Queensland

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WEDNESDAY, 6 SEPTEMBER 1961

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Mr. SPEAKER (Hon. D. E. Nicholson, Murrumba) took the chair at 11 a.m.

DISALLOWANCE OF QUESTIONS

MR. SPEAKER'S STATEMENT

Mr. SPEAKER: I regret that it is again necessary for me to draw attention to the nature of some of the questions asked by hon. members. Today I had occasion to omit two from the business sheet. The first question was in order except that it contained an unparliamentary word and for that reason I omitted it. I thought that the only way to draw attention to the fact that unparliamentary terms and words are not permitted was to omit the whole question from the business sheet. However, I have permitted the hon. member to give notice of the question without the use of the unparliamentary word. I would remind hon. members that I intend to be rather strict on the matter of questions.

The other question that I disallowed was in the name of the hon. member for Maryborough. In effect it supplied an answer to a question by him that I had previously disallowed. I can only refer to such questions, to use a common expression, as being of the smart Alec nature.

Under Standing Orders questions on Commonwealth affairs are not allowed in this Parliament. Hon. members cannot expect members of the State Cabinet to answer Commonwealth Ministerial questions.

Queensland has perhaps one of the most open systems of submitting notices of questions of any Parliament in the British Commonwealth of Nations, and I therefore appeal to hon. members to exercise some restraint. Some of the questions have invited a review of the Standing Orders. Frequently it is only because of an abuse of a privilege that Standing Orders are reviewed. Some of the questions have bordered on an abuse of that privilege.

I again ask hon. members to heed my warning and to frame their questions in accordance with Standing Orders.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (11.3 a.m.): I respectfully request your further ruling or observations on the matters raised by you, Mr. Speaker. I appreciate the spirit in which you have introduced the subject. As Leader of the Opposition it is not my desire personally to peruse all questions that emanate from this side of the House, and I should add on my own behalf and on behalf of my colleagues that there would be a general desire to meet your wishes on the framing of questions in accordance with Standing Orders. It is with some cognisance of our responsibilities that we endeavour to obtain information that we feel is of public importance. I respectfully suggest that whilst perhaps you have some justification for drawing the attention of the House to this matter, there are occasions when your remarks might perhaps apply with equal relevance, to some of the answers to the questions.

Opposition Members: Hear, hear!

Mr. DUGGAN: My own personal view is that if a question is prompted purely by the consideration of public information, a member is entitled to a courteous answer. If a question is loaded in some way, then I do not object to the answer also containing some retaliatory ammunition. I think that is what happens in the ebb and flow of debate. I suggest, with respect, that there have been occasions when there has been an unreasonable use of ministerial prerogative in answering questions and words have been used which are equally a breach of the Standing Orders.

Mr. SPEAKER: The Leader of the Opposition has raised a point that I mentioned last session. I appeal to hon. members to show some restraint in asking questions, and to Ministers, when answering them. I repeat that a provocative question may entice, or encourage, a provocative answer, and that applies to what I term the "smart Alec" question. I wanted to make my attitude clear on the subject of questions, and the answers by Ministers.

Mr. AIKENS: I rise to a point of order. I appreciate what you have said, Mr. Speaker, but I point out that last week I directed a question to the Minister for Labour and Industry. You, Mr. Speaker, quite rightly expunged the third portion of the question where I asked the Minister if he had taken a course of creative thinking. I think what you did was right, but in his reply the Minister suggested that I should take such a course. I know that you are not responsible for what the Minister does, but it should cut both ways.

Mr. SPEAKER: Order!

QUESTIONS

BOOM GATES AND OVERPASSES, CAVENDISH ROAD, COORPAROO

Mr. BROMLEY (Norman) asked the Minister for Transport—

"(1) In view of the reported statement that the Government will spend £19,318 on new railway boom-gates will he consider setting aside the portion of the allocation to be spent on the Cavendish Road, Coorparoo, boom-gates, and supplementing the amount so that an overhead crossing can be built at this point in order to eliminate peak hour banking-up of traffic in Cavendish Road and Stanley Street East?

"(2) If the answer to Question (1) is "No," and in view of Mr. Morris's reported statement that overpasses are the enswer to traffic bottlenecks, does he not consider that money allocated to boom-gates could be better spent on overpasses? If he does not agree with this, will he please indicate when the installation of these boom-gates at Cavendish Road, Coorparoo, will begin?

Hon. G. W. W. CHALK (Lockyer) replied—

"(1 and 2) Whilst the provision of overpasses may be desirable in locations where the circumstances justify the large expenditure involved, it would be quite impossible to finance such undertakings in conjunction with other necessary works. In the circumstances, it is proposed to provide boom gates at a number of such places. It will be some months before it will be possible to obtain the necessary material and complete the installation at Cavendish Road, but it is anticipated that the work will be completed within the current financial year."

TOWNSVILLE-MOUNT ISA RAIL RECONSTRUCTION PROJECT

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) asked the Premier—

"(1) In view of his agreement with my submissions in the House on August 30 that the Commonwealth Government's financial assistance towards Queensland was niggardly and also of the enlarged major contribution to Australia's overseas funds which will result from the reconstruction of the Townsville-Mount Isa railway—primarily through the consequential increased output from Mount Isa—and in view of the facts that (a) Queensland has now received much less favourable treatment from the Commonwealth in the provision of finance than has been accorded other States, (b) the Commonwealth's attitude towards Queensland was niggardly, in view of the fact that seventy per centum of the cost of similar projects in Western Australia and South Australia is being defrayed by the Commonwealth, and (c) since the repayment of the Mount Isa railway loan is for a term of twenty years and at a much higher interest rate than is demanded of other States, will he inform the House what arguments were advanced by the Prime Minister at the Conference attended by himself and the Treasurer which caused him to identify himself with a joint statement issued by the Prime Minister and himself from Canberra stating that the settlement of financial problems affecting the two Governnments in respect of the Mount Isa railway reconstruction project was fair and reasonable?

"(2) Further, will he indicate when the House will be given the opportunity of a thorough discussion of the financial arrangements in respect of the Townsville-Mount Isa rail re-construction project?"

Hon. G. F. R. NICKLIN (Landsborough) replied—

"(1) At this juncture, I do not propose to disclose the detailed nature of our discussions with the Prime Minister in Canberra last Thursday and Friday with respect to the financing of the re-construction of the Townsville-Mount Isa Railway Line."

"(2) Honourable Members will be given every opportunity of discussing all aspects of this matter when the agreement between the State and the Commonwealth has been signed and legislation to ratify it is brought before the House."

Mr. MANN (Brisbane) asked the Premier—

"Will he explain to the House why the State Government alone assumed responsibility for the construction of the Mount Isa railway line?"

Hon. G. F. R. NICKLIN (Landsborough) replied—

"The Townsville-Mount Isa Railway Line is owned and operated by the State Government, and as such its re-construction is primarily the State's responsibility."

STAFF AND SALARY CLASSIFICATIONS, CROWN LAW OFFICE

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) asked the Minister for Justice—

"(1) What was the personnel of the Crown Law Office at June 30, 1957 and 1961?

"(2) Have there been any additions to the staff during the year ended June 30 last, and, if so, who were they and what are their classifications or designations?"

Hon. A. W. MUNRO (Toowong) replied—

"(1) At June 30, 1957, the personnel comprised—30 professional officers, nine clerks, eight clerk-typists (including librarian); total, 47. At June 30, 1961, the personnel comprised—34 professional

officers, 11 clerks, 11 clerk-typists (including librarian); total, 56. These numbers do not include the chief Crown Prosecutor and the Northern Crown Prosecutor."

"(2) Other than normal replacements the following additions were made to the staff during the year ended June 30 last—

(i) Mr. D. J. Johnson—Appointed as Clerk—Grade III. on probation with salary at the rate of £888 per annum.

(ii) Mr. L. J. Van De Lubbe—Appointed on transfer from another Department as Clerk—Grade III. with salary at the rate of £968 per annum.

(iii) Mr. K. G. W. MacKenzie—Appointed on transfer from another Department as Clerk—Grade III. with salary at the rate of £923 per annum.

(iv) Miss S. A. Hooper—Appointed as Temporary Clerk-Typist with remuneration at the rate of £391 10s. per annum.

During that year the following officers were promoted to positions in other offices and have not been replaced—Messrs. T. Parslow, H. P. Ryan and L. Jensen."

Freight Concessions to Mt. Isa Mines

Mr. MANN (Brisbane) asked the Minister for Transport—

"What was the value of freight concessions granted to Mount Isa Mines for the years 1957-1958, 1958-1959, and 1959-1960?"

Hon. G. W. W. CHALK (Lockyer) replied—

"The information sought by the Hon. Member is not compiled. It is quite unrealistic to regard as a concession the amount of difference between the special rates charged any organisation for the movement of large quantities of commodities and the schedule rates which apply to much smaller consignments of similar goods. Bulk handling, movement in train load lots, and long distance hauls, are important economic factors in assessing profitable haulage and are much more remunerative to the Railways than smaller consignments in piece-meal lots handled over short distances. For the twelve months ended June 30, 1961, the Northern Division of the Queensland Railways returned a net revenue of £1,823,632 in relation to which Mt. Isa Mines was the principal customer. If Queensland had one or two more such vast concerns situated in Central and Southern Queensland, then financial buoyancy of the Railway Department and the State in general would be assured. I believe it is to be regretted by the vast majority of Queenslanders that successful mining organisations producing National, as well as State wealth, are so often the subject of unfair attacks because of their progressiveness."

Milk Supplied to Schools by Malanda Milk Company

Mr. AIKENS (Townsville South) asked the Minister for Education and Migration—

"(1) In recent months did the Malanda Milk Company, as it is called, submit accounts claiming large sums for milk allegedly delivered and bottles not returned in respect of schools in the Townsville area, including the Lower Burdekin?"

"(2) Did the headmasters at the schools concerned emphatically state that the milk claimed for had not been delivered and that therefore the bottles could not be returned, so that, in effect, they were being doubly overcharged?"

"(3) What were the schools and the amounts claimed by Malanda Milk Company?"

"(4) How was the claim satisfied?"

"(5) What steps, if any, have been taken to prevent a repetition of this type of claim by Malanda Milk Company?"

Hon. J. C. A. PIZZEY (Isis) replied—

"(1 and 2) Head teachers of schools receiving milk must certify to the correctness of the quantity received. It is on this certificate that claims for milk supplied are paid. At no time has the Malanda Milk Company claimed or been paid for milk not delivered to any school. Companies are entitled to payment for breakages and non-return of empties. A review of these charges during 1960 school year revealed the overall amounts in respect of some schools were considered to be excessive. The Head teachers concerned when asked for comment, invariably questioned the accuracy of the amounts and the matter was taken up with the Company."

"(3) The schools and amounts are as under:—Airville, £4 19s. 8d.; Ayr, £10 8s.; Belgian Gardens, £11; Clare, £23 4s.; East Ayr, £11 2s.; Hermit Park Infants, £9 1s. 4d.; Mundingburra, £7 11s. 4d.; Railway Estate, £7 15s. 8d.; Townsville Central, £19 6s. 8d.; Townsville West, £11 2s. 4d."

"(4) In accordance with approved procedure, claims by supplying authorities are paid upon receipt, any necessary adjustments being made in subsequent claims. The Company has the matter of an adjustment under consideration at present and their advices are awaited."

"(5) A revised procedure affords schools the opportunity of reporting promptly any apparent discrepancies in regard to debits and credits for empties."

Commonwealth Financial Assistance for Road Construction

Mr. AIKENS (Townsville South) asked the Premier—

"Can he inform the House of the details of proposed roads and the amount of Federal money to be made available for each as a result of the visit to Canberra last week of himself and the Treasurer?"

Hon. G. F. R. NICKLIN (Landsborough) replied—

"No. Details have not yet been finalised. Planning is now under way and the House will be kept fully informed of all developments."

OVERDRAFT SERVICE FEE CHARGED BY COMMONWEALTH BANK

Mr. COBURN (Burdekin) asked the Treasurer and Minister for Housing—

"(1) Has it come to his knowledge that the Commonwealth Bank has notified its clients who had entered into agreements for the payment of specified interest rates and redemption on loans advanced to them by the Bank that as from August 15, 1961, the Bank will institute an overdraft service fee based on the amount of limit or peak overdraft, whichever is the higher, for each year ending on July 31, the first charge to be made during August of the current year, and that the calculated amount will be debited to the client's account?"

"(2) If so, and he considers this additional charge that was not included in the terms when the advance was made and accepted, to be excessive and unjustifiable, will he make representations to the appropriate Commonwealth authority to have it withdrawn?"

Hon. T. A. HILEY (Chatsworth) replied—

"(1) No."

"(2) Banking does not fall within the constitutional powers of the State."

GROUP CONTRACTS LET BY HOUSING COMMISSION

Mr. NEWTON (Belmont) asked the Treasurer and Minister for Housing—

"(1) What is the number of group Housing Commission contracts at present let in the metropolitan area by the Queensland Housing Commission to private contractors or companies?"

"(2) What are the names of the contractors and companies?"

"(3) What is the number of houses let in each group?"

"(4) What is the number of inspectors allocated to each separate group covered by the contractors?"

Hon. T. A. HILEY (Chatsworth) replied—

"(1) Six."

"(2 and 3) Inala Industries Pty. Ltd., one contract for 160 houses and one contract for 75 houses at Inala and one contract for 35 houses at Mount Gravatt, Associated Enterprises Pty. Ltd., one contract for 150 houses at Inala, Pradella Constructions Pty. Ltd., one contract for 75 houses at Acacia Ridge and N.S. Builders, one contract for 10 houses at Stafford."

"(4) For the groups of 160 and 75 houses at Inala where 141 houses are under construction two Inspectors full time with one Inspector assisting part time; for the 35 houses at Mount Gravatt where 13 are under construction one Inspector part time; for the 150 houses at Inala where 59 are under construction one Inspector; for the 75 houses at Acacia Ridge where 54 are under construction one Inspector; for 10 houses at Stafford one Inspector will be employed part time when work on this contract, which was recently let, commences."

WAGES CLAIMS HEARD BY INDUSTRIAL MAGISTRATES

Mr. NEWTON (Belmont) asked the Minister for Labour and Industry—

"As the report tabled by him for the Chief Inspector of Factories and Shops shows the adjustment of wages amounting to £68,421 6s. 9d. and as portion of this amount would be for the failure of employers to pay wages, annual leave, sick leave, long service leave, travelling time and fares, &c.—

(1) How many cases were taken before Industrial Magistrates to recover such arrears of wages of the abovementioned items?

(2) For the same cases what were the costs against employers for failure to pay the correct wages ordered by the Magistrates?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"(1) It was frequently not necessary to take proceedings against employers to recover the total amount referred to, as preliminary action by my Department usually achieved the desired result. Information is not readily available of the number of cases taken for recovery of wages, but during the period 291 cases were taken for breaches of industrial awards."

"(2) In relation to cases adjudicated upon by the Court, fines amounting to £1,138 10s. plus costs of court £163 2s. were inflicted."

WATER SUPPLY AT THURSDAY ISLAND

Mr. ADAIR (Cook) asked the Minister for Public Works and Local Government—

"Owing to the acute shortage of water at Thursday Island and the possibility of the position becoming very grave for the two thousand residents on the island, are the necessary precautions being taken for the supply of water from Horn Island or elsewhere should the position become desperate?"

Hon. H. RICHTER (Somerset) replied—

"I can assure the Honourable Member that all possible precautions have already been taken to ensure the supply of water to the population of Thursday Island. A survey of the underground resources was investigated by Engineers of the Department of Local Government in June of this year, and four wells are being rehabilitated. Two are now in constant production and a further two should be brought into production at an early date. Whilst this supply is limited, the quantity of water produced together with existing storage should be sufficient to tide over the critical period which could arise during December next. In June of this year arrangements were made to ship water to Thursday Island on the s.s. 'Waiben' and the 'Katoora'; between 50,000 and 60,000 gallons are being shipped each month. Strict conservation has been practiced and the position is under daily review. It is known that Horn Island carries a good water supply. However it could not be easily exploited for use on Thursday Island. In an emergency it could be carried by road from the source to the waterfront thence by sea transport to Thursday Island. I would inform the Honourable Member that the present shortage has followed the completion of works providing for a total storage of 25,000,000 gallons but the 1960-1961 wet season did not eventuate and the storage filled to only 10,000,000 gallons at the beginning of 1961. I am satisfied that all possible steps are being taken to alleviate the position."

Motor Accidents on Kuranda Range Road

Mr. ADAIR (Cook) asked the Minister for Development, Mines, Main Roads and Electricity—

"Owing to the number of serious motor accidents on the Kuranda Range road and lack of telephone communications causing considerable delay in contacting the Cairns ambulance, will he have this matter investigated with the view to having a means of communication installed at a suitable point on the range?"

Hon. E. EVANS (Mirani) replied—

"The standard of construction of the Kuranda Range road is good and there is no reason why ordinary drivers should find the road hazardous. Moreover the average daily traffic on the road is such that in the event of accident long delays before another vehicle arrives are unlikely. It is not considered to be the responsibility of the Main Roads Department to provide telephones on roads such as this."

Drought-stricken Areas, Mount Molloy and Jullaten

Mr. ADAIR (Cook) asked the Minister for Transport—

"Owing to the extreme hardship now being experienced by graziers and farmers in the Mount Molloy and Jullaten areas caused by the present drought, will he have these areas declared drought-stricken areas?"

Hon. G. W. W. CHALK (Lockyer) replied—

"I have now arranged for the Department of Agriculture and Stock to obtain a report as to drought conditions in the areas mentioned, and should such reveal hardship as represented by the Honourable Member, then steps will be taken to have localities declared drought-stricken areas."

Number of Persons Employed by Willys Jeep Company

Mr. SHERRINGTON (Salisbury) asked the Minister for Labour and Industry—

"(1) What was the number of persons it was anticipated would be employed by the Willys Jeep Company when it commenced operations in Queensland?"

"(2) What is the present number employed by this company and in what categories?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"(1 and 2) Parliamentary questions of this nature in regard to the internal administration of an industrial organisation are not ethical, nor would it be ethical for me to reply thereto. I dislike using such figures in debate unless I have first obtained permission to do so."

Clearing of Land Held by Education Department at Salisbury

Mr. SHERRINGTON (Salisbury) asked the Minister for Education and Migration—

"Will he indicate when work will be carried out relative to the clearing of the block of ground owned by the Education Department at the corner of Lillian Avenue and Tuckett Road, Salisbury, which is a dangerous fire-hazard to adjoining homes and has been the subject of several representations by myself over the past months?"

Hon. J. C. A. PIZZEY (Isis) replied—

"Tenders, closing on September 14, 1961, have been invited for the clearance of Departmental property at Lillian Avenue and Tuckett Road, Salisbury."

COST OF CARETAKER'S HOUSE, TOWNSVILLE UNIVERSITY

Mr. TUCKER (Townsville North) asked the Minister for Education and Migration—

"What is the estimated cost of the caretaker's house to be built at the Townsville University?"

Hon. J. C. A. PIZZEY (Isis) replied—

"Arrangements have been made for the incorporation in the College fabric of accommodation for the caretaker at a cost approximating that of a standard residence. The exact cost will not be available until tenders are received."

VESSELS OWNED BY THE DEPARTMENT OF HARBOURS AND MARINE

Mr. BENNETT (South Brisbane) asked the Treasurer and Minister for Housing—

"(1) What is the capital value of vessels owned by the Department of Harbours and Marine that are presently in a state of idleness and tied to various wharves in the Brisbane River?"

"(2) Will he give full particulars of these vessels and what policy the Department has for their future?"

"(3) Is it correct that for the last two years one of such vessels has received continual maintenance and repairs without having been put to work and is now about to be scrapped?"

"(4) Will he give full particulars of this vessel?"

"(5) How many vessels owned by the Department of Harbours and Marine are presently receiving maintenance attention and what are the full particulars?"

"(6) Are any repairs to these vessels being carried out by private contract and, if so, why?"

"(7) How many men have been sacked from the South Brisbane Dry Dock in the last four weeks?"

Hon. T. A. HILEY (Chatsworth) replied—

"(1) If I literally answer the Honourable Gentleman's question, it would not be at all helpful to him or to the House. Obviously what he is referring to is our reserve fleet of superannuated craft, most of which are not tied to any wharf but are lying at anchor in Rotten Row, close to Cairncross Dock. In view of the interest in this matter, I will obtain for him a statement listing the vessels concerned, their original cost and their age."

"(2) The statement will include full particulars of these vessels. The Department is at present evaluating its requirements with respect to each of these craft. Survey action is in hand on some of them to determine the extent of repairs and improvements necessary to ensure worthwhile performance. I can foresee the possibility that the more modern and useful equipment may be reserved for any increased volume of dredging in the port of Brisbane which may follow a heavy wet but that the examinations will confirm that the bulk of this equipment is redundant."

"(3 and 4) It has been the practice to use these vessels in Rotten Row as a form of broken working opportunity for some of our employees. If no other work was available, they would be sent down to this fleet for chipping and painting and other like work. When this practice came under my notice, I felt that there was a strong likelihood that public money was being wasted and I asked the Director of the Department of Harbours and Marine to fully consider this matter. He informs me that, to assist in making a sound recommendation, he has arranged for what is regarded as one of the better vessels in Rotten Row, i.e., the old steam hopper barge 'Bream' to go into dry dock for a full survey report. As I see it at the moment, if that report says that 'Bream' is past the stage of economic repair, then I suspect that most of the vessels in Rotten Row will be sold as junk."

"(5) All vessels in the fleet are receiving protective maintenance in the day to day maintenance performed by the crew as incidental to their running duties. The bucket dredge 'Platypus II' is at present being overhauled in South Brisbane Dock."

"(6) No. The only exception is the farming out of engineering work which cannot be handled by Departmental resources. This has always been the policy and is continued."

"(7) The services of twenty-one employees have been terminated."

CONVICTION AND PARDON OF ANTHONY FRANCIS CAVANAGH

Mr. BENNETT (South Brisbane) asked the Minister for Labour and Industry—

"(1) Has the Cavanagh Pardon Case as yet been thoroughly investigated?"

"(2) Has the matter been referred to the Crown Law Office for the purpose of finding some charge to levy against investigating police officers?"

"(3) Has the Crown Law Office been told to find some charge at all costs?"

"(4) Has it been suggested that they should endeavour to find evidence of a charge for conspiracy?"

"(5) Is it correct that legal officers in the Crown Law Office are giving opinions, differing one from the other, concerning these prosecutions?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"(1 to 5) The administration of the Crown Law Office does not come within my jurisdiction."

ACCIDENT WITH FERRIS WHEEL AT ST. GEORGE

Mr. BENNETT (South Brisbane) asked the Minister for Labour and Industry—

"(1) Has the investigation into the unfortunate accident at St. George regarding the ferris wheel been completed?"

"(2) Was the ferris wheel at the time operating without a permit and, if so, why?"

"(3) How many hours after the actual accident was the proprietor investigated and, if there was any delay, why?"

"(4) At the time of the accident what was the condition of sobriety of the proprietor of the ferris wheel?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"(1) The investigation commenced immediately, and two senior officers of my Department then followed up the Police investigation. The inquest on the girl who died, as the result of injuries sustained in the accident, was adjourned to Brisbane and has not yet been finalised."

"(2) to 4) As the matter is sub-judice, I do not propose to answer these questions."

BAUXITE MINED AT WEIPA

Mr. MELLOY (Nudgee) asked the Minister for Development, Mines, Main Roads and Electricity—

"As the alumina plant at Weipa is not expected to be commissioned until late in 1965 or early in 1966 and as 40,000 tons of bauxite have already been mined, of which 30,000 tons has gone to Japan how it is proposed to dispose of the bauxite to be mined over the next four years?"

Hon. E. EVANS (Mirani) replied—

"The matter of mining of bauxite and its disposal is one for the company concerned, subject to the agreement."

MINIMUM DEPOSIT ON HOUSING COMMISSION HOMES

Mr. MELLOY (Nudgee) asked the Treasurer and Minister for Housing—

"What is the minimum amount in deposit and fees for which a Housing Commission house of three bedrooms on Housing Commission land may be purchased?"

Hon. T. A. HILEY (Chatsworth) replied—

"The minimum amount of deposit payable for the purchase of a three-bedroom house including land is £250 if erected from the Commonwealth-State Housing Fund and 10 per cent. of the purchase price if erected from the Queensland Housing Commission Fund. The purchase price includes all fees. A tenant of a house erected under the 1945 Commonwealth and State Housing Agreement as now operating, may purchase the house occupied by him on a minimum deposit of 5 per cent. of the first £2,000 of the purchase price and 10 per cent. of the balance of the purchase price. The amount which is included in the rent payments of a tenant in respect of redemption of the Commission's loan indebtedness is allowed as part of the required deposit but a tenant-purchaser must lodge a cash deposit of at least 5 per cent. of the purchase price."

COST OF CONSTRUCTION AND MAINTENANCE WORK, CLEVELAND–LOTA RAILWAY LINE

Mr. BROMLEY (Norman) asked the Minister for Transport—

"How much money was spent on construction and maintenance work on the recently closed Cleveland-Lota Railway line in the years 1959-1960 and 1960-1961?"

Hon. G. W. W. CHALK (Lockyer) replied)—

"The amount spent on construction works and on maintenance of the permanent way on the closed section of line in 1959-1960 was £13,710 and in 1960-1961, £3,747. Had the line remained open, further heavy expenditure would have been involved with little possibility of any increase in revenue."

TOTALLY OR PARTIALLY INCAPACITATED PRISONERS

Mr. BROMLEY (Norman) asked the Minister for Justice—

"(1) How many prisoners have been discharged totally or partially incapacitated for work as a result of personal injury arising out of or in the course of useful labour performed by those prisoners during their sentences in the years 1958-1959, 1959-1960, and 1960-1961?"

"(2) If any prisoners have been discharged partially or totally incapacitated for work as so described, how much money under Section 43 of 'the Prisons Act of 1958,' has been paid out in those years?"

"(3) What are the individual amounts of money appropriated for the administration of this Act for the last three years?"

Hon. A. W. MUNRO (Toowong) replied—

"(1 and 2) Payments of compensation were made as follows—Years, 1958-1959, nil; 1959-1960, nil; and 1960-1961, two prisoners were paid compensation. One prisoner was paid £250 for the loss of the little finger of the left hand. The other prisoner was paid £170 for the loss of the distal joint of the little finger of the right hand. Both payments were made as compensation in respect of injuries received by the prisoner whilst in prison. The amounts

were assessed on a basis similar to that which is applied by the Workers' Compensation Section of the State Government Insurance Office. No provision was made for the payment of compensation to a prisoner for injuries received whilst in prison until this Government brought down the 1958 amendment of the law relating to prisons. This amendment was assented to on December 16, 1958."

"(3) The total amounts appropriated (and expended) for Prisons Department are as under:—

	Appropriation	Expended
1958-1959	£351,874	£338,723
1959-1960	£386,550	£379,980
1960-1961	£434,408	£432,106

No specific amount has been appropriated annually to meet claims for compensation under the provisions of Section 43 of the "Prisons Act of 1958." Any payments approved by the Governor in Council are regarded as a charge against the total annual Prisons Department appropriation for the relevant year."

SEPTIC SYSTEM AT BLACKSTONE STATE SCHOOL

Mr. DONALD (Ipswich East) asked the Minister for Education and Migration—

"Is he in a position to advise when work will be commenced on the installation of the septic system at the Blackstone State School?"

Hon. J. C. A. PIZZEY (Isis) replied—

"Funds are not available in this financial year to meet the cost of all the school septic installations which have been recommended for approval and therefore the date of commencement of work on such a project at Blackstone is not available."

RADAR TRAFFIC-DETECTION SET

Mr. LLOYD (Kedron) asked the Minister for Labour and Industry—

"(1) Is the radar traffic-detection set installed by the Police Department still in operation? If not, what is the reason for its non-use, and for what purpose is the set to be used in the future?"

"(2) What was the cost of the installation of the set?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"(1 and 2) This set was originally purchased for use by the Traffic Engineer's Department. When it can be spared from that work it is used by the Police Department. However, two further units have been ordered for the Police Department and are expected to arrive shortly. There is no installation cost. The set is portable and can be used in any motor vehicle. Its purchase cost is approximately £600 and each unit considerably extends the coverage possible by a specific number of police officers."

LETTERS WRITTEN BY PATIENTS IN WARD 16, BRISBANE GENERAL HOSPITAL

Mr. DEAN (Sandgate) asked the Minister for Health and Home Affairs—

"(1) Is he aware that letters written by patients in Ward 16, Brisbane General Hospital, are subjected to censorship by nurses before they are allowed to be posted?"

"(2) If so, will he give consideration to having the practice discontinued, because information conveyed to me by ex-patients is that it has a detrimental effect upon their morale and tends to retard their recovery?"

Hon. H. W. NOBLE (Yeronga) replied—

"I am advised by the General Medical Superintendent of the Brisbane Hospital that it has never been the practice to censor the inward or outward mail of patients in Ward 16 of the Brisbane Hospital. However, there are generally a few patients from the Brisbane Prison in Ward 16. These prisoners are guarded by prison officials. It is probable that their inward and outward mail is censored by prison officials just as it would be if they were in the Brisbane Prison."

PAPER

The following paper was laid on the table:

Proposal by the Governor in Council to revoke the setting apart and declaration of the land situated in the County of Herbert, Parish of Hook, Land Agent's District of Bowen containing an area of about 960 acres being Hayman Island situated in the South Pacific Ocean about one mile north west from Hook Island as a Scenic Area, under the Forestry Act of 1959.

FEES PAID BY CROWN TO BARRISTERS AND SOLICITORS

ORDER FOR RETURN

Mr. MANN (Brisbane): I move—

"That there be laid upon the table of the House a return showing the payments made by the Government to barristers and solicitors during the year 1960-1961, stating the names of the recipients and the amounts received, respectively."

Motion agreed to.

COMPANIES BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Hon. A. W. MUNRO (Toowong—Minister for Justice) (11.49 a.m.): I move—

"That it is desirable that a Bill be introduced to consolidate and amend the law relating to companies."

Hon. members will recall that on 7 December, 1960, I submitted a motion for the

introduction of a Companies Bill. The intention at that time was that the Bill would be circulated as a basis for consideration and discussion and with a view to its being proceeded with in the later part of the 1960-1961 session.

The Queensland Bill and the corresponding Australia-wide Model Bill were widely circulated as planned, and in the months that followed numerous suggestions were submitted by trade and professional associations and other persons throughout Australia. Due to the large number of suggestions and comments received, it was found that there was insufficient time for a full examination of the various suggestions prior to the February-March sittings and, as a result, the Queensland Bill and the corresponding Bills of other States were not proceeded with at that time.

This position was explained in a statement which I made to the House on 23 February last.

Subsequently the suggestions put forward from various quarters have been exhaustively considered both in Queensland and at interstate conferences of legal officers and of Ministers. Following thereon I am now in a position to submit this motion for the introduction of a new Bill to be proceeded with in this session. The new Bill is substantially in conformity with the Bill introduced in December last but it incorporates a number of revisions that have been found to be necessary or desirable in the light of the submissions made to the conferences of Ministers and in the light of other experience since the introduction of the original Bill.

I might mention that the action taken in Queensland is broadly in conformity with corresponding action which is being taken or will be taken by other States and by the Commonwealth.

By reason of Queensland's having been closely associated with the initiation of the move for modernisation of the Companies Acts on an Australia-wide basis, we have been well forward in the various discussions, and the Bill is the first State Bill to be introduced in general conformity with the decisions of the conferences of Ministers held in February and June, 1961.

However, notwithstanding this early introduction, the passage of the Bill will not be hurried and it is at present contemplated that the new law, and the corresponding laws of other States, will not come into operation until 1 July 1962.

A 1961 revision of the Australia-wide "Model Bill" has recently been printed by the State of Victoria and copies have been made available for sale throughout Australia. This will be useful to any hon. member or interested party who may care to make a detailed comparison of the terms of the Queensland Bill with those of the Australia-wide Model Bill.

In speaking on the introduction of the original Bill on 7 December last I acknowledged the assistance and advice of the Queensland Company Legislation Standing Committee and of my own departmental officers. I now mention that similar skilled assistance from various sources has also been available to me in the final revision of the Bill which I now seek leave to introduce.

As I gave a fairly extensive explanation of the principles of the Bill at the time of its introduction in December last I do not propose to go over the same ground again. I will, however, endeavour now to outline firstly the major revisions that have been incorporated in the new Bill as compared with the original Queensland Bill, and secondly the adaptations that it has been found necessary to incorporate in the Queensland Bill as compared with the Australia-wide Model Bill.

Before proceeding to outline these revisions and adaptations I should like to make it clear that the objectives and basic principles of the Bill remain as previously.

The basic objective of the Bill, shortly stated, is that, from an Australia-wide viewpoint, we shall achieve the greatest practicable measure of uniformity in the laws of the various States and of the Commonwealth, while in combination with this we shall also achieve a code of Queensland company law that will be completely modern and suitable to the requirements of our State.

In connection with this matter generally hon. members will recall that, at the time of the introduction of the original Bill on 7 December, 1960, I circulated an explanatory statement which, with the leave of the Committee, was incorporated in the "Hansard" record of my speech.

This explanatory note has now been revised to accord with the revisions incorporated in the Bill. I have circulated to hon. members a revised print of this explanatory note drawing attention to the more important alterations to the law proposed to be made by the new Bill. So that this explanatory note will be available to hon. members who may not be present in the Chamber at this particular time, I seek the leave of the Committee to incorparate this explanatory note in the "Hansard" record.

The CHAIRMAN: Is it the wish of the Committee that the explanatory note mentioned by the Minister be inserted in "Hansard"?

Honourable Members: Hear, hear!

Mr. MUNRO: The explanatory note is—

"The object of this Bill is to consolidate the law relating to companies and to make a large number of amendments with a view to enacting legislation which will achieve the greatest practicable measure of uniformity with enactments to be made by the Commonwealth and the other States of the Commonwealth.

"Important alterations to the existing law to be made by this Bill are:—

(1) A Companies Auditors Board to be constituted by the existing Public Accountants Registration Board will function in relation to matters affecting accounts, audits, inspections and investigations and registration of company auditors and liquidators (Clauses 8, 9).

(2) A proprietary company may be formed by two or more persons but may carry on with one member if all its shares are held by its holding company. Any other company may be formed by five or more persons (Clauses 14, 36).

(3) A company cannot be a member of its holding company (Clause 17).

(4) Certain powers are conferred on all companies and the powers specified in the Third Schedule are available to all companies unless expressly excluded or modified by the Memorandum and Articles (Clause 19).

(5) The law as to ultra vires acts of companies is to be substantially affected by limiting to certain persons the right to challenge acts of a company as not being within its powers (Clause 20).

(6) A company or a foreign company may not be registered by a name, subject to certain controls in the Crown Law Office, which in the opinion of the Registrar is undesirable (Clauses 22, 353).

(7) The objects specified in the memorandum may be altered by special resolution subject to appeal to the Court by specified percentages of the members or debenture holders (Clause 28).

(8) The prospectus provisions will require a greater degree of disclosure than was formerly the case. (Clause 39, Fifth Schedule).

(9) Restrictive provisions are included in the Bill affecting the rentention of over subscriptions and statements as to assets backing in relation to borrowings by a company (Clause 41).

(10) An allotment of shares or debentures is void, whenever made where the prospectus indicates application for listing on a Stock Exchange and application for such is not made or granted (Clause 44).

(11) Application and other moneys paid prior to allotment by any applicant on account of shares or debentures offered to the public to be held in trust until allotment (Clause 49).

(12) Under our existing law the issue of share warrants to bearer is permissible but under the provisions of the Bill a company will not be permitted to issue share warrants (Clause 57).

(13) Premiums on shares issued at a premium are to be paid to a "share premium account" and applied only for specified purposes (Clause 60).

(14) The Supreme Court is empowered to validate an issue or allotment of shares which is invalid by reason of any provision of any Act or of the memorandum or articles of the company (Clause 63).

(15) The rights of holders of preference shares are to be set out in the memorandum or articles (Clause 65).

(16) Limitations are imposed on the right of a company to grant options over unissued shares (Clauses 68, 162 (8)).

(17) The provisions relating to interests other than shares, debentures, &c., have been considerably varied (Clauses 76-89).

(18) Advertisements in respect of lost share certificates will not be necessary unless the company requires them before issuing a duplicate certificate (Clause 94 (2)).

(19) Transfers of shares by personal representatives are authorised on production of evidence of a grant of probate or administration in any State or Territory of the Commonwealth (Clause 95).

(20) Certifications on transfers of shares or debentures are declared to indicate a prima facie title but not to be a representation that the transferor has a title (Clause 98).

(21) Charges requiring registration are extended to include charges on an aircraft. The application of the provisions re registration of charges to foreign companies are clarified. Foreign companies are required upon registration to register existing charges (Clauses 100, 102, 110).

(22) Public companies are to have at least three directors and proprietary companies at least one director and in the case of a public company at least two directors shall be natural persons residing in the Commonwealth and in the case of a proprietary company at least one director shall be a natural person who so resides (Clause 114). Every company is required to have a secretary who must be a natural person resident in the State (Clause 132).

(23) Directors must be elected individually unless otherwise agreed upon unanimously by the meeting (Clause 118). Directors may on special notice being given be removed by ordinary resolution (Clause 120). A director of a public company cannot be removed by the other directors (Clause 120 (8)).

(24) An age limit of seventy-two is fixed for directors of public companies but they may be continued in office from year to year by a resolution passed by a special majority (Clause 121).

(25) Provisions are included to prevent fradulent persons from acting as directors (Clause 122).

(26) Limitations are imposed on the right of companies to make loans to directors and tax free remuneration to directors is prohibited (Clause 125, 128).

(27) Companies are required to keep registers of directors' share holdings (Clause 126).

(28) Provisions in respect of annual general meetings and incidents thereof as to voting, proxies and notices have been recast and statutory requirements have been made in respect of some of these matters which formerly appeared in Table A (Clauses 136, 138-141). Members are to be entitled to have proposed resolutions circulated in certain circumstances (Clause 143).

(29) The provisions for extraordinary resolutions are omitted and, in respect of existing companies, matters presently requiring an extraordinary resolution may be done by special resolution (Clause 144).

(30) The register of members, where made up in Queensland otherwise than at the registered office, may be kept at the place where it is made up. The register may be made up separately as to past and present members and need not show names of persons who have ceased to be members for more than seven years (Clauses 151, 152).

(31) The exemption from filing accounts in respect to proprietary companies is limited to "exempt proprietary companies" as defined (Eighth Schedule, Part II.). Certain public companies whose office is within three miles of the office of the Registrar are not obliged to include in the annual return lists of members and details of share transfers (Clause 160).

(32) The balance-sheet must have attached a directors' report setting out certain details of the company's activities assets and reserves and of options granted over unissued shares (Clause 162).

(33) Detailed requirements as to matters to be set out in the profit and loss account and balance-sheet of a company are stated (Clause 162 (11), Ninth Schedule).

(34) Subject to certain safeguards, a company may remove an auditor before the expiration of his term of office (Clause 165).

(35) Provision is made for specified percentages of members to require particulars of auditors' emoluments (Clause 166).

(36) Special investigations may be undertaken by inspectors appointed by the Governor in Council in respect of companies specified for the purpose. Certain actions and proceedings are suspended during the currency of the investigation and the Crown Law Officer may apply to the Court for the winding up of a company following the receipt of the inspectors' reports. (Clauses 172-175).

(37) Inspectors may be appointed to investigate the true ownership and control of a company and the Crown Law Officer may impose restrictions on share transfers and voting rights subject to an appeal to the Court (Clauses 177-179).

(38) The provision for the regulation of take-overs is extended. Offeror corporations and offeree corporations are required to disclose relevant information (Clause 184, Tenth Schedule).

(39) Provision is made for the furnishing of information and statements as to a company's affairs upon the appointment of a receiver or manager (Clauses 193, 194).

(40) A new Part—"Official Management"—has been included to allow a company to be placed under the control of an official manager where the creditors consider that in lieu of being wound up the company may be carried on by a manager with a view to enabling the company to meet its obligations (Part IX—Clauses 198-215).

(41) The provisions for winding up under the supervision of the Court have been removed so that a winding up will be either voluntary or by the Court (Clause 216).

(42) The provisions as to no-liability companies have been recast and the general registration provisions of the Act will apply to them (Clauses 319-333).

(43) The powers of corporations declared by the Governor in Council to be investment companies are restricted as to borrowings, investments and underwriting, and special provision is made as to their balance sheets (Clauses 334-343).

(44) More detailed requirements are imposed as to the registration of foreign companies and foreign companies are required to open a branch register in the State in specified circumstances (Clauses 344-361).

(45) Provision is made where the whereabouts of a shareholder cannot be discovered with reasonable diligence after a period of not less than ten years for a company to transfer shares to the Public Curator who may dispose of the shares and deal with the proceeds as unclaimed moneys (Clause 364).

"A large number of consequential and minor amendments are also included in the Bill."

Hon. members will observe that these proposed alterations in the law are mentioned only briefly in the explanatory note. I would also refer hon. members to the more detailed

explanations which I gave of some of the more important provisions in my speech of 7 December, 1960. Those more detailed explanations also apply to the Bill which I now seek leave to introduce, except that, as I will explain in more detail at the appropriate stage, consequential modifications are required in the statements with reference to directors and proprietary companies.

I will now proceed to explain in some detail the main differences between the Bill which I now propose to introduce, and the original Bill which was introduced on 7 December last. These revisions are in general conformity with the revisions which have been made in the Australia-wide Model Bill as the result of the further ministerial conferences.

The definition of "Exempt Proprietary Company" in Clause 5 has been clarified and extended.

As defined in the original Bill introduced on 7 December last, to which I will hereafter refer as "the 1960 Bill", such companies were restricted to proprietary companies wherein all shares were held beneficially by or on behalf of natural persons.

The basic principle of the new definition is that an exempt proprietary company is a proprietary company in which no share is owned or deemed to be owned by a public company. The definition is extended so that a share in a proprietary company will be deemed to be owned by a public company if any beneficial interest in the share is held directly or indirectly by a public company; or if any beneficial interest in the share is held directly or indirectly by a proprietary company a beneficial interest in a share in which is held directly or indirectly by either a public company, or a proprietary company a beneficial interest in a share in which is held otherwise than by a natural person.

The practical difference is that the holding of shares in an exempt proprietary company by a company which is itself an exempt proprietary company will not cause the first-mentioned company to lose its status as an exempt proprietary company.

Clause 9 of the Bill deals with the qualifications or disqualifications of persons for appointment as auditors of a company. In terms of the 1960 Bill a person would have been disqualified for appointment by reason of his connection as partner, employer or employee during the previous 12 months with a person who is or had been an officer of the company; that is, even though he had severed connection with the officer, or erstwhile officer, he would have been disqualified. This was not intended.

In the proposed Bill it is only whilst the connection with an officer of the company or a person who has been an officer during the previous 12 months subsists that any disqualification attaches. Once that nexus is broken the disqualification lifts.

The general provision that an officer of a company is disqualified for appointment as auditor remains except that, in terms of the proposed Bill, that disqualification will not apply in the case of an exempt proprietary company.

Clause 15 of the Bill permits a company to be incorporated as a proprietary company. A proprietary company enjoys many of the advantages of incorporation under the Companies Act but it is not a subject to the same degree of legislative control as a public company.

Accordingly the Memorandum and Articles of a proprietary company are required to embody certain prohibitions and restrictions which do not apply to public companies.

Among these is the prohibition of any invitation to the public to subscribe for shares in or debentures of the company or to deposit money with the company.

In the case of a public company which makes an offer for the public to subscribe for its shares or debentures, the company making the offer must issue a prospectus which must be registered, and for which the persons issuing it are responsible civilly and criminally.

Accordingly new provisions are being incorporated in Clause 27 of the Bill to provide a safeguard against any actions which may be taken by a proprietary company to do indirectly the things which, under its Articles, it would not be permitted to do directly.

A genuine approach for finance by a proprietary company to a person as an individual and not as a member of the public will not be affected by this new provision.

The problem of the protection of the interests of shareholders of companies where "take-over" offers are made is dealt with more completely in the proposed Bill.

The approach adopted in 1960 was to require a company making a take-over offer to issue a prospectus where the consideration, wholly or in part, was in the nature of securities of the offeror company. This had certain disadvantages in that the requirements relating to a prospectus did not entirely meet the case.

A new approach to the question has been decided upon and a new code to regulate the matter of take-overs is to be found in Clause 184 of the proposed Bill.

Briefly the plan is that before making a take-over offer, the offeror corporation is required to give notice of the proposed offer to the offeree corporation. The notice is to be accompanied by prescribed information to enable directors of the offeree corporation to assess the offer and advise the shareholders of their own corporation upon the offer.

The offer to shareholders in the offeree corporation must comply with certain requirements and contain specified information. Details of such requirements and information are set out in the Tenth Schedule.

Certain duties are also laid upon the offeree corporation and its officers in connection with a take-over offer. These duties are set out in Clause 184 and the Tenth Schedule.

All these provisions are designed to ensure that shareholders will, as far as is reasonably possible, have the information requisite to enable them properly to evaluate any offer made.

The approach adopted has been based broadly upon the present requirements of the Board of Trade in England and the requirements of the leading Stock Exchanges of the Commonwealth with respect to listed companies.

Clause 44 provides for the voidance of any allotment of shares in or debentures of a company where the prospectus offering those shares or debentures to the public indicates that permission for listing on a Stock Exchange has been granted or that application for such permission will be made, and where it subsequently transpires either that permission has been refused or that application has not been made.

Where the allotment is void the clause requires repayment of the moneys subscribed within a strictly limited time.

The clause of the 1960 Bill has been re-cast in the light of further experience gained in the workings of a similar clause in the Victorian Companies Act.

The new clause will impose penal consequences upon any untrue statement as to listing upon a Stock Exchange, and limits statements as to future listing, to statements that application for listing has been made or will be made within three days of the issue of the prospectus.

Provision is also made for conditional listing which is deemed to be listing, where the directors undertake in writing to comply with the requirements of the Stock Exchange. Any failure to comply will attract penal consequences.

The power of the Crown Law Officer to grant exemption from all or any of the provisions of this section of the Act is made more flexible.

Any attempted evasion of this section by statements that the Memorandum and Articles of a company are drawn to comply with requirements of a Stock Exchange will be met by a provision that, unless the contrary intention appears, any such statement is deemed for the purposes of this clause to imply that application has been made or will be made for listing on the Stock Exchange concerned.

The provisions of Division 5 of Part IV of the Bill dealing with interests, other than shares and debentures, have been altered. Statutory recognition will now be given to the position of management companies. There will also be a requirement that a trustee for unit holders must be a public company within the meaning of the definition in subclause (1) of Clause 76.

Clause 80 will require that among the covenants that must be included in an approved deed are covenants binding the management company to pay to the trustee within thirty days, such moneys as are payable under the deed to the trustee, and binding the trustee and the management company not to invest or lend moneys available under the scheme to each other or to companies related to either of them. A breach of such a covenant will constitute an offence.

Protection will be afforded to a trustee for any action in accordance with directions given by a meeting of holders of interests, but where the trustee is of opinion that any such direction is inconsistent with the deed or the Act, he may apply to the Court for directions.

The Seventh Schedule, which specifies the matters to be included in the statement to be issued by a company before issuing or offering interests to the public for subscription or purchase, has been recast so as to provide more adequately for the infinite variety of schemes which may be launched.

Provision has been made in Clause 87 of the Bill for the winding up of schemes in relation to interests other than shares or debentures.

Developments in Southern States since the introduction of the 1960 Bill emphasise that there is a need for regulation in this field, both to prevent wrong practices and in the interests of those participating in the many completely legitimate schemes.

In this connection I may mention that it is contemplated that, as opportunity arises, separate legislation will be prepared on a uniform basis to cover more fully the subject matter of this Division of Part IV of the Bill.

In terms of Clause 114 a public company will, after the proposed Bill becomes law, be required to have at least three directors, two of whom must be natural persons who reside within the Commonwealth.

Clause 121 will impose an age limit upon directors of public companies or of subsidaries of public companies. However, provision is made whereby a company may specifically provide for the appointment or reappointment as director, until the next annual general meeting, of a person of or over the age limit of 72 years.

Mr. Burrows: Is there any provision for the re-employment of one of those over-age directors in an advisory capacity? Would they be able to get round that provision by appointing a director in an advisory capacity?

Mr. MUNRO: The provision relating to the age limit for directors would not apply to a person who was merely acting in an advisory capacity as he would not be a director.

In terms of the 1960 Bill, this appointment or reappointment was required to be by a special resolution. In most cases the notice required to be given of an annual general meeting would be shorter than that required for a special resolution, and as a result, two notices referring to the same meeting might have been required. To remove this disability it will be provided that notice of the resolution for the appointment or reappointment may be given with the notice of the annual general meeting. The majority required to pass such a resolution will, as previously, be the same as that required for a special resolution.

Clause 122 deals with the disqualification of certain persons from acting as directors or promoters of companies except with leave of the court.

The provision in the 1960 Bill that would have disqualified a person from acting as a director or a promoter where that person had been the director of a company that had been wound up and had paid less than 10s. in the £1 was, on further examination, found to be too drastic. While it would have caught some persons who properly should not be permitted to act as a director or a promoter of a company, it would also have subjected some entirely innocent persons to grave inconvenience. Accordingly another approach to the problem has now been adopted. Clause 122 has been re-drafted while Clause 303 of the Bill has been extended to provide that, if in a winding up it appears that an officer of the company who was knowingly a party to contracting a debt provable in the winding up had at the time the debt was contracted no reasonable expectation of the company being able to pay the debt, that officer will be guilty of an offence against the Act.

In terms of the new Clause 122 conviction for an offence against Clause 124, which clause lays down the measure of a director's general duty and liability to the company, or against Clause 303, or conviction for any other offence in connection with the promotion, formation or management of a corporation or involving fraud or dishonesty will, under the Bill, entail disqualification for five years after conviction or release from prison, except with leave of the court. This approach is broadly analogous to that under the Commonwealth Bankruptcy Acts.

Clause 165 deals with the appointment of auditors of companies. This clause has been re-drafted to permit of a limited right in the company to remove an auditor before the expiration of his normal term of office. It will also be provided that all members of an exempt proprietary company may agree not to appoint an auditor of the company for the ensuing financial year.

Clause 169 deals with investigations into the affairs of companies. The clause has been strengthened in the light of recent experience in southern States.

Clause 186 deals with the remedies available to members where the affairs of a company are being conducted in an oppressive manner. In addition to the powers of redress given to the court in terms of the 1960 Bill, the court will be empowered, on application, to order that the company be wound up, if that remedy seems appropriate. Thus a second approach to the court under the winding-up provisions of the Bill will not be necessary in these cases.

As I have indicated, there has been a fairly complete review of the terms of the Model Bill and of our Queensland Bill in the light of further experience and consideration during the past six months. Whilst in the case of such a complex and extensive Bill as this it would be quite impossible for me to refer to all the details of drafting, I have endeavoured to explain all those points which are of sufficient importance to warrant an explanation.

Mr. Duggan: Are the proposed penalties included in the Bill completely uniform throughout the Commonwealth?

Mr. MUNRO: The penalties included in the Queensland Bill are in conformity with those shown in the Australia-wide Model Bill, and I expect that other States will do what we are doing and follow substantially the terms of the Model Bill.

I will proceed now to outline another comparison—this time a consideration of the differences between our proposed Queensland Bill and the Australia-wide Model Bill which is to be used as the basis for the drafting of the Bills of all States. In mentioning these comparatively minor differences, I must first point out that the arrangement of our Queensland Bill is completely in conformity with that of the Model Bill, so that, even in those cases where it has been found necessary to make some adaptations in the wording to meet Queensland requirements, the numbering of our Parts, Divisions and Sections will be completely uniform with that of the Model Bill.

It is expected that when the corresponding legislation has been passed in the other States, all the State Bills will similarly conform with the Model Bill both in arrangement and in numbering of the Parts, Divisions and Sections.

In order to meet Queensland requirements, it has been found necessary to depart from the precise wording of the Model Bill in a number of instances. These modifications of wording have been necessitated mainly by four considerations.

First of all it must be recognised that the Model Bill has been prepared primarily on the basis of the law of Victoria. In relation to quite a number of clauses there is a marginal note to indicate that the particular clause will require variation to meet the circumstances of each State. This type of modification is required because other laws of the States are not uniform and, by reason of this background circumstance, a completely uniform wording of this one Act in all States would in fact produce laws with differences in their application and effects. In some

cases slight differences in wording are required to produce substantial uniformity in the effects throughout Australia.

The second point is that in cases where important changes are made in a law there is usually a necessity for transitional provisions. Here again the Companies Acts of the various States prior to this consolidation have not been uniform, and it follows from this that any transitional provisions must be adapted to the requirements of each particular State.

The third point is that in Queensland we have some established institutions and administrative procedures which differ from those of other States and in relation to which it is not desirable that we should sacrifice our existing well-tried institutions merely in a quest, and possibly a vain quest, for theoretical uniformity. Examples of this are our Queensland Public Accountants' Registration Board, which will function in practically the same way as the Auditors' Boards of other States, our Public Curator, who has powers greater than those of the corresponding institutions in other States and our Trustee Companies which operate under special Acts differing in some respects from the corresponding Acts of other States.

Fourthly, we have some special provisions in our existing Companies Acts designed to protect the assessment and collection of stamp duty in Queensland. These particular provisions could be enacted in a separate Stamp Duties Act, but as a matter of legislative convenience they are retained in our proposed Queensland Bill although they are not extended in any way.

In addition to the four types of modification in wording which I have described, I will also draw attention to some particular variations in wording which, although not affecting the basic principles of the Bill, do cover matters of some importance.

Under this heading I will first mention that in Queensland we have a decentralised system of administration whereas in each of the other States the administration is completely centralised. Our present system with Registrars in Brisbane, Rockhampton, and Townsville meets the requirements of our large State, and we propose therefore to retain our system of decentralised administration, with Registrars in Rockhampton and Townsville having duties and responsibilities substantially similar to those of the Registrar in Brisbane. Two exceptions to this are contained in Clauses 76 and 100 in terms of which the Registrar in Brisbane has additional responsibilities in relation to the new Division 5 of Part IV. dealing with interests other than shares and debentures, and in relation to Division 7 of Part IV. dealing with the registration of charges.

There is a further slight departure from uniformity in the new provisions contained in Clause 12 of the Bill with reference to the destruction of old records. In the Model Bill authority is given to the Registrar to destroy certain types of old records which have been filed and registered for not less than two years, seven years and 15 years in different types of circumstances. We have decided on a more cautious approach to this question of destruction of records, and in terms of the proposed Bill the corresponding periods are 10 years, 10 years and 15 years respectively. This is merely a matter of adminstration and will not cause any inconvenience. My feeling is that it is wise to adopt these somewhat longer periods, at least for the time being. If the experience in other States is satisfactory we may subsequently reduce our periods of retention of records to conform with the periods which we expect will be adopted in most other States.

A further Queensland variation is in relation to the procedure to effect a change of name of a company. In the overwhelming majority of cases in which a company changes its name the reason for the change is a completely genuine one to meet either the convenience of the proprietors or new objectives of the company in carrying on its business. On the other hand, there is reason to believe that a company's name might be changed for other purposes which could be undesirable. For this reason we have included some additional provisions in Clause 23, which are designed to assist in safeguarding the interests of holders of shares or debentures and of other persons with whom the company may have dealings.

There also will be variations among the various States in the clauses corresponding to Clause 382 of the Model Bill, which originally was designed to extend the application of some parts of the company law to various types of corporations which are not companies. This again is a matter which we and representatives of some other States feel should be approached with a very considerable degree of caution, and our general policy is that we prefer to apply our minds specifically to the circumstances and conditions of each type of corporation, which may require consideration, before extending blanket provisions which could have completely unintended effects.

Mr. Duggan: What safeguards have you where a company uses an identical name in another State? I have in mind a recent case of a finance company getting into serious financial difficulties and the existence of a very sound South Australian company with an identical name causing much confusion in the minds of shareholders. Is any provision made to prevent that sort of situation developing?

Mr. MUNRO: Yes. I agree with the Leader of the Opposition that in relation to that particular matter, the position under our present law is not satisfactory. We have given much consideration to it and our approach, broadly, is that in the first place we will have uniform provisions, and we propose administratively to provide for consultations among the States from time to time either at ministerial level or officer level so that we will be able to work out adminstrative arrangements to cover any difficulties that might arise.

Mr. Duggan: Assuming there is a duplication, is there any power proposed or existing that will enable you to revoke the name of a company if you feel in the public interests it should be so revoked?

Mr. MUNRO: I should not like to answer offhand, the question of power of revocation. I feel it would be necessary to approach that with a considerable degree of caution because it would be a very serious action to take away from an existing company the right to use a particular name if that company has enjoyed that right possibly for a very long term of years. Our general approach to the problem is: perhaps there have been some cases in the past that it may not be practicable to remedy now, but we do propose to provide safeguards for the future.

Mr. Duggan: I did not intend to visualise a situation where a company had been using a name for a very long time. It was a new company I had in mind, that it would not be in the public interest to allow to continue.

Mr. MUNRO: That power might be considered.

Mr. Hart: I think there is power now for the Registrar of Companies to direct a company to change its name.

Mr. Hanlon: In any case, they can go to the court, can they not?

Mr. MUNRO: I should not like to say that there is a solution but our approach has been more along the lines of prevention than cure. I feel that, by administrative co-operation among the States we will at least establish a position that is much more satisfactory than at present.

Whilst I have gone to some trouble in explaining these modifications in our Queensland Bill as compared with the Australia-wide Model Bill, I would also point out that, if we view this matter in its proper perspective, it will be realised that these small variations are of only very slight significance as compared with the very wide ramifications of the subject as a whole.

Mr. Hanlon: Were there any substantial suggestions put forward from this State that were not acceptable to the other States, or that disappointed you?

Mr. MUNRO: I would say, in a very general answer, not very substantial, but it would be quite impossible for me to give a complete answer to that question because, at the Ministers' conferences we had most voluminous comments and suggestions placed before us from Queensland and every other State of Australia, and our approach was to consider all those comments and suggestions on their merits without distinguishing whether they came from one State or another. Broadly speaking, I am very satisfied indeed with the general results of our ministerial conferences.

Reverting now to the Bill generally I remind honourable members that this proposed Bill is basically a non-party measure in that it is founded on principles which have been accepted by the representatives of the Governments of all the States.

To indicate the spirit in which this measure is submitted I cannot do better than quote the following two paragraphs from the Foreword which appears in the print of the Australia-wide Model Bill, over the signatures of the Attorneys-General of the Commonwealth and the six States—

> "It is impossible in any field to prepare legislation that pleases everyone and this draft will no doubt have its critics, but the Ministers believe that when considered as a whole the draft is a measure which fairly balances the interests of the business community against that of the public generally and the investing public in particular. Being conscious of the constant developments in the field of commercial law and of the probability of further reforms being recommended by the report of the Committee at present considering Company law in England under the chairmanship of Lord Jenkins, the Ministers fully realise that this measure, even if adopted by all States and Territories in the near future will soon require further consideration. So that company law can be kept abreast of these developments it is proposed to review the position periodically and to maintain close contact between all administrators working in this field."

For myself I can say with confidence that this Bill will provide important new safe-guards for investors and other persons having dealings with companies, and that this will be achieved without lessening the value to the community of the corporate form of organisation, which has contributed so much to our national development and community well-being.

The Bill, when enacted, will effect a very substantial improvement in our Queensland law, which at present has some marked deficiencies as compared with the best world standards. Notwithstanding this, as in the case of the Model Bill, we do not assert that this Queensland Bill will in any way represent the last word in Company Law reform. Commercial law generally must always be a developing field, with changes where necessary to meet new conditions as and when they arise.

Mr. Hilton: On that point, the uniform nature of the legislation throughout Australia, is there any arrangement whereby further amendments that may be deemed to be desirable have to be the subject of interstate consideration or discussion before enactment?

Mr. MUNRO: There is not any arrangement in terms of which later amendments would have to be the subject of interstate consideration, for the very good reason that the Parliament of each State is completely sovereign in its own sphere, and there is no way in which Ministers together could bind any Parliament, nor would we wish to do so.

Mr. Hilton: I meant a mutual arrangement.

Mr. MUNRO: I am being fairly specific on it. Nevertheless the point raised by the hon. member for Carnarvon has been kept in mind and the Attorneys-General of the Commonwealth and States have made arrangements to continue our conference discussions through the medium of what we call the Attorneys-General Standing Committee. Our objective is that there will be continuing consultations so that as far as is reasonably practicable the company laws of the various States will not only become substantially uniform but will also over the years remain so.

Mr. Hanlon: There has been some criticism in the "Telegraph" by its economist, Mr. Eddy, that there is too much opportunity for escape from the Model Act by Orders in Council, which could destroy the uniformity of the Act from State to State.

Mr. MUNRO: I have read that criticism, but I do not think it is well founded. This is a very comprehensive law. It goes very much further than any law we have had in Australia up to the present time. It is only in comparatively few instances that there is provision for some flexibility through Orders in Council, but in my view that flexibility which has been provided is completely justified for the simple reason that it is very difficult for any Parliament completely to visualise all the various things that can occur. I think it is desirable in the case of legislation that there should be some power for the Executive Government to make some reasonable modifications in the application of the provisions if it is found that without the modifications the application of the provisions would impose hardship.

Mr. Walsh: In any case, any Order in Council would have to conform with the principles contained in the Act.

Mr. MUNRO: Quite definitely. There is no power, by Order in Council, to extend the provisions of this Act, in any way, which normally would be done by legislation. The powers by Order in Council—if I may describe them in general terms—are merely to adapt an inflexible provision of this Bill to give a certain reasonable degree of flexibility, to meet changing times and changing conditions.

Mr. Walsh: They are mostly machinery in their character.

Mr. MUNRO: Yes. There are no powers by Order in Council to depart from any principle of the Bill.

I am hopeful that we may have this very extensive Bill printed at a reasonably early date, for circulation to hon. members so that they, and others, will have ample time to study it before we proceed with the second reading and Committee stages.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (12.37 p.m.): I think it will be broadly acknowledged that this is undoubtedly one of the most important Bills that has been introduced into this Assembly for very many years. It has very wide implications, and its ramifications extend all over the Commonwealth. Companies domiciled in any State will feel the effects of this Bill. I inform the Minister, at the commencement of my remarks, which will be reasonably brief at this stage, that the Opposition will accord every possible co-operation so that the Bill may be printed as quickly as possible. At this stage we will confine our speeches primarily to the members of our relative committees which the Parliamentary Caucus establishes to examine Bills of this kind, and the official Opposition will thus enable the Bill to be printed as quickly as possible. We are doing that because there is abundant evidence available to show that there has been substantial agreement throughout the Commonwealth, between Labour Governments and non-Labour Governments on this Bill. We believe that the views that have been accepted in the Bill should commend themselves to any reasonable political organisation with Parliamentary representation, and that they have been devised to meet the position that exists.

The Opposition approves of the introduction of the Bill and acknowledges the work carried out by the Minister. Indeed, I wish to pay him, and the other Attorneys-General, a personal tribute. I think they have done a very good job in obtaining uniformity on a very complex and controversial subject. I am quite certain that it would be impossible to have complete unanimity, as the Minister indicated a few moments ago when reading the foreword to a pamphlet over the signatures of the Federal and State Attorneys-General, and many of them, no doubt, would wish for some variations in the provisions of this Bill. It has been demonstrated, however, that with goodwill and application, it is possible, by a series of conferences between the various States, to introduce such legislation where we have Sovereign powers in these matters. It is a very gratifying step forward because some years ago it was considered quite impossible for agreement to be reached on matters that had an effect on the various States of the Commonwealth. We had some evidence of that in the Hire-purchase Agreement Act where there has not been complete agreement between the States, but there has been a measure of desirable unanimity. I pay tribute to the Minister for the work he has performed, and I sincerely congratulate him and his officers on their work on this problem. I believe that the result of the deliberations is a great achievement.

Before continuing with some general observations on the Bill, I should like to deal with one or two criticisms. They do not relate to what the Minister has said, but are for the purpose of saying how much I regret that the Minister has been so preoccupied with this uniform Bill that he has permitted some unscrupulous people in

Queensland to take advantage of the cupidity of others to defraud them of very large sums of money.

Some time ago the Minister introduced a Bill arming his department with powers to deal with situations that he envisaged might happen to the detriment of members of the investing public, but a tremendous mass of information has been presented to him indicating that in Queensland, as in other States of the Commonwealth, unscrupulous people have taken advantage of loopholes in the law to defraud the public of very large sums of money. I do not want to deal with matters that might be construed to be sub-judice. Therefore I will not identify any particular company but it is a disgrace to think that in Queensland people of great industry who have accumulated savings have become victims of plausible salesmen. A few months ago I was called to a Toowoomba home where I found that the husband and wife, who had sold property and had made provision for their old age had, through the duplicity, insincerity and fraudulent actions of others, been reduced to a condition of penury. That was the fate that befell many people in the State. Wide publicity was given to the matter by dissatisfied people on the one hand and by certain sections of the week-end Press, particularly "Truth" newspaper, on the other. I think they were to be commended for the publicity they gave them.

One of the alarming features of cases of this kind, of course, is the reluctance of the victims to permit their names to be used for the purposes of prosecution. They fear, as this particular couple did, that they will be the laughing-stock of their neighbours for their lack of discernment. I had several of these cases in Toowoomba because some operators on the South Coast sold many thousands of pounds of worthless shares to people in the Toowoomba area and in other parts of the States. One case had a rather amusing sequel. An old, retired postal employee who came to see me had already lost about £2,800 to these people but he seemed to be most exultant over the fact that he had prevented them from taking another £400, for shares in a mythical tin mine in Stanthorpe. He said to me, "Mr. Duggan, I was far too smart for them, though. They tried to get another £400. I knew more about these things than they did." That was after he had already lost £2,800 to the same people!

I must confess it is very difficult indeed for the Minister for Justice or for any State Parliament to deal with every likely contingency in these matters but I am somewhat disappointed that the Parliament was not asked earlier to deal with fraudulent practices in Queensland. I know that the Minister is very sympathetic, but it is a blot on the good name of the State that some action was not taken to deal with the undoubted rascals.

Mr. Hughes: Would registering the salesmen of those shares help to overcome the problem?

Mr. DUGGAN: There are many ways. In the Minister's preoccupation with the consolidation of company law he lost a golden opportunity to help some people who had suffered very grievous financial injury at the hands of plausible scoundrels. I do not want at this stage to elaborate very much more on that.

I have no criticism of the Bill, only praise. In the last 30 or 40 years in particular, there has been a tremendous transformation in the economic life of the community through the development of joint-stock companies. It is a long while since there has been such a large-scale overhaul of the law as this. Almost every country in the world has seen fit to establish committees to advise the Government on steps that should be taken to deal with this very important problem. Unquestionably the whole economy revolves around the joint-stock company. Years ago many of these operations of commerce were carried on by family groups, or by a group of individuals who, with their own funds, were able to conduct the operations of their particular businesses in a manner that met their own requirements. But with the development of trade, growth of population, improvement in communications, and all the other things that have been a feature of latter-day commercial life, it has been necessary, of course, for companies to widen their economic horizons. They have not been able to find sufficient funds themselves to operate these great enterprises, and the public have been called in to subscribe the necessary capital to enable them to expand and provide the services that are now so necessary.

We know, of course, that it is much more economical for a predetermined economic unit to operate and produce a high-quality article. The amount of research required for certain commodities and merchandise today is beyond the capacity of one individual. A large number of chemists and scientists must be used to provide information for people who want to market a particular commodity, and some firms are spending astronomically large sums of money in their research departments alone. I shall not weary the House with a statistical recital of these things, but many big organisations have hundreds and hundreds of employees engaged exclusively on research.

To operate undertakings of this sort, it is necessary to bring the public in as investors in the companies, and it is at this point that governments find it necessary to introduce legislation to meet this situation and give the investors protection against the fraudulent operations of a minority who conduct some of these enterprises. The companies are carried on with varying degrees of success. Varying abilities and varying degrees of efficiency are displayed in their operation. Some fail, some have a measure of ordinary success, and some have very great financial

success. Of course, that is happening throughout the world. Where a company is honestly conducted, no-one can cavil at the fact that it is a success or a failure. But we have a small percentage of people engaged in these operations who have unquestionably taken advantage of loopholes in the law for the purpose of enriching themselves or their friends to the detriment of unsuspecting shareholders outside. I believe that no regulation relating to the general superintendence of these matters can be too strict, and I think that the penalties suggested in the Bill are not unnecessarily heavy. The code of conduct that has been laid down there is reasonable in the circumstances, in my opinion, but I think there should probably be some strengthening of the powers, particularly in regard to takeovers. I know it is quite impossible legislatively to envisage all circumstances that might arise. It is impossible, for instance, to prevent people from enriching themselves because they have received prior information, but I think that emphasis should be placed upon the privileges and prerogatives of the shareholders being extended and preserved as far as possible.

No longer are these businesses family concerns. Big business is able, because of the responsibilities of management, to command the services of men who are trained in management. Because they are trained specialists, big companies can afford to pay them very large sums of money to operate their particular enterprises. It is essential that that managerial skill should be exercised to see that the business flourishes and succeeds and, at the same time, to see that no snide practices are engaged in. We know, of course, that snide practices have been used from time to time. The Minister might say that it is not the responsibility of Parliament to protect fools against themselves; but, after all, there would be no reason for Parliament if there were not a general obligation imposed on the legislature to reasonably protect the interests of individuals. We do that with our food and drug laws; we do it with our traffic laws. In fact, every aspect of human activity is regulated in some way by laws designed to safeguard standards and quality and to ensure that the people can engage in their lawful occupations under conditions that are conducive to reasonable standards of privacy, opportunity and security. I see no difference really between the man who invests sums of money and the person who makes a purchase from a store. For instance, recently the Minister for Labour and Industry laid down standards regarding the sale of second-hand motor vehicles. Why would it be necessary to legislate in that direction if it were not that some people were making fraudulent representations to prospective buyers about the condition of motor vehicles they were offering for sale? That is why it is necessary that some standard should be laid down. After all, in that instance there is only the one consideration that passes—the money paid for the motor vehicle. In this case it is money being paid for shares or money for an interest in a business. As such the ordinary shareholder is entitled to reasonable protection by legislation passed by this and every other Parliament.

Of course, the Bill makes provision for the sort of circumstances I am envisaging, but one thing we have to guard against is that the ordinary person does not know the identity of people in a company; he merely knows the name. For instance, Broken Hill Pty. Ltd. or the Colonial Sugar Refining Company would be names known to almost everybody in Australia, but if a poll were taken in the street I do not suppose that two people in 100 could say who were the managing directors of those companies. Indeed, many shareholders in Australian companies are completely unaware of the actual trading operations of the companies in which they hold shares. All they know is that it is such-and-such a company, the par value of the shares is so-much, that a dividend of so-much is paid and that a balance-sheet is presented periodically. It might be said that it is carelessness on their part, that they should know no more about the companies in which they invest, but nevertheless the facts reveal that that is the position. Because these people are far removed from the public gaze, the ordinary investing member of the public has no opportunity of knowing the business skill, personal integrity or probity of the principals, and that task to some extent must be undertaken for them by the Government of the day. Because of this natural selfishness, I suppose, the investor wants to invest his money in something that is secure but at the same time will return him the greatest possible advantage. On this particular aspect I draw attention to the cupidity of people who believe anything that they see published in a newspaper. Newspaper advertisements very often issue invitations to subscribe to this or that company that offers a high interest return. The potential investor thinks to himself, "Here is an opportunity for a very high return on my money", so he transfers his money from the Savings Bank, where only low interest rates may prevail, to the high-yielding investments that are dangled before his eyes. It is in such instances that fraudulent misrepresentation may take place. Consequently no measures can be too stringent in regard to closing the loopholes that have existed in this direction.

Concurrently with the expansion of industry, of course, there must be some sensible limit to the extent to which it is desirable in the consumers' interest—and indeed in the shareholders' interest—that companies should grow bigger and bigger. There must be some point at which they should be controlled so that they do not develop into cartels and monopolies. I am sure the hon. member for Mt. Gravatt who is listening to me will agree. There should be some control exercised over monopolies, combines and take-over proposals. Again here unsuspecting

people are unaware of all the movement going on behind the scenes and it is possible that they may dispossess themselves of shares, whereas other people in the know are gradually acquiring them because of some detailed prior information that they have. I realise that there are problems associated with the premature disclosure of take-over proposals, but every means should be used to ensure that they are proposals of a very high ethical standard and that what is done is done in the general interests of the company and the shareholders, and not to the detriment of the State as a whole. A very fine line of demarcation is drawn in these particular matters. I feel that it is something to which the legislature very properly has to give consideration. I sometimes think that the newspapers themselves might have a responsibility in this direction by being aware of the financial standing of some of the companies that spend very large sums on advertisements in their newspapers, in which they invite people to subscribe to unsecured notes, debenture stocks, and things of that kind. It seems to me that the newspapers do not worry very much about how far they should examine the bona fides of people who insert advertisements. It is again a matter for sensible decision, but at the same time I feel that there is sometimes an obligation on newspapers to arm themselves with some sort of safeguards before they accept advertisements inviting people to subscribe to companies that are on very insecure financial bases.

Mr. Aikens: That will be the day when newspapers exhibit any honesty.

Mr. DUGGAN: It is difficult. Nevertheless, I think that the public, all along the line, must be protected as far as it is reasonably possible for us to do so. There are many general observations I should like to make on this matter. There has been a very sincere and worthwhile attempt in this matter. The Bill is primarily a technical one, and in 25 minutes it would not be possible for me to give other than a generalised sort of observation on some of the problems affecting joint stock companies, shareholders, and the public interest.

Some hon. members who have a specialised knowledge of these matters may be able to make special contributions. In the committtee and the second reading stages hon. members may be able to suggest useful amendments to the Minister. That may be rather difficult because this is a uniform and Model Bill, but that should not debar the Minister from accepting any reasonable suggestion from either side of the Chamber.

We do not press this matter in any party spirit at all and I hope the Minister will not accept what has become more or less traditional in many Parliaments, that amendments from the Opposition should be automatically rejected. I am not suggesting that we have some amendments, but I am quite certain that the Minister will consider any reasonable suggestions from the Opposition or from private members on his own side. It is not a question of the Labour Party trying to score off the Liberal Party or the Liberal Party trying to score off the Labour Party. It is a matter of pooling our efforts to see if we can get a Bill that will ensure the maximum protection to the great majority of the people of Queensland. That should be our general desire and approach in this matter.

With those generalised observations, at this stage I content myself with saying that I think the Bill covers the requirements of the situation in a general way. It may not overcome some weaknesses. As individual parliamentarians and as an Opposition we should perhaps like to see more teeth in some of the provisions.

I have made several observations in this Chamber about Orders in Council. I personally think that at times it would be a good thing if we could impose immediate discipline by Orders in Council, whereby the Attorney-General may act quickly to prevent a malpractice or to stop a grievous injury to others. It was said in reply to an interjection that it is not possible for an Order in Council to exceed the powers of the Bill. As Orders in Council will, I presume, be tabled in due course, we will have an opportunity of considering them.

I hope the Minister will not rest on his laurels in this matter, that he will see that the Standing Committee meets regularly and carefully examines the effect of this Bill on the operations of joint stock companies throughout Australia. One can expect great care to be taken by members of the business community and their advisors to comply with the Bill but some snide operators will try to find loopholes in the measure. The present Act is much more narrowly restrictive than the Bill and it is to be hoped that there will be no opportunity for people to circumvent the intention of the legislation. I have no doubt that that will be attended to.

I can only express the hope that the Minister will see that those appointed to the Standing Committee are kept in regular consultation with their counterparts in other States. If there is sufficient evidence of wrong doing we should not wait for the introduction of a Bill of this size. If there is sufficient warrant we should introduce an amendment of the Act at any early date.

Generally speaking, I pay a tribute to the Minister, which I believe sincerely he has earned. I hope the Bill achieves the purposes for which it is introduced. It is very badly needed at the present time. Perhaps its introduction is belated, but I am not attributing any blame to the Minister. It may be the fault of a number of people including members of previous governments.

At this stage I content myself with saying that the Opposition generally commend the principles of the measure.

Progress reported.

The House adjourned at 1.1 p.m.