I intended to convey.

I stress again that the processor of the goods is the man to whom the blame should be sheeted home. It is entirely wrong to nail down the retailer, who has had no hand at all in packing or processing the goods.

In spite of that, it is intended to make him equally liable with the packer or the processor of the goods.

I suggest that the Bill should receive further consideration and that the Minister should delay its passage through the House so that members can look into it thoroughly. Reasonable amendments should be made to the Bill in order to protect these people against whom serious charges may be made and on whom extreme punitive penalties may be imposed. It is very unlike the Minister to rush a measure such as this through the House. I am sure he does not realise how far-reaching it is, and I express the hope that he will repent before the afternoon is out.

Mr. DECKER (Sandgate) (2.34 p.m.): The Minister read to us a letter that he had received from a certain Mr. Dance, who suggested that the practice of weighing the dough before the bread is baked should be adopted. I commented at that time that that was an excellent suggestion, but of course I was abused right and left, and it was suggested that I must be a friend of this man Dance. However, that is exactly the suggestion that has been made to me by every baker in my area. Every one of them has pointed out to me how difficult it will be for them to comply with the requirements of this legislation. They have all told me that varying conditions will alter the weight of a loaf of bread, and that they always weigh their dough with meticulous care. They are afraid that they will be charged with selling bread that is under-weight. The surest way to overcome the difficulty is to have the bread weighed in the dough otherwise this Bill will compel the bakers to make bad bread.

Mr. Clark: They cannot make it any worse than it is today.

Mr. DECKER: Every baker endeavours to comply with the requirements of the law but he has a serious position to face. He has to see that his bread complies with a certain standard weight, that it is up to the standard loaf but public health comes into the matter too. I know that the Minister will say that that belongs to another department but the action of another department in insisting on a product of good quality will force the bakers to comply strictly with the requirements of this Bill in respect of weight. No-one can tell me that an unbaked loaf is a wholesome loaf, yet this Bill will compel every honest baker to supply an uncooked loaf. That is a ridiculous situation. We have the Bakers' Research Institute, which has gone very thoroughly into the question of baking a wholesome loaf. We have bakers today who are willing and capable of baking a wholesome loaf.

Mr. Devries: We shall get good bread when we turn out the trainees from our institute at the Technical High School.

Mr. DECKER: What is the use of training bakers to make good bread when by law they are forced to make bad bread?

They can make good bread even today but this Bill will compel them to make bad bread for fear the bread will be under-weight because of evaporation and other factors. I repeat that that is a ridiculous situation. I understand from the Minister that there are at present 80 inspectors under this Act but their duties are not confined to the inspection of bakehouses. They have many other duties to do and they have but little time to attend to bread. We cannot have them continually round the bakehouses like sleuths.

Mr. Power: They are not.

Mr. DECKER: Perhaps they could get up a little earlier, like the industrial inspectors.

Mr. Power: They are not hanging round the bakehouses.

Mr. DECKER: The hon. gentleman has not noticed the cases before the court last year.

Mr. Power: It was the result of a raid about two months ago and there has not been one since.

Mr. DECKER: The best way is to accept the dough weights. An inspector could examine a loaf taken from a shop and if it disclosed malpractices in the bakehouse he could then go to the bakehouse and make an inspection there. The statement that it is intended that the Act will be administered sympathetically by the inspectors does not ring true to me because if the inspectors did not institute prosecutions it would be argued that they were failing to do their job. I know that the bakers have not been worried a great deal by visits from inspectors under the Weights and Measures Act—that has not been their worry; the industrial inspectors have been their worst headache. Bakers in Sandgate have sold out their bakeries and entered other callings.

Mr. Power: We have had instances where they sold short-weight bread on Sundays.

Mr. DECKER: It is not short weight that you worry about on Sundays. Your inspectors do not attend there on that day.

Mr. Power: No!

Mr. DECKER: The inspectors who have visited the bakehouses on Sundays have been industrial inspectors. One had a car and pulled up outside Redman's bakery gateway and stood there for five hours watching people going into the bakery, not to see if they were getting bread of short weight but with the object of seeing whether it was served to them. They have made an attack on these bakers for the purpose of prosecuting them and have made life a perfect hell for them.

Mr. Rasey: Dance has made the inspectors' lives a hell, too.

Mr. DECKER: No.

Mr. Rasey: Yes: for 20 years. Are you a friend of Dance's.

Mr. DECKER: I do not know the man; I have never met him in my life. The only connection I have had with Dance is that I saw his name in the newspapers and read that he has been clever enough to successfully evade a conviction on prosecution. In fact, I took up the paper this morning and saw that the department had withdrawn three cases against him. I do not know anything else about him.

The bakers in my area are very scrupulous and give the correct weight in dough measure, and suffer the penalty in baking the bread.

There is an angle in this respect that we are inclined to treat lightly. The Minister said that the Bill was designed to give a better deal for the public but in actual practice it will do the reverse. Bakers put a dough weight into the baking tins that should produce a 1-lb., 2-lb., or 4-lb. loaf and then find through over-baking that the baked weight is below the dough weight. What becomes of that weight?

Mr. Power: Sell it to the public and rob the public by giving short weight.

Mr. DECKER: That is what you advise the bakers to do?

Mr. Power: That is your suggestion.

Mr. DECKER: The Bill provides that when you get a well-baked loaf of bread—and if it should be slightly less than the dough weight because of the evaporation of moisture—the baker renders himself liable to prosecution. It is sinful to waste any bread because it may happen to be an ounce under the dough weight when baked. Bakers want to know why—and the Minister might be able to explain it—inspectors weigh white and brown bread separately. They pay more attention to white bread when checking the weight. I know why. Because the moisture evaporates from white bread more quickly than from brown bread; in other words, brown bread retains the moisture longer than white bread. That is wrong, absolutely, because each class of bread is accurately weighed on the same set of scales although when both are drawn from the oven investigations will prove that the evaporation of moisture from the white loaf is greater than the brown. In such circumstances a charge can be laid against that baker for a deficiency in weight, notwithstanding that there was no under-weight of dough when it was weighed on the scales prior to being placed in the oven.

The Bill contains many other matters that have been well covered by the hon. member for Coorparoo, but I would remind the Minister that in bread-baking there are such things as a slow and a quick oven and over-baking and under-baking. If you go into the scientific angle, what we are getting at is perhaps the loss of half an ounce in a 2-lb. loaf, but that will bring a successful prosecution and a claim that the public have been robbed.

Mr. Power: Some bread has been eight ounces short.

Mr. DECKER: When you get glaring cases like that it is a different matter. Do not think I am complaining about that. In glaring breaches I am with the Minister all the way, but he is upsetting the whole trade because he has them all nervous; they are upset by the different inspectors, and I think it is time we gave a decent man a decent chance to earn a living. If the result of our efforts is that we develop a bad loaf then we shall not have done a service to the community.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (2.47 p.m.): This legislation is of particular importance and deserves every examination we can give it. It is designed to protect the public against improper practices. The Minister, in examining the legislation under his control, has adopted the principle—and he is to be commended for that—that it is far better to consolidate than to amend, particularly if it is necessary to make a considerable number of amendments and the Act has not been amended for a considerable time. This Act is one that should be consolidated, as the Minister is doing. It has not been amended since 1924 and during that period a number of changes have taken place in marketing and packing for sale; and judging by the tenor of the debate there seems to have been a good deal of change in baking in recent years.

The greater part of the Bill consists of provisions that were in the old legislation. Not a great number of new principles are involved; and the new principles are in the main of the kind to which we usually refer to as machinery provisions, which seem to be designed to facilitate administration. This is one legislative enactment that depends not so much on what is written into it as on the way it is interpreted and administered.

Mr. Power: Common-sense administration.

Mr. NICKLIN: It needs common-sense administration; otherwise the Minister and the department will get themselves into no end of trouble.

Previous speakers pointed out that if there is to be a too literal interpretation of the provisions the purpose for which the Bill is introduced will be defeated. I again emphasise the fact that I emphasised in regard to legislation dealing with machinery and scaffolding—that sound and common-sense administration is necessary to make it as effective as we desire it to be. Many very drastic provisions are written into this legislation that would not be applied once in 100 cases—

Mr. Power: But are necessary.

Mr. NICKLIN:—but had to be put there to deal with the exceptional circumstances that crop up from time to time. That is why I hope the Minister in charge of this legislation will use common sense in administering it. If he does not, he will get himself

into a great deal of strife and will cause the commercial community much unnecessary trouble.

I do not propose examining the principles that have been dealt with by previous speakers, but I do wish to refer briefly to the new features. The first principle is that which provides that an inspector may buy any article for the purpose of a test. A similar power is given to inspectors under the price-fixing legislation, and it has been found very often that it has been abused by the inspectors in an endeavour to get a prosecution. I hope that the power proposed here will not be abused in a similar way and that it will be used only in a genuine attempt to find out whether a person selling an article is endeavouring in any way to take down the public.

Mr. F. E. Roberts: Here and there, even amongst inspectors, you will always find some who will do that sort of thing.

Mr. NICKLIN: Admittedly, but I suggest to the Minister that if he finds any instances of this amongst his inspectors he should discharge them from the department.

Mr. Power: We have already got rid of two.

Mr. NICKLIN: I have noticed that, and I commend the Minister for it.

Another new principle is that under which the Chief Inspector may prohibit the use of instruments of weighing that are considered to be unsuitable or likely to facilitate fraudulent practices. I do not think anyone would object to that. One point exercising my mind was whether this power is to be used in connection with weighing instruments already in existence, or whether it will apply to new types that may be offered for sale in the community in the future. Many new types of weighing machines are continually coming on to the market, and some of them are very expensive. I do not know whether they have to be submitted to the Department of Weights and Measures before they can be sold.

Mr. Power: They have. Every machine must be submitted to the department for test and it must be stamped before it can be offered for sale.

Mr. NICKLIN: I am happy to hear that, because if that principle was not adopted it would mean that many shopkeepers would lose heavily through having bought, perhaps at high cost, a set of scales that proved to be unsuitable.

The new provisions relating to bread have been dealt with extensively and I do not propose to touch them, except to say that as one who comes from the country I am accustomed to having good bread. I should much prefer to buy an under-weight loaf of good bread in Brisbane to having to take an over-weight loaf that I cannot eat. In addition to seeing that the public are not taken down with short-weight bread, something should be done about its quality. If there is any connection between the provision written into this Bill

and the quality of the bread sold in Brisbane, the sooner the whole thing is worked out and the people in Brisbane get better bread than they are getting now, the better it will be for all concerned.

The next new feature is that if the person concerned refuses to be present when weighing or measuring is done by an inspector, the work can be done in his absence. Under the Act, the person concerned has to be present and the inspector has to do the weighing or measuring in his presence. If a person refuses to remain when the inspector weighs—

Mr. Power: That is just why we want to get the Bill through.

Mr. NICKLIN: It is a common-sense provision to enable an inspector to do his job.

I pass on to the next new feature in the Bill whereby if a person concerned does not immediately admit an inspector to his premises such force as is necessary may be used. We have heard a good deal about fortresses and the things allegedly erected round buildings to prevent inspectors from getting into them, and if this happens the Minister may have to equip his inspectors with Centurion tanks to enable them to break down these obstacles, but this use of force to break into places is something that should not lightly be written into legislation. I do not think any hon. member likes to write into the laws of this land a provision whereby force can be used to break into premises, unless of course circumstances are such that they demand it.

Mr. Power: It is in a number of other Acts.

Mr. NICKLIN: Yes, in the Criminal Code and other Acts, and it is necessary in certain circumstances and perhaps it may be desirable in this legislation. I make the comment because I do not think it is right to write into legislation such a provision lightly, without the fullest examination. The Minister has told us some of the difficulties his inspectors have experienced in the carrying out of their duties, that they have been locked out and denied admission to premises where they suspect that all is not well and where they are entitled to make an inspection to see whether all is well. If they are locked out and have to do a job I suppose we have to give them some means by which they can do it, but I am wondering whether the use of force is entirely at the discretion of the inspector himself or whether he will have to have a direction from a higher authority before he can put into effect the provision for the use of force to break into a building. I certainly should not like to see that matter left entirely to the discretion of an inspector employed by the department. In the main, no doubt, these inspectors are very responsible officers, but the Minister has mentioned that he is short of officers to carry out the duties entailed by this legislation, and at some time some temporary appointments might be made of people who had not had much training.

Mr. Power: No, they have to be properly qualified and trained and pass an examination before they are appointed inspectors.

Mr. NICKLIN: And there are not only their duties under the Bill; there is the question of their responsible approach to this problem and their temperament. I dare say there are plenty of inspectors who are temperamentally unfitted for the job, and there is the fellow who would say, "Nothing is going to stop me; I will bash this door down," and away he will go.

Mr. Power: We should not send one, we should send two.

Mr. NICKLIN: As long as there is some protection such as that, it may be all right. The department should be aware of whether it may be necessary to take this drastic action, so that in such a case I suggest that force should be used only at the express direction of the Chief Inspector and/or the Minister. I should like the Minister to examine that matter.

Mr. Power: I think the direction would have to come from the Chief Inspector in the first instance.

Mr. NICKLIN: I hope it will. I should not like this matter to be left undecided. I should like to have some definite pronouncement on it from the Minister.

Mr. Power: That matter will be under the direction of the Chief Inspector.

Mr. NICKLIN: That certainly breaks it down a lot. It would not be right to give every inspector of the department the authority to exercise such a drastic power whenever he might think fit to do so.

Passing on, we come to the penalty clauses of the Bill and we find that the penalties have been increased to £100 for the first offence and £200 for subsequent offences. The magistrate will be guided by the provisions of the legislation with which he is dealing, and if the maximum penalty for an offence is £100 he will make his decision accordingly. If it is £200, however, up goes the penalty.

We find, too, that in addition to monetary fines, imprisonment has been included. I should like to draw the Minister's attention to the fact that the Bill states that if the court is of opinion that an offence was committed with intent to defraud, it may order imprisonment for up to six months in lieu of a fine. Imprisonment is a rather drastic penalty. Of course, it may be necessary in some instances, but who is to interpret the term "deliberate fraud."

Mr. Aikens: The court will do that.

Mr. NICKLIN: It may. Of course, the court will base its decision on the evidence that is placed before it. For instance, there may be a glaring case of continued and deliberate attempts by an offender to break the law, but—and this applies particularly to the present time when so many goods are packaged automatically—as the result of a

faulty machine, a certain line of goods may be short-weighted or short-packed before the fault is discovered.

Mr. Power: Do you not think that common sense will be used in such a case?

Mr. NICKLIN: Common sense may be used, but we want to tie up definitely this question of intent to defraud.

Mr. Power: We shall have to establish that there has been an intent to defraud. That will have to be established.

Mr. NICKLIN: It may. Of course, the penalty of imprisonment should be imposed only where there is a definite element of criminality, and not where there has been a mistake over which nobody has had any control. Instead of writing such a drastic provision into this legislation, it would have been far better for the Minister to include a provision to charge the offender under the Criminal Code or some other existing legislation under which it would be more appropriate to impose a penalty of imprisonment. It would have been far more appropriate to bring a charge under the Criminal Code than under this Bill. That would have been better than penalising a person who might be charged with an offence consequent upon the result of neglect or carelessness of somebody else. I am not particularly happy about that provision. It would have been far better, too, to leave the monetary penalties as they were under the old Act and to bring any criminal matter that justified imprisonment under the Criminal Code.

Mr. Power: Do you not think that a person who takes a number of sandwiches out of a sliced loaf is committing a fraud?

Mr. Hiley: Could you not charge him under the Criminal Code?

Mr. NICKLIN: He should be charged under the Criminal Code and not under this Bill.

I come now to another provision, one that calls for a little examination and some clarification. It shifts the onus of responsibility for the inspection of weighing machines. Under the old Act the onus was on the department to inspect the various weighing machines but now the onus is shifted to the owner of the machine. Queensland is a very big place. There are weighing machines throughout the State, some of them in very inaccessible places. The Bill places the onus of inspection on the owners of the weighing machines and they are to have them inspected annually.

Mr. Power: A number of people have machines that they do not declare to the inspectors when they go onto their premises. We want to deal with them.

Mr. NICKLIN: There may be some, but not too many. The majority of the weighing machines can be readily seen, because they are being used. They can be inspected by the inspectors. The old provision placing the

onus of inspection on the department was quite satisfactory and it covered the situation well.

Mr. Power: The Chief Inspector can vary the period of inspection from time to time.

Mr. NICKLIN: The Minister and the Chief Inspector have very wide powers under the regulation-making powers in the Bill. I repeat that the onus of inspection is now clearly transferred from the department to the owner of the scales and if this provision is not watched carefully and administered sympathetically it will cause considerable trouble and it may involve a perfectly innocent trader, the owner of scales, in unnecessary conflict with the department. It would have been far better to retain the old provision, which placed on the department the onus of checking the scales regularly.

Mr. Power: We should not have been able to get at a number of people if we had.

Mr. NICKLIN: I did not think the Minister missed many. The department does a very efficient job in that respect.

Mr. Power: We had a check on the South Coast and found scales that had not been checked since 1947.

Mr. NICKLIN: That is possible but there is no excuse for that when the area is so handy to Brisbane. The Minister has given strength to my argument for he admits that when the onus is on the department it was able to check scales only once in five years, yet he now seeks to place that onus on the owners, who must have their scales inspected every 12 months.

Mr. Power: When the inspector went down to the South Coast he checked a set of scales in the front part of the store but when he paid a visit of inspection six months later the scales he had examined in 1947 were in the back of the store and another set of scales were used in the front portion.

Mr. NICKLIN: That does not justify shifting the onus of inspection from the department onto the owners.

Mr. Aikens: If you make legislation too elastic it provides a loophole for crooks to get through.

Mr. NICKLIN: No Act is passed through this Parliament in which there will not be a loophole. This is not a question of finding loopholes but one of putting the onus of inspection of scales on the owner instead of the department. It is not a fair deal and the Bill will have to be very sympathetically administered, otherwise considerable trouble will be caused to the owners.

Quite a number of matters have been referred to in the debate, particularly with regard to foreign matter and the sale of agricultural products by weight instead of quantity, and I do not propose to reiterate the arguments that have been adduced. There is just one matter mentioned by a previous speaker that I will refer to, that is, where

bottles and similar containers are specifically brought under this legislation. We have many products sold in bottles. Nobody will have any objection to that, particularly when we realise that a very big proportion of our milk sales is made in bottles. Naturally the bottles are marked according to size so that the public will not be deprived of one fluid ounce by fraudulent practice. That might be attempted by the retailing of milk in thick bottles but I do not imagine that will be done, because these bottles are manufactured by reputable bottle-manufacturing companies that have their reputation to preserve. It would not be easy to get a line of crook bottles manufactured for the sale of any product.

Very wide regulation powers are included in this legislation. That is necessary because of the wide range of matters to be handled, but I can assure the Minister that when the first regulations are tabled, we will examine them very thoroughly to see whether they come within the ambit of this legislation and whether they will operate in the best interests of the public.

The whole success or failure of this legislation will be in its administration. I appeal to the Minister to make a common-sense approach to the problems it touches, particularly its new principles. If the Minister does so the legislation will be of some benefit and service to the community.

Mr. DEWAR (Chermside) (3.15 p.m.): I wish to say a few words in general support of the case stated by the hon. member for Coorparoo and the hon. member for Sherwood in respect to some of the things to which the Bill applies. I believe the Bill is a very good one; and we shall never be wanting in support of any measure to clamp down on crooks or anyone who endeavours to fleece the public. However, we think that some provisions of this Bill are almost impracticable. No doubt the Minister and the Parliamentary Draftsman set out to frame a Bill that would be foolproof—

Mr. Power: I said I hoped it was.

Mr. DEWAR: — or almost so. No doubt they got down to work on the matter and spent a considerable time on it and endeavoured to sew things up so completely that a worm could not even squirm. In their efforts to do this, however, I am afraid they have put in provisions, especially those with respect to storekeepers, that are impossible of fulfilment. I believe the average trader is honest and only a small percentage of manufacturers and traders are dishonest. I foreshadow an amendment in Clause 28 and I reserve comment on that clause till the Committee stage.

During the general discussion the Minister said that an inspector would have to weigh 20 loaves. That would be all right in the bakehouse, where there was plenty of bread and platform scales, but imagine the chaos that would be created in a small grocer's shop, where space is limited, if the inspector proceeded to weigh out 20 loaves of bread on

a scale that would only weigh two or three at a time. In many establishments it would be impossible to carry out that provision.

The Deputy Leader of the Opposition asked the Minister whether he would consider allowing bulk sliced bread, which to a large extent is supplied to cafes and refreshment rooms, to be sold unpacked, and the Minister replied, "How are we going to protect the householder against chaps like Dance?"

Mr. Power: We do not interfere with bread sold in canteens.

Mr. DEWAR: The Bill provides that small quantities of sliced bread must be wrapped. The Deputy Leader of the Opposition was not asking that that be interfered with; he wanted the supply of large quantities of sliced bread exempted.

Mr. Power: I will deal with that in my reply.

Mr. DEWAR: The Bill is designed to get at the wholesaler. Numbers of organisations that set up as wholesalers years ago have gone into manufacture in their own right. I refer in particular to dried fruits, green peas, dried peas, and things of that kind. In addition to these people, there are still many wholesalers who buy pre-packed goods from manufacturers, and I suggest to the Minister that he bear in mind the fact that it is not so much the wholesaler on whom he should place the blame, as the manufacturer and packer. The person who actually produces the goods is the one who breaks the law if he puts less weight in a package than is specified on the label. The packer and the manufacturer should bear the responsibility, not other sections of the trade handling the goods.

This legislation should do much to help the honest manufacturer. Any well-established manufacturing organisation and any decent person who wishes to begin manufacturing is always very keen to build up goodwill. On no account whatsoever will such people engage in snide practices. This type of legislation will help people in that one or two prosecutions of offending manufacturers or packing organisations will soon educate the public to a knowledge of the better types of business people. One or two prosecutions of the law-breakers will soon let the public see what goods are likely to be under-weight and they will not continue to buy them. In that way this legislation will operate to the benefit of the decent, honest manufacturer, packer, and business organisation.

I reserve any further comments I have to make in connection with the storekeeper who sells bread until we are in committee.

Mr. PIZZEY (Isis) (3.22 p.m.): At the outset, I deplore the tendency to put legislation through this Assembly hurriedly. I refer to the practice of passing a Bill through the second reading and Committee stages in the one day. In this State there is more need than in any other State for careful consideration of our legislation, because we have no Upper House. We must

have time to review and give serious consideration to legislation. This cannot be done if a Bill is to be passed through the second reading and Committee stages in the one day.

Hon. members on this side have made many valuable suggestions today, and those suggestions should be investigated by departmental officers. Again, we have yet to hear the Minister's reply on the second reading, and it is not until we have heard the debate on the second reading that we are in a position to decide what amendments are desirable and it is impossible to frame satisfactory amendments if the Bill is to go straight into Committee on the same day as the second reading. I hope we have seen the end of this rushing of legislation through Parliament in this State, where we have only the one House.

This is an all-embracing Bill, as has been much of the other legislation passed through this Assembly. It seems to me that the Government believe it is necessary to have blanket clauses, clauses that cover thousands of people, merely for the purpose of catching one offender. I venture the opinion that not one hon. member of this House has not broken the law of the land at least a dozen times. Every time he drives his motor-car he invariably exceeds the speed limit across intersections and thereby technically breaks the law of the land. Too often do we see in Bills blanket clauses that cover every contingency in order to catch one offender.

I am pleased to see that Government departments will be brought under this legislation, although for the life of me I cannot see how one Government department can prosecute another for breaking the law. I do not see how the King can sue the King.

Mr. Power: No, but at least we can see that the Railway Department brings its scales up to date and keeps them in order.

Mr. PIZZEY: I am sure that is the Minister's intention.

That brings me to the question of railway weighbridges. In many of the smaller country towns the old railway weighbridges have outlived their usefulness and do not do the job required of them, because in these days we have vehicles of a very long wheel base. In Childers and many other towns the practice is for the larger vehicles to run their front wheels onto the decking, then to back off and run the back wheels on and thus the weight is got. The people of Childers have drawn my attention to this practice and I asked the Chief Inspector of Weights and Measures for a technical reply and this is what he advised—

“The weighing of any vehicle in two sections—end and end weighing—will not give absolutely accurate weighing. However, if the approaches to the weighbridge are level with the decking, for a distance of 12 ft. either end, and the machine is maintained at correct zero balance, reasonably accurate weighings will be obtained. If there is wooden decking, there will be a large variation of zero

balance between dry and wet weather and this must be corrected whenever necessary.”

To get accuracy you would have to have the tyres at level pressure and the springs of the vehicle would have to be at the same tension and there would have to be a perfectly level approach to the weighbridge.

Mr. Aikens: Do you mean that one set of wheels is on and the other is off?

Mr. PIZZEY: They weigh the front half and then the back half. The reply of the Chief Inspector goes on to say—

“The tare weight of a vehicle should be ascertained either immediately before loading or immediately after having unloaded the vehicle. The tare weight of a vehicle varies to a considerable extent and the tare of the vehicle at some former weighing should on no account be taken as being correct on any subsequent weighing.”

The Chief Inspector was quick enough and ready enough to give me a reply.

This is a question for the Railway Department and it warrants the installation of a larger weighing machine at Childers. The Minister in charge of the Bill is interested in seeing that these railway weighbridges, which cater for the public in these areas, are competent to do the job required, particularly in view of the rapidly growing size of vehicles delivering goods. If these railway weighbridges, which are the only weighbridges in many places, are not made long enough, to take the ordinary—

Mr. Burrows: What about trailers?

Mr. PIZZEY: You cannot weigh them at the same time. I hope this measure will expedite the installation of modern railway weighbridges at country towns.

Hon. W. POWER (Baroona—Secretary for Mines and Immigration) (3.28 p.m.), in reply: I thank the Leader of the Opposition for his approach to this Bill because he adopted the attitude that it was mostly one requiring administration with common sense. He applied a common-sense view to the new provisions in the measure. There are only one or two matters requiring explanation.

As to the question of imprisonment for fraud, I have pointed out that before a person can be imprisoned for fraud the court must be of the opinion that the offence was committed with intent. Take the man who took five or six slices out of a sandwich loaf. Did he not intend to defraud? Is it not right that we should take immediate action against that person? The intent must be proved by the evidence before the court and the magistrate must give his decision on the evidence and I do not think we have anybody in our employ who would deliberately go into a court, take the oath, and swear false evidence. The success of an inspector does not depend on the number of convictions he gets. That is not my policy and it is not the policy of the Chief Inspector, and that fact is always being impressed upon the inspectors. I have met all these

inspectors and have inquired into their characters, and I assure the House that they are an excellent band of men.

It has been suggested to me that we cannot expect to get convictions when the inspectors go out in vehicles branded with the name of the department. It is not our desire to sneak up on people, the great majority of whom are obeying the law.

Mr. Low: They do while the inspectors are there.

Mr. POWER: The hon. member should speak for himself. If he knows of anything dishonest that is going on in his area, it is his duty to see that the laws of this State are obeyed. If he knows of anybody in his electorate who is robbing the public by giving short weight, all he has to do is to notify the Chief Inspector or me and we will have an inspection carried out. Many people are too prone to accuse storekeepers of short-weighting, but after receiving such complaints in respect of storekeepers in the Kelvin Grove district, part of which is in my electorate, I caused a comprehensive survey to be made. We checked 85 shops of all kinds, including chemists' shops, and in not one instance did we find any evidence of dishonesty of any kind. I pay a tribute to those people for their honesty, which is what we want among the people of the community. That is the principle that we want to instil into the minds of the general public.

The Leader of the Opposition made particular reference to one of the clauses of the Bill, and I should like to assure him that a new provision in the Bill was drafted along the lines recommended in May, 1951, by the British Committee on Weights and Measures Legislation of the Imperial Parliament. That is one example of the research that was carried out in modernising this legislation, and again I say that it reflects great credit on the work of both the Assistant Parliamentary Draftsman, Mr. Skinner, and the Parliamentary Draftsman.

The hon. member for Lockyer came in with a bit of dirt in a bag and made a great song of the fact that the "Courier-Mail" published something to the effect that I said "2½ oz." instead of "2½ per cent." I may have said "2½ oz." at the time; it is quite possible that I did.

Mr. Chalk: It was published.

Mr. POWER: Many things are published in the "Courier-Mail" that are not true, and the hon. member knows it. If he is foolish enough to take the "Courier-Mail" as his guide, I am sorry for him. When I had a look at my proof I noticed that it said "2½ oz.," but that would not make common sense. I may have said it, but I did not mean it. The hon. member thought he had something but he finished up in the dirt.

Then the hon. member for Lockyer complained about certain dairy produce having to be sold by weight, and I pointed out that that matter was dealt with under two Acts. He said, "I know that." I said to him, "Tell us the Acts." He replied, "It is in

the old Act." I said, "Tell us the other one," but he did not know which one it was. This provision has been in the Stock Foods Act for very many years, but the hon. member is just waking up, like Rip Van Winkle. Many of the sections in the old Act are included in the Bill. If I agreed to the hon. member's suggestion not to insist on the sale of produce by weight what would be the position of the city dweller who wanted to buy a bag of chaff or maize or wheat? How can he buy such stuff unless it is by weight? Is it suggested that he should buy it by the bag regardless of weight? Does anybody suggest, too, that we should prevent a man from selling a stack of hay to his neighbour who required it for drought relief? Is it suggested that we should say to him, "You cannot sell that bale of hay to the fellow next door who wants it for drought relief unless you take it to Gatton or to some other place to weigh it first"? It is stupid to suggest that. The Leader of the Opposition hit the nail on the head when he said that common sense would prevail.

The hon. member for Sherwood referred to a number of matters already contained in the Act. If I had been amending the Act instead of introducing a consolidating measure, half the discussion that has taken place today would not have occurred. Most of the discussion on the Bill has hinged around the sections that are already in the Act and are now being embodied in the Bill.

Mr. Kerr: That does not make them just.

Mr. POWER: We have not had any trouble with them up to date. Instead of penalising the retailer we are actually protecting him. In many respects he is not protected today. The Bill will enable inspectors to take action against wholesalers in respect of some pre-packed goods. At the present time, if a package does not contain the weight stipulated on it the prosecution is launched against the retail storekeeper when it should be taken against the wholesaler, because the wholesaler is really responsible for the weight of the contents in the package. Now we shall have power to prosecute the wholesaler and so avoid the prosecution of the retailer. We are not desirous of launching two prosecutions in respect of the one offence. I referred to that matter on the initiatory stage of the Bill when I said that a butcher had been prosecuted in respect of short-weight meat. An inspector from the Prices Department charged him with having overcharged. Two offences had been committed—the meat was under weight, which meant of course that the butcher had overcharged for it. The Commissioner of Prices launched the prosecution against him for overcharging and I immediately directed that no prosecution should be launched by my department. That will apply now so far as the retailers are concerned. We are anxious to get at some of the wholesalers who have not been playing the game with the retailers but no further penalty will be inflicted on the retailers in respect of an offence committed by the wholesalers. We are protecting the retailer against a possible prosecution by launching

it against the wholesaler who is responsible for the weight of the pre-packed goods. That is what we are doing and I want to make that clear.

The hon. member further said that I would swallow anything that Mr. Dance would put over. The hon. member is not so foolish as to believe that I should be affected by any flap-doodle attempted by Mr. Dance. I certainly read the letter that he wrote me, because I thought there was a streak of humour in it and it was from that angle I read it. I am not concerned about what Mr. Dance said in the letter. If I thought it was possible to overcome the difficulty of short-weight bread and prevent prosecution, I should do so. That has always been my policy in administering the department. It would be impracticable to do as the hon. member for Sandgate suggested.

Mr. Kerr: They do it in other States.

Mr. POWER: Other States change their Governments frequently, but in Queensland we have had a stable Government for a number of years. (Opposition laughter.)

Some criticism was devoted to the fact that this Bill gives powers to inspectors to seize goods, but we have always had that power, and we are merely transferring it from the old Act to this Bill. This power is designed to enable us to trace goods from the retailer to the wholesaler.

I believe I have converted the hon. members for Sherwood and Chermiside, who raised the question of weighing bread in the shop. All the bread is not weighed at once. Four or five loaves are placed on the scales in the retailer's shop and if it is found that there is only a very slight variation in weight, there is no sense in having any further check weights. Our inspectors are not a band of brigands; they are excellent chaps, doing a difficult but excellent job that is delegated to them under this or other Acts passed by this Parliament. It is unfair to suggest that we should regard them with any suspicion whatsoever.

The hon. member for Sandgate put up the best argument I have heard for a long time for people who want to sell short-weight bread. His complaint was to a great degree in opposition to the action taken against these bakers for selling short-weight bread. He followed up his complaint by a further complaint that the people would suffer from indigestion because the bread might be too hot. I will leave that entirely to my colleague, the Secretary for Health and Home Affairs, who has to deal with the health side of our food products.

The hon. member also talked about the "accident" of short weight. There may be an accident that causes short weight, but in all investigations that have been made, we have found that the short weight has always been on the side of the seller, not the purchaser. Is not that very remarkable?

The Deputy Leader of the Opposition got his weights mixed up with his prices. I am going to deal entirely with weights. I am not concerned, in this Bill, with whether 200 or 400 loaves of bread can be made from a bag of flour, or what the price of bread may be. I say this sincerely: if it can be proved as a result of investigations that a bag of flour does not give the required number of loaves of bread to enable the baker to sell at a reasonable margin of profit, I am sure my colleague will only be too happy to ask the Commissioner of Prices to make an investigation. As has been stated before, we do not want anybody to work for nothing.

The price of sliced bread was mentioned. The Deputy Leader of the Opposition must have been unaware of the fact that there is an increased price for sliced bread. Provision is made for that purpose.

I think the hon. member for Coorparoo had a brief for the retailer. I saw exhibits 1, 2 and 3 taken out of a bag like rabbits coming out of a hat, and put on the desk. He only dealt with a selection of pre-packed articles that could not be interfered with.

Mr. Hiley: I produced a packet of envelopes and pointed out they were easy to interfere with.

Mr. POWER: I will point out as I go along how that position is dealt with under the Bill. There was also the suggestion about the packet that should contain 32 and it might contain only 31. Provision is made to deal with these.

An Opposition Member: Have you a schedule of approximate errors?

Mr. POWER: No, but we have a lot of common sense. There are many pre-packed articles that can be tampered with, none of which were presented as exhibits.

Mr. Hiley: Yes, they were—drawing pins.

Mr. POWER: They are already dealt with. It says the approximate number. If the hon. member keeps quiet, I will deal with that. The hon. member did not produce food commodities that were pre-packed and could be tampered with.

The hon. member dealt also with penalties—the proportionate degree of guilt. If I say I bought these goods from so-and-so and there is evidence that they are not tampered with, that is an excuse. The degree of the intention would then be taken into consideration by the magistrate.

Mr. Hiley: He would still have to be convicted.

Mr. POWER: Not necessarily.

Another matter dealt with was Clause 32, which is a similar provision to the present Section 10. This is in the Commonwealth Weights and Measures (National Standards) Act, and if uniform weights are prescribed under the Commonwealth Act, Clause 32 becomes inoperative and the Commonwealth section becomes the law on the subject.

Irrespective of what we might do, immediately Commonwealth legislation is passed it supersedes State law.

There was a suggestion that we might be weighing bread in the dry westerly wind. One would imagine that we were a gang who were waiting to pounce on anybody for any minor offence.

The provision as to sliced-bread will not interfere with the existing practice, except that the package must bear a statement of weight. An increased price has been allowed for that by the Commissioner of Prices.

The Deputy Leader of the Opposition dealt with the question of dough weights. My officers would like to know how, if they are not allowed to break the skin of a loaf, they can check the weight of the dough. I leave it to the hon. member for Coorparoo to answer that.

Mr. Hiley: It is weighed out before the dough starts to work.

Mr. POWER: In some cases, but the inspectors would have to be there on the spot. I should like the hon. member to tell me how many inspectors he thinks we should need if we are to police every bakehouse in the city. They would need to be there continually if there were many people like Dance.

The quality of bread was mentioned but that is entirely a matter for another department.

The hon. member for Lockyer complained about the selling of molasses. Let me point out to him that molasses is a mill by-product and, being a liquid, may be sold by measure. Not one of the arguments advanced by the hon. member today had any foundation whatsoever.

I come now to the envelopes and the drawing pins. The clause under which they would be dealt with begins with the words—

“Subject to Subsection (4) of s. 34 of this Act . . .”

Subsection (4) of s. 34 allows approximate weights when prescribed. There is ample power to deal with that, and it is ridiculous to suggest that the Premier would allow to remain in office a Chief Inspector who sent his officers out counting envelopes and drawing pins. The argument is not worthy of a reply.

Then the Deputy Leader of the Opposition mentioned tins of fruit. He mentioned the person who would ask for a 2-lb. tin of fruit. I have never heard anyone ask for that. Whenever I go to buy a tin of fruit for my wife I ask for either a small tin or a large tin. Tins of fruit are not sold as 2-lb. tins. They are sold in the large tins as against the 20-oz. small tin. Because of the variation in the specified packages, they cannot be standardised. As the Deputy Leader of the Opposition pointed out, there is more syrup in some than in others. By liquid measure some are 30-oz. tins. This

again is a matter that does not come under this Bill. It is one entirely for my colleague the Secretary for Health and Home Affairs.

I come now to the sale of imported steel. I am advised that the sizes imported are metric sizes and are ordered in such a way as to be readily converted to imperial measure. In practice, payment will be based on Imperial weights and measures, by yards, feet, and inches. I have bought a considerable quantity of wire, but I have always bought it by yards, not according to metric measure.

Reverting to the question of pre-packed articles, I would point out that the Deputy Leader of the Opposition based his case on the ground that we should not weigh a number of these articles that are sold by retailers. If I eliminated that provision inspectors would be unable to charge a grocer who sold short weight of sugar or any other commodity. It is necessary that we have this provision to deal with other articles, some of which may be pre-packed and some packed by the storekeeper himself. Again the matter is purely one for the application of common sense.

On the question of rope in bakehouses, I am informed that this is a matter in which cleanliness plays an important part. The Leader of the Opposition also raised the decision to transfer to the owner of any scales the onus of having those scales inspected. The Act provides for a yearly inspection, which time can be varied from time to time by the Chief Inspector of Weights and Measures. I do not think there is anything wrong in asking the owner of a set of scales to have them tested. In fact, sometimes it is to his advantage to have them tested because we have found on examination of scales that the owner has been the loser because they have been registering slow. Were they to be registering fast the purchaser would be the sufferer. On many occasions we have been able to help owners of scales and I cannot see anything wrong with that provision. It is the storekeeper's responsibility to sell correct weight to the consumer.

Mr. Hiley: Will you have an inspector in every town every year?

Mr. POWER: Yes, but we have the power to extend the time for inspection. We have inspectors of machinery in many parts of the State who have a knowledge of the weights and measures regulations. They are making inspections of motor vehicles and if we did not have a weights and measures inspector in the town the machinery inspector could be detailed to make the inspection.

Mr. Hiley: They would carry a set of test weights?

Mr. POWER: Under the organisation of the department Mr. Scott is in charge of weights and measures and under the Chief Inspector there is a senior inspector, district inspectors, acting and assisting inspectors, and these men are located in various parts of the State. We do not leave them in any

one particular place for any length of time because we believe in giving them a change of scenery.

Mr. Brown: I suppose you have had storekeepers who have asked you to inspect their scales.

Mr. POWER: A number of them.

The question of bottled milk was raised and I want to say that because of the number of commodities now being sold in bottles we intend to police this section rigidly. We can go to the source of manufacture of bottles—and this is in reply to the hon. member for Sherwood—and check the bottles when they are being manufactured and condemn them if necessary.

The hon. member for Isis complained about my putting this Bill through the House quickly. I told the Leader of the Opposition that I was desirous of getting the Bill through as early as possible, because of the information I gave to the general public about its provisions. I have told them how they can defeat the old Act and, believe me, some of them are doing it. There is no chance of a conviction until this Bill goes through and that is the reason why I am anxious to put it through. I want to stop these people. I had to get the information to the Committee because it was necessary to give the reasons for the introduction of the measure.

The hon. member for Isis referred to the fact that the Railway Department and other Government departments had been included under the Bill. We think it necessary for all scales to be checked and for them to comply with the regulations. As to the question he raised about the ability of weigh-bridges to weigh large trucks, I might tell him that many trailers coming up from Sydney weigh as much as 22 tons and it is impossible to weigh them because there are no scales in the State big enough for that purpose.

The Leader of the Opposition dealt with the matter of giving inspectors power to enter premises by force if necessary. The Cabinet gave a great deal of consideration to this matter, because we realised that this power should not lightly be given to any inspector. However, when we have a man who builds himself in with cement—

Mr. Low: Did he get a permit to do that work?

Mr. POWER: The hon. member should direct that question to the proper Minister. I am dealing now with weights and measures. He is trying to be facetious. We are dealing with important legislation, and this is a very important clause.

Mr. Low: I am "fair dinkum."

Mr. POWER: It is a long while since the hon. member was "fair dinkum."

Mr. SPEAKER: Order!

Mr. POWER: To revert to the matter of obtaining entry by force, as I say, the clause received very careful consideration by

the Cabinet. Nobody is very anxious to break into another man's premises, but I produced this morning a photo showing a brick wall with cement and broken bottles on top of it, and barbed wire in roly-poly style inside the gate. Is that not tantamount to saying, "To hell with them all!"? That is the attitude that is being adopted. Is it not necessary that we should take some action to deal with any person who adopts that attitude? I assure hon. members, however, that before any such action is taken the Chief Inspector will give careful consideration to giving such authority to any inspector, and, incidentally, more than one man will go out to do the job. That may be necessary in any case, because they may be subjected to physical violence. Some people may be inclined to say to them, "I will keep you out, irrespective of the cost!" If that state of affairs exists in Queensland today, we are out to cure it.

There is nothing new in this power to use force to enter. It is a necessary adjunct for carrying out the objects of this legislation, and such a power may be found in most Acts, whether State, Commonwealth, or Imperial, and whether ancient or modern. The power to use force for obtaining an entry is given in various forms by Acts—

(1) Upon the issue of a document, such as a search warrant, by a justice of the peace;

(2) Under a document issued by the head of the department administering the particular Act; and

(3) To any officer for the purpose of exercising his powers for the enforcement of the Act without any necessity for the obtaining of any document beforehand.

The lastmentioned power is, of course, given when the delay in having to obtain a prior document would defeat, or help in defeating, the enforcement of the Act. That is why we are taking that power.

Mr. Hüley: On what you have just said, I am wondering whether, if an inspector goes to a bakehouse and is refused entry, you should not seek to clothe him with the power to enter there and then. By the time he gets back to the Chief Inspector, the opportunity probably will have been lost.

Mr. POWER: He will get the necessary power before he is sent out by the Chief Inspector. If it is desired to make an inspection as the result of a complaint, the Chief Inspector will direct certain men to carry out an inspection and he will give them the necessary authority to enter. However, we will not allow any inspector to take unto himself the right to break the door down to gain admission to any premises.

As I say, there is nothing new in this provision. It was enacted in legislation passed by this House some time ago. In the present Bill it will be specially noted that Clause 15 (5) provides that "Every inspector shall be furnished with a certificate of appointment signed by either the Minister or the Chief Inspector and upon entering any place shall,

if required, produce such certificate to the occupier of the place," so that an inspector is required to have this document with him when exercising his powers under Clause 30 (4) of the Bill.

Clause 30 (4) is no more drastic than clauses of Bills introduced by the present Opposition when they constituted the Government of this State. Those Bills, which duly became law and still stand on the statute book in Queensland, include Section 107 of The Liquor Act of 1912, which provides—

"Any police magistrate or any inspector, or any police officer who is not an inspector and is authorised in writing by any police magistrate or inspector, may demand entrance into the licensed premises of any licensed victualler or wine-seller at any time by day or night.

"If such admittance is refused or wilfully delayed, such police magistrate, inspector, or police officer may break into such licensed premises."

This section is now numbered 96 of the Liquor Acts, 1912 to 1948, but has not been amended since its original passing by Parliament.

Section 12 of the Diseases in Plants Act of 1929, introduced by the late Hon. H. F. Walker, Secretary for Agriculture and Stock in the Moore Government, provides—

"If any owner or occupier or person apparently in charge of any land, premises, or place, fails to comply with the direction contained in any order of an inspector or the Minister served upon him, any inspector, with or without assistants, may enter upon such land, premises, or place in question at any time, and do all such things and take all such measures as may be necessary for the enforcement of such order."

Entry here must include the use of force, if necessary.

In the Diseases in Plants Act, an inspector is not required to have his certificate of appointment with him and to produce it when making an entry as provided by the Weights and Measures Bill. When moving the second reading of the Diseases in Plants Act, the late Hon. H. F. Walker said—

"It may be thought that this Bill is too drastic; but breadth of vision is required when dealing with the conditions of plant life in a State like Queensland."

That is to be found in "Hansard," 1929, at page 1023. Further on, on the same page he said—

"We are asking for great powers under this Bill, but so long as the administration is sympathetic, no harm can be done. All Bills, no matter how hard or how soft they may be, can easily be spoiled by unsympathetic administration."

The same hon. gentleman also introduced the Banana Industry Protection Act, section 14 of which applies the provisions of the Diseases in Plants Act of 1929, which includes

the section 12 aforementioned with respect to any inspector under the Banana Industry Protection Act of 1929. The late Hon. H. F. Walker referred to the sweeping powers of the inspectors of the board, and those remarks are to be found in "Hansard," 1929, at page 1034.

I could quote a number of other instances, but I do not propose to do so. I have given some evidence in support of what we propose to do by a reference to the actions of previous Governments. The Bill is necessary. It is required in order that we may see that the consumer, the purchaser of the goods, gets what he pays for, and we intend to see that he gets what he pays for. I can assure the Leader of the Opposition that common sense will be exercised in the administration of the Bill.

Motion (Mr. Power) agreed to.

The House adjourned at 4.10 p.m.