Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 16 MARCH 1965

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

ELECTORAL DISTRICT OF CAIRNS

BY-ELECTION DURING RECESS; RETURN OF WRIT

Mr. SPEAKER: In accordance with the direction of the tenth section of the Legislative Assembly Act of 1867, I issued a writ on 21 January, 1965 for the election of a member to serve in the Legislative Assembly for the electoral district of Cairns, in the room of George Walter Gordon Wallace, Esquire, deceased, and the said writ was duly returned to me with a certificate endorsed thereon by the returning officer of the election, on 27 February, 1965, of Raymond Jones, Esquire, to serve as such member.

MEMBER SWORN

Mr. R. Jones was introduced, took the oath of allegiance, and subscribed the roll.

Mr. SPEAKER: I welcome Mr. Jones as a member of this Assembly.

DISTINGUISHED VISITOR

Mr. R. Ashton, M.P. (Territory of Papua and New Guinea)

Mr. SPEAKER: I welcome to our Assembly a visitor from the House of Assembly of the Territory of Papua and New Guinea in the person of Mr. Ashton, the member for New Britain, who is seated in the Distinguished Visitors' Gallery.

I welcome you, Mr. Ashton, and trust that your stay with us will be both interesting and informative.

Honourable Members: Hear, hear!

QUESTIONS

EYE PATIENTS, TOWNSVILLE GENERAL HOSPITAL.—Mr. Coburn for Mr. Aikens, pursuant to notice, asked The Minister for Health,—

Further to his Answer to my Question on October 21, 1964, can he now inform the House if the waiting period for eye out-patients at the Townsville General Hospital has been reduced and, if so, to what extent and in what manner?

Answer:—

"The Townsville Hospitals Board has advised that the waiting period for eye out-patients with non-urgent conditions to be seen by the Ophthalmologist has not been reduced. Urgent cases are dealt with immediately and there is no waiting period for the issue of spectacles to pensioners and others who are not required to be examined by the Ophthalmologist. The waiting period to see an Eye Specialist is not peculiar to Townsville as it is difficult to make an appointment with Eye Specialists in Brisbane under three months. The Hospitals Board has given consideration to the matter and has requested the Medical Superintendent to discuss the position with the Director-General of Health and Medical Services when he next visits Brisbane."

COURT CHRISTMAS VACATION.—Mr. Dean, pursuant to notice, asked The Minister for Justice,—

(1) Has his attention been drawn to the leading article in *The Courier-Mail* of February 3, headed "Justice on its long holiday"?

(2) If so, what appropriate action will be taken to avoid similar delays in justice in the future?

Answers:—

(1) "Yes."

(2) "I refer the Honourable Member to statements made by me and recently reported in the local Press. The Honourable Member will be thereby aware that during the Christmas Vacation (which in Queensland generally follows Court Vacations in other States), a criminal trial in the Supreme Court was held at Townsville in December, and criminal sittings of the Supreme Court and of the District Courts were held at Brisbane in January, commencing on January 18. He will also be aware that action has been taken and is still being pursued in this State, with the objectives of expediting Court hearings and avoiding any Court congestion which, in common with other States and countries, occurs mostly in the civil jurisdiction and for which the parties themselves are at times responsible. Generally there is a continuous growth in the business of the Queensland Courts, including in the measure of work actually handled by the Courts, and experience in Queensland and elsewhere reveals, as the leading article referred to did suggest, that the problem is not one merely of the length of the Court Vacation."

SANDGATE FISH DEPOT.—Mr. Dean, pursuant to notice, asked The Minister for Labour and Industry,—

(1) Has he received any reports that metal containers have been stolen from the Sandgate fish depot? If so, how many were stolen and on what date were the containers reported missing?

(2) Were the police notified of the theft? If so, have they located any of the missing containers?

(3) What percentage of the gross catch of prawns is retained by the metropolitan fish board?

(4) What services are given to the owners of prawn trawlers by the Professional Fishermen's League in return for the one per centum deduction from their gross catch of prawns?

(5) What is the reason for the depot being closed on Sundays for the supply of ice to the trawler owners, who find it most inconvenient and an economic loss in having to load ice on a Friday night or a Saturday morning?

(6) Will he give consideration to having the depot opened even for a limited period on a Sunday afternoon to supply ice?

(7) Why is the Redcliffe fish depot supplied with a radio service and Sandgate depot is not?

Answers:—

(1) "My enquiries reveal that, when the Cabbage Tree Creek Depot at Sandgate was opened some three (3) years ago, trials were carried out in regard to the use of aluminium bins but, due to the number unaccounted for, it was decided to utilise wooden cases, similar to those used by prawn processors who purchase direct from fishermen, in competition with the Fish Board. However, such processors have no proper shore facilities. The Chief Inspector of the board personally investigated the losses of the bins, and did, in fact, recover a goodly portion. The depot is operated by an agent but, in view of its isolation, it is necessary for the premises to be lighted each evening. The agent, on at least three (3) occasions, has notified the police in regard to thefts from the depot, but in no instance has the stolen property been recovered."

(2) "See reply to Question (1)."

(3) "This Question is somewhat vague, but it is presumed that the information required is in regard to the quantity of prawns processed, as compared with those sold by auction. The percentage varies considerably, depending on whether the prawn intake is received in a green or cooked state. However, it could be safely said that by far the greater quantity of prawns received from Cabbage Tree Creek Depot is processed."

(4) "This matter is outside my jurisdiction but, to help the Honourable Member, I obtained the undermentioned information from the State Secretary of the Queensland Professional Fishermen's League as to the services provided—

(*a*) Promotion of scientific fisheries research. (*b*) Legal assistance. (*c*) Sponsorship of—(i) Harbour facilities; (ii) Fisheries conservation; (iii) Loans to fishermen; (iv) Fishermen's amenities; (*d*) Daily representation at the Metropolitan Fish Market; auction scrutineer and sale negotiation of seafoods overcarried at auction; (*e*) Discount on fishermen's purchases; (*f*) Lower insurance rates; (*g*) Two representatives on the Fish Board through whom suggestions and complaints are channelled."

(5) "The agent advises that, up to October last, the depot was opened on Sundays. However, it was found that certain fishermen were making a convenience of the board's facilities by obtaining their ice supplies from the board and then marketing their resultant prawn catch to other prawn processors. The agent further states that there is always one of his staff on call during the week-end. Prawns are unloaded on Saturdays and Sundays, and regular prawn suppliers to the board are always able to obtain ice on request."

(6) "Please see Answer to Question (5)."

(7) "The Postmaster-General's Department refused the Fish Board's request for a two-way radio installation at Cabbage Tree Creek. However, a receiving set is installed at Cabbage Tree Creek for the receipt of messages."

VISIT OF X-RAY UNIT TO MITCHELL RIVER AND EDWARD RIVER MISSIONS.—Mr. Davies for Mr. Wallis-Smith, pursuant to notice, asked The Minister for Health,—

Has the X-ray unit visited Mitchell and Edward River Missions? If not, will he consider an early survey so as to bring these people into line with other residents of Queensland?

Answer:—

"No. The existing mobile X-ray units are not designed to travel to such remote and inaccessible places as the Mitchell River and the Edward River Aboriginal Missions. There is a special unit in course of construction which is designed to enable the more remote areas of the State to be reached and this unit should be in operation in the fairly early future. When the unit is functioning those areas of the State which have not been covered by reason of inaccessibility will receive a visit by this Special Unit and such areas will include the Mitchell River and Edward River Missions."

USE OF AMERICAN FINANCE IN CONSTRUCTION OF ALUMINA REFINERY, GLADSTONE.—Mr. Lloyd, pursuant to notice, asked The Premier,—

(1) In view of the announcement last year by the Commonwealth Department of the Interior (Facts and Figures No. 82 June Quarter 1964) that the construction of the £53 million Alumina Refinery at Gladstone is to be financed by 117 million dollars advanced by a consortium of Banks

in the United States of America, will he investigate the possible effect of the moves by President Johnson of the United States to restrain American overseas investment and indicate, if this is necessary, what alternative finance might be available to ensure the construction of this important project?

(2) Has he been in contact with the Prime Minister in regard to this important matter to ascertain what effect, if any, these American moves will have on projected industrial development in Queensland?

Answers:—

(1) "I am not aware of any difficulty which arises in the subject case where financial arrangements are already concluded."

(2) "It is refreshing to see the Honourable Member's change of heart towards the use of overseas capital in essential developmental work. So far as I am aware, no projected industrial development in this State is affected by the moves. If it were, the Honourable Member can rest assured that the Government would make all necessary representations."

CHILDREN OF HENDRIKUS PLOMP.—Mr. Lloyd, pursuant to notice, asked The Minister for Labour and Industry,—

(1) Was his statement, published in *The Courier-Mail* of March 11, that Hendrikus Plomp's two sons would be flown to Canada to live on Prince Edward Island issued as a Ministerial release? If not, what were the circumstances?

(2) Why was it considered necessary to give a matter, which concerns the future lives of two young boys of seven years and four years, this unnecessary publicity?

Answers:—

(1) "No. This was Press speculation. In fact, the address mentioned was incorrect, but I have no intention of disclosing the whereabouts of the youngsters, other than to say that they are in Canada."

(2) "For the information of the Honourable Member, I would mention that the Press, from time to time, has been making inquiries regarding the welfare and future of these children. These boys have been protected successfully during the period they have been in the care of the State Children Department, and their actual departure from Brisbane for Canada was carried out without the knowledge of the Press. I agree with the Honourable Member that these children should not be subject to Press publicity but, realizing that the Press knew the address in Canada of Plomp's parents, it was obvious that it would only be a matter of time before it became public knowledge that the children were in Canada. As a matter of fact, the Honourable Member will recall that, in the *Truth* newspaper of March 7, 1965, there was some reference to the possibility of these children going to Canada. This was followed by further Press enquiries. Therefore, after careful consideration of all the circumstances, it was considered desirable that there should be published an authoritative statement indicating that the children had arrived safely in Canada. The State Children Department is to be commended for the discretion they exhibited in this delicate human problem."

DRUNK-DRIVING CHARGE AGAINST D. J. ANDERSON.—Mr. Coburn for Mr. Aikens, pursuant to notice, asked The Minister for Education,—

(1) On March 10 did Stipendiary Magistrate Gardiner dismiss a drunk-driving charge against David John Anderson, because he accepted Anderson's plea that his erratic driving was not the result of taking alcohol or drugs, but because he suffered from hysteria which was aggravated by crowds?

(2) If so, will he have the Commissioner of Police consider withdrawing Anderson's license in view of his self-confessed danger to all other road users?

Answer:—

(1 and 2) "A case against one David John Anderson of being whilst under the influence of liquor or a drug in charge of a motor vehicle was dismissed by Mr. W. J. Gardiner, Stipendiary Magistrate, at the Magistrates Court, Brisbane, on March 10, 1965. In his decision on the case, Mr. Gardiner did not record that he accepted Anderson's plea that his erratic driving was not the result of taking alcohol or drugs, but because he suffered from hysteria which was aggravated by crowds. Mr. Gardiner stated in his written decision that there was evidence of the consumption of liquor, but that there was a reasonable doubt, in his opinion, that the defendant was guilty of the offence as charged and that consequently the defendant must be given the benefit of the doubt. Consideration is being given to the question of whether an appeal should be lodged in this case. Until a decision is made in that connection, the matter of action which may or may not be taken by the Police Department in relation to Anderson's driver's license will remain in abeyance."

CANE ASSIGNMENTS IN MILLAROO AND DALBEG AREAS.—Mr. Coburn, pursuant to notice, asked The Minister for Primary Industries,—

(1) Will the Central Cane Prices Board give consideration to further applications for cane assignments in the Millaroo and

Dalbeg areas or has it adopted a policy that no further cane assignments will be granted in these areas?

(2) If the policy to be applied is that no additional cane assignments will be granted in these areas to Invicta Mill at any time in the future, what is the reason for the adoption of such a policy?

Answers:—

(1) "In Answer to a Question by Mr. Tucker on March 9 I stated *inter alia* "all applications are at present being examined by a Regional Committee. The Central Sugar Cane Prices Board, after examination of all relevant information, will in due course decide which lands will be assigned." I am informed that applications being investigated include applications from the Burdekin River irrigation area and these applications will receive consideration with other applications. Following the granting of the assignments presently being examined, the Invicta Mill area should be fully assigned. Consequently the Board will not at present give consideration to further applications for assignments in the Invicta mill area."

(2) "As the expansion contemplated by the Committee of Inquiry will shortly have been completed, it is not possible to forecast when or on what conditions a further expansion in the sugar industry will take place. However, the Honourable Member can rest assured that, if there is to be a future expansion, the Central Board will carefully consider submissions made on behalf of various areas of the State suitable for cane-growing."

DISMISSAL OF EMPLOYEES, PADDY'S GREEN IRRIGATION PROJECT.—Mr. Davies for Mr. Wallis-Smith, pursuant to notice, asked The Minister for Local Government,—

(1) How many men have been paid off from the Paddy's Green irrigation section since March 1, 1965?

(2) Is it intended to further reduce the work force in this section and, if so, to what extent?

(3) What are the reasons for these dismissals?

Answers:—

(1) "Nine."

(2) "No."

(3) "The work on which these employees were engaged, namely the construction of a section of precast concrete flume, has now been completed. There is no other work to which they could be transferred at present."

HOUSING COMMISSION RENTAL HOUSES, TOWNSVILLE.—Mr. Davies for Mr. Tucker, pursuant to notice, asked The Minister for Works,—

(1) How many applications for rental accommodation are presently held in the office of the Queensland Housing Commission, Townsville, and what are their points priority?

(2) How many homes for rental purposes have been constructed in Townsville since July 1, 1963?

Answers:—

(1) "Two applications at 100 points, both of whom have been offered accommodation; nil at 80 points; two at 60 points; 21 at 40 points and 243 without priority."

(2) "Completed 33 houses; under construction 13 houses. During this period 38 vacated State rental houses and 92 flats became available for reletting."

OCCUPATIONAL SAFETY COMMITTEE IN RAILWAY DEPARTMENT, TOWNSVILLE.—Mr. Davies for Mr. Tucker, pursuant to notice, asked The Minister for Transport,—

(1) Is there a safety committee operating in the Railway Department at Townsville and, if so, what is its composition, how often does it meet and has it succeeded in reducing industrial accidents?

(2) Does the committee cover all sections of the Railway service or only part thereof and, if the latter, then what particular section or sections are involved and what is the reason for the exclusion of other sections from the committee's activities?

Answers:—

(1) "There is an Occupational Safety Committee in the Railway Department at Townsville which comprises—The Locomotive Engineer; The Mechanical Engineer in Charge, Townsville Workshops; The Safety Officer; Two representatives of the Combined Railway Unions. This committee meets once per month, and it has been productive of beneficial results."

(2) "The committee covers the Workshops Section. The question of extending the practice to other sections is being examined."

DRIVERS' LICENSES TESTING CENTRES IN BRISBANE SUBURBS.—Mr. Bromley, pursuant to notice, asked The Minister for Mines,—

(1) What are the exact locations of the driving-test centres to be established in the Brisbane suburbs and when will they commence operations?

(2) How many personnel will be employed at each centre and what will be their respective duties?

Answers:—

(1) "Two new drivers' license testing centres are to be established. One will be at the corner of Cavendish Road and Stanley Street East, Coorparoo. Plans for the necessary building have been prepared and it is expected the centre will be opened early in the next financial year. The other centre will be located in the western suburbs but a decision regarding the actual site to be used has not yet been made. It is hoped to bring this centre into operation during next financial year."

(2) "When the two new centres are established it is proposed that the staff at each of the three centres which will then be operating will comprise one police officer, four civilian testing officers and one female clerk-typist."

PROVISION OF SOAP AND TOWELS IN SCHOOLS.—Mr. Sherrington, pursuant to notice, asked The Minister for Education,—

Further to his Answer to my Question of March 10, 1965, concerning the issue of soap for use by school children,—

(1) Has any inquiry been made into what are the most suitable types of soap or detergent for use in combating hepatitis or similar infection?

(2) Have enquiries been made into the most efficient manner, by way of dispenser or other means, by which the encouragement of this method to combat infection could be put to practical use in schools?

(3) If so, what has been (*a*) the most suitable practical suggestion and (*b*) the estimated cost of carrying out such a programme in schools?

Answers:—

(1) "Enquiry has not been made by my department into what are the most suitable types of soap or detergent for use specifically in combating hepatitis or similar infection. Investigations have been made on the basis of providing soap or detergents, paper towelling and necessary ancillary installations for general ablution purposes."

(2) "From information available it is difficult to determine whether one method of distribution of soap would be more effective than another and whether there is any simple economic method which is practicable in Queensland schools. The introduction of a general provision of either the ordinary cake soap, or soap in liquid or powder form utilising dispensers, presents problems in schools where large numbers of children use washing facilities simultaneously or within a relatively short period, for example, just before the resumption of school after recesses. At present, such washing facilities are arranged under school buildings, in unenclosed areas, where they are readily accessible and use can be made of them quickly by large numbers of pupils. It has been strongly suggested that use of soap, especially from dispensers, would be most effective if the washing facilities were located within school toilets. Wash basins and water outlets are not now available within toilet areas and the provision of such facilities in toilets in all schools by the Department of Works would constitute a major undertaking, involving heavy expenditures, and should not have priority over other important projects. I feel that it is difficult for anyone who is not familiar with the routine of a large school to appreciate this position which is quite different from that existing in an office or commercial establishment. My officers have given much thought to this matter and doubt whether a satisfactory result can readily be achieved unless a disproportionate amount of the funds voted to my department are used for the purpose."

(3) "A suggestion which is both suitable and practical has not resulted from the enquiries made to date. As pointed out previously the greatest cost would be that of installing washing facilities and adequate drainage in toilets. Another item of cost which must be considered in connexion with this matter is the provision of paper towels—which provision is regarded in many quarters as a necessary adjunct to the supply of soap. Apart from expenditure on washing facilities in toilets, it has been estimated that the cost of soap, dispensers and paper towels during the first year would be well in excess of £110,000, with a recurring annual cost thereafter of over £90,000. In the course of the departmental investigation I directed my officers to make close enquiries as to the present position in this regard in neighbouring States. It has been found that, at the present time, the Education Departments of New South Wales and Victoria do not provide soap in any form or towels for the use of pupils in schools under their control. Advice has been received that these Departments have given consideration on several occasions to making these items available but the cost of supply has been found to be prohibitive, especially in the light of existing commitments. Prominent amongst the many projects on which the finance available could be more advantageously applied in Queensland schools is the provision of septic and sewerage installations, in respect of which my Government has made a determined effort since taking office. For the seven years up to June, 1957, the cost of making these installations in 118 existing schools was £357,845. From June, 1957, to June, 1964, installations have been made in 271 existing schools at a cost of £1,191,600. Septics or sewerage installations have, of course, been provided in all new schools where water is

available and the costs of these are not included in the figure of £1,191,600 given above. I feel sure that no responsible person could call for a reduction in the expenditure on this and other desirable projects in order to provide soap and towels for school children. It is reiterated that the encouragement of good hygiene habits in the child is the responsibility of the home as well as of the school. Teachers will continue to stress upon all pupils the need for personal hygiene. In the light of enquiries made in Queensland and in other States it is not regarded as practicable to provide soap and towels at the present juncture."

MINISTERIAL STATEMENT

APPOINTMENT OF MR. R. E. CAMM TO MINISTRY

Hon. G. F. R. NICKLIN (Landsborough—Premier) (11.23 a.m.): I desire to inform the House that, following upon the death of the late Honourable Ernest Evans, His Excellency the Governor, on 11 March, 1965, appointed Ronald Ernest Camm to be a member of the Executive Council of Queensland and Minister for Mines and Main Roads of Queensland.

I lay upon the table of the House a copy of the "Government Gazette Extraordinary" of 11 March, 1965, containing the relevant notifications.

Whereupon the hon. gentleman laid the "Government Gazette Extraordinary" upon the table.

PAPERS

The following papers were laid on the table:—

Orders in Council under—

The Abattoirs Acts, 1930 to 1958.

The Milk Supply Acts, 1952 to 1961.

The Primary Producers' Organisation and Marketing Acts, 1926 to 1962.

The State Housing Acts, 1945 to 1964, and the Local Bodies' Loans Guarantee Acts, 1923 to 1957.

Regulations under the Regulation of Sugar Cane Prices Act of 1962.

FORM OF QUESTIONS

Mr. RAE (Gregory) having given notice of a question—

Mr. SPEAKER: Order! Some parts of the text of the hon. member's question appear to be out of order.

Mr. O'DONNELL (Barcoo) having given notice of a question—

Mr. SPEAKER: Order! The latter part of the hon. member's question appears to be the only part in order. The earlier part has been answered on two previous occasions. I will have a look at it berore coming to a decision.

DISALLOWANCE OF QUESTION

Mr. BENNETT (South Brisbane) having given notice of a question—

Mr. SPEAKER: Order! I rule the hon. member's question out of order.

FARM WATER SUPPLIES ASSISTANCE ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. H. RICHTER (Somerset—Minister for Local Government and Conservation) (11.39 a.m.): I move—

"That a Bill be introduced to amend the Farm Water Supplies Assistance Acts, 1958 to 1963, in a certain particular."

The Farm Water Supplies Assistance Acts provide that applications may be made to the Commissioner of Irrigation and Water Supply for technical and financial assistance to farmers for works of water supply and irrigation.

The Commissioner is required by the Acts to refer an application to the Director-General, Department of Primary Industries, for a report upon the prospects of success of the farming operations involved.

Experience has shown that where an advance is requested for works for the irrigation of sugar cane, the Bureau of Sugar Experiment Stations would be a body better qualified to investigate and report on such applications, and the Department of Primary Industries has recommended that these applications be referred to the Bureau.

It is proposed, therefore, that the Acts be amended to require applications for advances for works for the irrigation of sugar cane to be referred to the Director of the Bureau of Sugar Experiment Stations, instead of the Director-General, Department of Primary Industries.

It is a very simple Bill, and I commend it to hon. members.

Mr. LLOYD (Kedron) (11.41 a.m.): From the brief outline given by the Minister I do not think there can be any objection to the principle contained in the Bill. It is rather interesting to note from the history of this legislation that in the few years it has been in operation primary producers have received advances to the extent of £1,000,000. The principle has been adopted from New South Wales legislation; it has been accepted, and has proved of value. The Minister said it is proposed that the Bureau of Sugar Experiment Stations will investigate these applications, and we on this side have no objection to the principle.

Mr. COBURN (Burdekin) (11.42 a.m.): The amendment to the Farm Water Supplies Assistance Act seems a very simple but a very wise one. We who live in the sugar-growing areas know the tremendous benefit gained by the farmers through the sugar experiment stations. We also realise the widespread knowledge that the officials at these stations have of the operations carried out in the various areas. It will be much more sensible to leave decisions on whether grants should be made to certain farmers to the Bureau of Sugar Experiment Stations instead of the Department of Primary Industries.

I commend the Minister on the introduction of this measure, which we regard as very good. The provisions of the legislation have been instrumental in allowing production on a much larger scale by those who would not have been able to engage in it without the assistance received under the Act. This is a further improvement to the Act in that people who are closely in touch with the sugar industry will give advice on advances to those engaged in the growing of sugar cane.

Mr. HANSON (Port Curtis) (11.43 a.m.): I heartily endorse the view expressed by the Deputy Leader of the Opposition that we on this side of the Chamber are wholly in agreement with the Bill. It is very desirable and will definitely accelerate grants to applicants for advances under the Farm Water Supplies Assistance Act.

One phase of the operations of the Act has been referred to by many primary producers' organisations throughout Queensland. This involves the belief that repayments should commence when the work for which the money was advanced has been completed and the farm is in a state of production. In some instances it may be 12 or 15 months before the farmer or the producer is able to get his farm into production, harvest a crop from it, and receive some return from the organisation that is buying his crop. There should be some latitude in this matter. The granting of some period of grace before repayments start would assist the primary producers and I believe that the suggestion merits the consideration of the administration. Many concessions are given to secondary industry in this State, and, as we owe a good deal to the primary producer, there is great merit in the suggestion. If he receives financial assistance in the construction of a small dam, for example, his repayments should not start until he is in a position to meet his obligations.

Mr. Richter: You will appreciate that there are also some difficulties.

Mr. HANSON: I realise that there are a number of difficulties, and that abuses can creep in. However, the suggestion should be considered by the officers of the department. I trust that in the future something of far greater consequence than this Bill will be introduced so that the primary producers of the State can be assisted materially in this direction.

Mr. NEWTON (Belmont) (11.46 a.m.): I agree with the Deputy Leader of the Opposition and the hon. member for Port Curtis that there is nothing in this Bill to which we can object. Many problems associated with conservation are linked with other portfolios, so it is to be expected that more Bills similar to this will be introduced by the Minister. Listening to the recent debate on soil erosion, I realised how the portfolios of lands, primary industries, and conservation, are linked. No doubt recommendations dealing with many aspects of this Act will come from other departments to the department controlling conservation. If we are to have a Minister for Conservation, this matter will have to come under his jurisdiction. Already there has been a recommendation from the Department of Primary Industries concerning the Bureau of Sugar Experiment Stations, and people representing other phases of primary industry will no doubt put forward suggestions as to how their problems should be dealt with by a Minister for Conservation.

A number of marketing boards have been established. They deal with problems in particular industries, and no doubt will want to have some say in the implementation of this Act. That is only right as they are constituted by men on the land who are fully cognisant of the problems that confront their particular industry.

I hope that the Government will look closely at this matter. I feel that the portfolio now held by the Minister will play an important part in the development of Queensland if it does the job for which it was created. With the exception of unemployment, the worst thing that can face Queensland is drought. At present the State faces this very serious problem throughout its length and breadth.

I, with other members on this side of the Chamber, appreciate the Bill that the Minister is about to place before the Committee. Although it is only a small Bill, it is one of which we approve. It is my opinion that the Minister's portfolio could cover many activities now linked with other Government departments on the question of conservation.

Motion (Mr. Richter) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Richter, read a first time.

IRRIGATION ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. H. RICHTER (Somerset—Minister for Local Government and Conservation) (11.54 a.m.): I move—

"That a Bill be introduced to amend the Irrigation Acts, 1922 to 1961, in certain particulars, and to validate a certain regulation."

Two amendments are proposed. The first is to authorise advances to contractors on the security of plant and buildings delivered and erected on a project site. The second is to clarify the authority of the Commissioner of Irrigation and Water Supply with regard to charges for town water supplies. Those are the two points contained in the Bill.

Mr. Lloyd: It is to benefit the people of Warwick, I imagine?

Mr. RICHTER: Not necessarily, no. As a matter of fact, it will not apply to them at all.

Last year, the Water Acts were amended to allow the Commissioner of Irrigation and Water Supply, subject to the Minister's approval, to make advances to contractors for plant and buildings delivered and erected on a site where works are to be constructed.

The Commissioner constructs works under both the Water Acts and the Irrigation Acts, and it is proposed, therefore, to include within the Irrigation Acts provisions similar to those in the Water Acts for making advances to contractors.

Mr. Lloyd: These advances have been made in the past?

Mr. RICHTER: Under the other Act, yes. I brought down a Bill last year to amend the Water Acts.

Mr. Lloyd: That is, before any work is done, and as long as the plant is assembled ready for work?

Mr. RICHTER: Yes. Advances are made on the plant and any buildings that are put up. It is quite reasonable and normal procedure.

Mr. Lloyd: The proposed amendment will make the position somewhat similar to that applying when a home is built, in that, as work progresses, payments are made?

Mr. RICHTER: For any buildings on the project.

Mr. Lloyd: You make progress payments only, not advances?

Mr. RICHTER: Yes, progress payments on the security.

Mr. Coburn: You get a mortgage over their plant?

Mr. RICHTER: They put the plant on the site, and progress payments are made on that plant.

Mr. Hanson: What if the plant is under hire purchase?

Mr. RICHTER: The plant is movable, of course, but fixtures are not; they are on the Commission's property.

The second amendment relates to charges for town water. In May 1957, regulation 16 under the Irrigation Acts was promulgated, giving authority to the Commissioner to levy water charges in respect of town water supply. Often there is a little township in an irrigation area that the council cannot supply with water and which is being supplied by the Irrigation and Water Supply Department. The regulation provides for the charging for water with respect to land on which any building is erected and which is within 300 feet of the middle of a road in which water mains are laid by the Commissioner. This condition is similar to the condition under the Local Government Acts. Provision is made for a minimum charge to be imposed on any land within 300 feet of the middle of the road along which the main is laid.

Mr. Newton: Through which the water main passes?

Mr. RICHTER: Yes. The charge varies according to the nature of the building or buildings on the land. This method of charging is similar to that adopted by many local authorities.

However, the Solicitor-General has pointed out that the regulation appears to be inconsistent with Part II of the Schedule to the Acts. Part II of the Schedule sets out the subject matter for regulations, and it is the opinion of the Solicitor-General that clause 33 can be interpreted to mean that the water must be laid on or connected to the land before a charge can be made for it. We are adopting a principle similar to the one that we adopted under the Local Government Acts, under which any land within 300 feet of the middle of the road on which a main is laid is rateable.

Mr. Coburn: Whether they take advantage of it or not?

Mr. RICHTER: Yes, whether they take it or not. Provision is made for it; if they do not take it, that is just too bad.

It is proposed, therefore, to amend clause 33 of Part II of the Schedule to the Irrigation Acts to remove any doubt as to the legality of regulation 16 and that the amendment be retrospective to validate the water charges levied since the regulation was promulgated.

Those are the only two amendments proposed, as I mentioned earlier, and I commend the Bill to the Committee.

Mr. LLOYD (Kedron) (12 noon): When legislation such as this comes before this Committee, if we accept the Minister's word,

the amendments proposed are very simple ones. However, at all times it is our duty to comment on matters which we think may not be just right, so far as we can judge before seeing the Bill in print. In this instance the Minister has made the amendments appear as being very simple.

The first provision authorises the Irrigation and Water Supply Commission to make progress payments to contractors with plant and buildings erected on the site. This appears to be quite a simple matter but the Minister did not fully explain whether the plant and buildings were to remain the permanent property of the Irrigation and Water Supply Commission. In other words, are progress payments to be made on plant, equipment, and buildings which are erected on the site by the contractor and which will become the permanent property of the Commission after completion?

Mr. Richter: Not necessarily.

Mr. LLOYD: That is one point we shall have to examine in order to see whether plant and buildings erected on a Commission project are, at the time progress payments are made on their security, under hire-purchase agreement or mortgage to some other source. We shall have to ascertain whether against such securities there may be any other claim that will supersede a claim that the department may have. I am not proposing these as matters of difficulty, but I think we shall have to examine them closely before we give our approval to the Bill.

Mr. Richter: I do not think you are too clear in your mind on the point. The plant and machinery are merely security.

Mr. LLOYD: That may be so, but there may not be the full security required. In any case, that is one matter we shall have to examine when we see the Bill. Before we give our approval to the measure we should examine several such side issues which may emanate from it.

In many cases when measures such as these are proposed it is quite obvious that they could have been included in the legislation in the first place if they had been considered necessary.

The other matter dealt with in this Bill is the legalising of a regulation which has been put into effect by the department giving it power to supersede a local authority. That is how I see the matter at the present time. For instance, a town or city in Queensland, with authority under the Local Government Act, might already have in existence its own water supply which is quite satisfactory and adequate for the householders and others in that town, city or local authority area. The Government or the department could then build a dam outside the town area and the town or local authority—on the sole decision of the Government and to make its new project a reasonably economic proposition—would have to accept its water supply from the Government project. In other words, the existing town water supply would be by-passed and a charge would be levied on the residents of the area whether they wished to accept the facility or not.

Mr. Richter: As Minister for Local Government and Conservation, I would not allow the Commissioner for Irrigation and Water Supply to do anything like that.

Mr. LLOYD: Whether or not we accept the assurance of the Minister in that regard, those are matters that we propose to examine when we see the Bill. We will discuss them more fully at the second-reading stage. Maybe they are matters which are not so important.

We have heard of the arguments emanating from the town of Warwick about the dam construction outside that town by the Department of Irrigation and Water Supply, and the resentment of many ratepayers in the area. Is the Government taking legislative power to insist that the water supply from that dam will supply the town of Warwick? In other words is it by-passing the local authority area? That is a possibility. It could happen with other towns. There is a possibility that it is happening. If it is the intention of the Government to override the powers given to the local authorities under the Local Government Act by simply introducing into the Irrigation Act the same powers as exist in the Local Government Act, we shall examine the proposal very closely.

A number of problems have arisen over the powers reposed in the Department of Irrigation and Water Supply. I can recall what happened several years ago with the completion of the Tinaroo Falls Dam. For many years the tobacco-growers along the banks of the Barron River had been drawing water from that source. Individual growers had spent many thousands of pounds on the installation of plant to pump water from the Barron River, and in a number of cases they had extended their pipelines many miles across neighbouring tobacco farms. The installation of this irrigation equipment was done only at high capital cost to them. However, it meant a permanent water supply for them on which they could draw at very little cost. But when the dam was constructed the Barron River tobacco-growers were charged £4 or £5 an acre-foot for their water. This charge was the same as that levied on new settlers who were developing their industries along the irrigation drains radiating from the Tinaroo Falls Dam. These people were benefiting from a permanent supply of water where previously no water had been available. Nevertheless, the charges to both sets of farmers were identical. Those in the new areas could construct small channels on their properties at very little capital cost. Although they had only a small capital outlay they were required to pay no more than the Barron River tobacco-farmers who had previously incurred heavy capital expenditure on pumping and irrigation plant. That is one injustice which could

easily have been avoided by a simple amendment to the legislation. Although it was an unusually dry year in that area a permanent water supply was available from the Tinaroo Falls Dam.

Mr. Richter: They would all have to be in it, whether or not they previously had water.

Mr. LLOYD: But the capital outlay of the earlier growers was very great compared with that of the farmers in the vicinity of the irrigation channels constructed by the Government. The dam gave a direct water supply that the farmers did not previously have, and never looked like getting until the project was completed.

That is the sort of injustice that can occur, and there could be an injustice in this measure. Accordingly, we will examine it carefully when we get the Bill. If we think there is an argument to be put forward against it at the second-reading stage, we will do so. If it is going to create any hardship to ratepayers in towns serviced by new projects which may or may not be necessary for a town water supply, we will make submissions on their behalf.

In many cases dams are constructed to irrigate farming properties. There was some contention about the building of the dam at Warwick. It was said that not many farming properties in the district would be serviced by the dam, and that the town of Warwick would be served to make it an economic proposition. The townspeople say that they will have to pay more to make it an economic proposition and so that a few farmers outside the town boundary may receive cheap water. That argument might apply to many other towns in Queensland and it raises the matter of whether some of these dams should be constructed; whether the demands for farming and primary-production are such that it is necessary to construct them. If they are essential, there will be no economic difficulties in servicing the debt for the dam. If a dam is not essential, no doubt many people will pay a high price for water to meet the interest and redemption payments on the capital outlay. However, those are matters that can be left till the second-reading stage.

Mr. NEWTON (Belmont) (12.12 p.m.): Like my Deputy Leader, I am concerned about the two principles contained in the Bill. It seems quite evident that certain changes have taken place in relation to plant and buildings used in the construction of dams and weirs. At the introductory stage of a Bill we try to get the Minister to explain quite clearly its purpose. Sometimes a Minister's introduction does not properly outline the position and he may not reply fully at the introductory stage, although he may do so on the second reading.

Mr. Richter: I will reply.

Mr. NEWTON: I appreciate the Minister's assurance.

It seems to me that, on the first principle, the Government has indicated its intention to vacate the field of dam-building and is handing it over to private contractors. I can speak with authority on this subject because I am aware of the buildings that have been constructed at dam sites. At Moogerah Dam, for example, single and married men's quarters, and a canteen, had to be built. Even a school was provided by the Department of Irrigation and Water Supply for the children of employees, and various workshops were required before the construction of the dam got under way. Houses for people who are later employed permanently on these projects must be provided.

Let me return to what was necessary to start these projects. There is no doubt as to what was done by the Department of Irrigation and Water Supply in constructing Moogerah Dam. It was a day-labour job. The department has had as many as 1,000 to 2,000 men employed on particular projects in various centres throughout the State. A big outlay is entailed in providing the necessary buildings at the site of a dam the size of Moogerah or Borumba. If that is the main reason for this provision, we will have to look further into it and see how it will operate. We must watch what happens to this public money. The successful tenderer has to provide everything necessary to accommodate the people working at a dam site and the Government will make certain advances against those things. Will the advances be made as a progress payment on the actual contract or on what the contractor has had to outlay before the job is actually begun? What happens when the job is completed?

Mr. Richter: Many small subcontractors are employed on those jobs. They are done both by day labour and by contract.

Mr. NEWTON: I agree: That was not so in the immediate post-war period, when the Government was building dams. Subcontractors were not interested in going to those localities and doing that type of work. Today, because of the tightening of finance, there is much more subcontracting.

We want to know where the Government stands when the project is completed. Does it take over the responsibility for everything that cannot be shifted? We know that buildings can be erected so that they are movable, and plant is movable, but what happens to what is left there? Does the Government try to recoup itself for the advances it has made?

Mr. Richter: We take it out of the progress payments.

Mr. NEWTON: In that case the Government is paying only for the work done towards starting the particular project and is not purchasing the plant or buildings. That is what I wanted to know.

Mr. Lee: Surely you do not think the Government would make progress payments unless the work was done by the contractor. If it made a progress payment it would own what it paid for.

Mr. NEWTON: It is interesting to hear the viewpoint of the hon. member for Yeronga. I am putting my viewpoint based on the experience I gained when these projects were carried out by the Department of Irrigation and Water Supply under the day-labour system. It is entirely different now, when the work is done by contractors. Closer attention must be paid to the money that will be expended, and how the Government will come out of it in the long run.

I agree with the Deputy Leader of the Opposition that we must be quite clear about what is involved in the second principle contained in the Bill. It is true, as the Minister said, that where a town water supply passes a property in a local authority area, including the city of Brisbane and any provincial city, certain rates are applicable irrespective of whether the owner uses the water or not.

Many town councils in small areas have their own water supplies. I can recall one place, namely, Chinchilla, where the local authority built a weir and installed a filtration plant to serve that small town. It seems quite evident that the Government has in mind the position that will obtain with the building of large weirs or dams farther out from towns than the weirs built by local authorities for small town areas. Whilst the dams close to Warwick and Gympie, for instance, have been built to assist men on the land, it has also been clearly indicated that they will boost town water supplies should that be necessary. One can well imagine water from larger schemes that the Irrigation and Water Supply Department may have in mind passing properties already receiving water from local town supplies. It is quite evident that some charge will be made on those occupying such properties. It seems to me, from listening to what the Minister has said, that the charges will be different from those applying in Brisbane and provincial cities.

Mr. Richter: They vary in the local authority areas now.

Mr. NEWTON: That is what I am trying to get at. It seemed to me that the charge for water passing properties will be based on the improvements effected to those properties. Will that be the position?

Mr. Richter: There are various ways of doing it.

Mr. NEWTON: If a farm was in full production, the full rate would have to be paid. It seems that there will be a sliding scale to allow people to get on their feet in these areas. If that is so, it is a good scheme.

I shall be pleased to look at the Bill to see if it does in fact do these things to which I have referred.

Mr. CAMPBELL (Aspley) (12.23 p.m.): I have a reservation concerning the second aspect of the Bill. I understand that water passing properties not already supplied with water by a local authority will attract a rate. I have in mind development taking place in the local authority area of Pine Rivers, where, to meet the wishes of a subdivider who is developing an area outside the city of Brisbane, water is being brought from the Petrie dam. For several miles it passes rural properties before reaching the development site on the extremity of the Pine Rivers Shire area.

The water will pass several large farming properties, and severe hardship could be suffered by these farmers as they have large areas of land and the rates attracted by them will be very considerable. It seems to me that these people will have little or no need to use water from the Petrie dam, except perhaps for domestic purposes or the watering of stock. I hope that these points will be looked into, because considerable hardship may be imposed upon people with fairly large areas of land who have their own irrigation plants drawing water from creeks in the vicinity or from the river. They will not need to use the water that passes through their properties to areas of residential development. I shall be glad to hear what the Minister has to say on this point.

Mr. COBURN (Burdekin) (12.26 p.m.): I listened with great interest to the Minister's introduction of the Bill. I am in agreement with the first principle, at least, because when a contractor has assembled his plant and gear and erected certain buildings, his expenditure in some cases may be substantial and an advance could well be made to him.

I can foresee difficulties in connection with the second principle proposed, and it came to my mind that something along the lines suggested by the hon. member for Aspley might occur. Some people might have land so situated that the water main passes within 300 feet of it and yet have no use for the water it is carrying, the principal purpose of which is to serve a residential area. Whether or not the Minister would have power to forego rates under circumstances such as that, I do not know.

Mr. Richter: This will apply only in a declared irrigation area. Does that make it clear?

Mr. COBURN: Yes. That was not made clear in the Minister's introductory speech. The statement then made was that if the main was laid within 300 feet of land, the land was rateable. What the Minister has just said has made the position very clear.

People who do not wish to make use of the water are in a somewhat similar category to those living in a town where it has been decided to install a reticulated scheme of water supply. The position on the Burdekin is rather peculiar. Hundreds of thousands of pounds have been spent on the provision of

windmills and electric pumps and in putting down spears, and for many years people have drawn considerable quantities of water by these means. When the water supply scheme is instituted, all these properties will be rated irrespective of whether or not they use the water. A central scheme is probably a good thing because it is impossible to provide sewerage without it, and in this modern day and age we must have sewerage.

In instances where the Irrigation and Water Supply Department implements a water supply, I think there should be an obligation upon it to supply water suitable for the purpose for which it is intended. I have in mind the water supply at Clare, where the water is so discoloured and murky that there are continual complaints about it, particularly from the housewives. After talking the matter over with the Commissioner of Irrigation and Water Supply, I realise that it is not an easy job to clarify the water and that it could be a very costly operation. However, there is the instance of the school swimming pool, which has not been used since last October. Since then there have been many excessively hot days when it would have been a boon to the children to use the pool; but because the water was so discoloured it was impossible to see more than a few inches through it, and the parents, because of the possible danger, refused to allow their children to enter the pool. Sometimes the water becomes clearer, but these people tell me that they are not notified of the state of the water. This applies particularly to the housewives.

One very irate lady from Clare telephoned me recently and went so far as to say that she would have to enter one of the wards of the Townsville Hospital for mental treatment if something was not done to improve the water supply. She had just washed her daughter's white dresses and hung them on the line and they turned out more or less the colour of the furniture in this Chamber. Putting a dark-brown dye into the water would have had the same effect as the water supply had in this case. Subsequently, she brought in to me some of the garments she had washed in her washing machine and they were streaked with great brown marks. She said, "Will I send them to the Minister for Local Government and Conservation?" I said, "Yes. He would be pleased to see the effect of the water on them." Whether or not she sent them, I do not know, but if the Minister saw them he would realise why complaints are coming from these people in an area where water is being supplied. It might be possible to add some chemical to the water or to install a filtration plant to improve it, but its condition at the moment is such that complaints are numerous and vociferous and are made with the greatest indignation.

I should like the Minister to examine this matter. If the Department is going to charge people for a product it should be obligatory for them to supply it in a condition that will make it usable for the purposes for which it is supplied; in this case it is a household supply where the water is used for domestic purposes. I know that the Commissioner for Irrigation and Water Supply is well aware of this state of affairs. I do not doubt that he is doing his utmost to try to bring about an improvement, but I should like both the Commissioner and the Minister to know the feeling of the people in the area and how they are revolting against a water supply of such an unsatisfactory nature.

Mr. WALSH (Bundaberg) (12.32 p.m.): I gather from the comments of the hon. member for Burdekin and others that there are two principles in this Bill. I cannot say that I rise to discuss them from what the Minister has said.

Mr. Richter: You were not here.

Mr. WALSH: No. I was not here; I was in other parts of the building.

If the Minister accepts what has been said by the members who have spoken—and whom I have heard—I think he will agree that there are at least two principles in the Bill. The first apparently, will give the department authority to pay advances to contractors on the purchase of their plant after it has been assembled, and so on.

Mr. Richter: As we do now, under the Farm Water Supplies Assistance Act.

Mr. WALSH: It is all very well for the Minister to say it is being done under the Farm Water Supplies Assistance Act. The Government is not doing much under that Act. If it does as much for these people as it does under that Act we will not have to be worried about it.

Mr. Richter: We do quite a lot under that Act.

Mr. WALSH: I was somewhat amazed at the socialistic tendency of a Government and a party who are so prone to take the hustings and complain about free enterprise not being given a fair go by Labour Governments. This is another proposal, brought down by a Government and a party who have attacked this system so violently in the past, which showns a desire to usurp the functions of the banks and make advances available from the limited resources of the Government itself. If the Minister is going to provide that these advances shall be made through the Agricultural Bank, does not he and the Minister for Lands sitting beside him, agree with me that there will be less and less money available for the real development of virgin land in this State? The Minister for Lands may shake his head but he knows that when the Premier and the Treasurer go to the Loan Council they will have to cut their cloth according to the moneys made available to them by that body.

Mr. Fletcher: It does not cost any more this way.

Mr. WALSH: I have yet to see the day when the Minister becomes a Social Creditor.

If it is a direct advance to the party concerned, what will be the terms and conditions? How long will the advance be for?

Mr. Fletcher: Repaid by the authority——

Mr. WALSH: I should imagine that somebody has to repay it. As I visualise the position, the proper approach would have been for the Government to guarantee a loan through a bank—not to make inroads into its own finances, limited as they are. That is my complaint. If the Government is to make these advances from its own funds repayable over a period of years, it must produce——

Mr. Richter: It will be taken off the advances.

Mr. WALSH: I have heard a bit about the contract system. A few unfortunate people around Bundaberg started to get homes built. They got half-way through and found themselves tied up with liquidation or something else. The Minister is not going to get out of it so easily. It is the Government's problem, I realise.

Mr. Fletcher: I think you are a bit confused about this one.

Mr. WALSH: If there is any confusion, the Minister for Lands is the one who would make it more confused. I say that from my experience of him here.

If there are to be advances from the Government's limited funds it must interfere in some way with the advances made to bona-fide settlers who want to develop their land. However, we will wait and see. It may be one of those curious provisions where really not much will be done about it. It may again be just a bit of window-dressing. I realise that there is a lot of humbugging with advances under the Farm Water Supplies Assistance Act. Although I do not have many applications from my own electorate, I got a few complaints from my neighbour concerning the electors in the Burnett area. I believe there is some delay there.

The principle of the right of a water authority to charge a rate for land that may be within a given distance of a weir or passing main is accepted under the Local Government Act. There is a very good reason for that. If anybody seeks to hold up any considerable area of land within a developed city or town area, rather than allow him to merely continue to hold the land, particularly for speculative purposes, he is asked to make some contribution over the years to the interest and redemption of the expenditure incurred on the main. I think that is a very wise provision. Such people come under a special rate that is applicable to unoccupied areas. In each case I think they would be charged so much in the £1 on the unimproved value of the land.

But when the authority goes into a rural area the picture is entirely different. Even though the Minister might say that this can happen only in what may be described as a declared irrigation area, there is nothing to stop the authority from exercising a little intelligence and common sense, and declaring every area where there is an irrigation scheme an irrigation area.

Mr. Richter: It would be pretty silly, wouldn't it?

Mr. WALSH: No. If the circumstances justified it, of course it would not be silly. Surely the Minister realises that the purpose for which the authority is given under the Local Government Act to city and town councils does not apply in the case of shire areas. Much of the land that is held by landholders in these localities would certainly not be suitable for subdivision. They may have their own surface water supplies, running streams and so on. Are they to be asked to pay? Those are some of the questions I ask, because this has not been explained. I have not heard any other member refer to them and, if the Minister has not explained, he can well understand why I ask them.

Mr. Richter: What we propose to do is already done under regulation. There will be no charge in the procedure. This is merely validating what we are doing by regulation.

Mr. WALSH: I think the Minister should keep quiet, because he is putting his foot into it. In other words, he has been committing the offence that was complained about from this side of the Chamber when the Minister's party sat over here—government by regulation, and, worse still, by regulations that are not in accordance with the provisions of the Act.

Mr. Richter: I am not saying that. I am simply making it clear.

Mr. WALSH: The Minister is introducing legislation to validate something the Government has done in the past. Apparently it has not been too sure. That is not a bad way of doing it, I suppose—committing the murder first and then explaining it afterwards.

I realise that there has to be a new approach to many matters relating to water supply. When we pick up the morning newspapers, particularly these days, and look at the country page, we see that the major cities from Rockhampton down are complaining about a shortage of water, the contamination of underground supplies, and so on. All these complaints draw attention to the necessity for new approaches to the problems. I should not like to try to imagine what the position would be in Toowoomba and Warwick if those local authorities had not been encouraged by Labour Governments in the past—on a 50 per cent. subsidy basis, without any repayment—to carry out water supply schemes. It was certainly a very wise plan, although unfortunately it was related to circumstances of unemployment in the depression years.

In my own area, while people have been telling me about the unlimited underground water supply, I am sure that Mr. Haigh, who is doing much research work in the Burnett district and elsewhere, is becoming more and more convinced that problems lie ahead for Bundaberg and the adjoining areas which depend entirely on underground supplies. If Bundaberg is to develop on an industrial basis, I have no doubt that sooner or later some provision will have to be made for other than underground water supplies. As we see it now, local residents have to suffer because of diminishing underground supplies. If there were inroads by a major industry in the area it is obvious that there would be more hardship for the local residents.

I hope that when Mr. Haigh submits his report it will cover the necessity for giving consideration to the construction of a weir. Because of the tidal stream it will have to be at some place well outside the Bundaberg area. This must be done for the future of the town. The Bill may contain some authority or power which will be essential to new development under that heading.

I am not opposing this measure other than on the grounds of the hardship which could be inflicted on those who own land, much of which we call grazing country and which could never be subdivided for any other purpose. If there is a regulation under which, if they are in a given position to a water main they must pay, it will inflict hardship on them. It is no good criticising the taxation imposed by Labour Governments and abolishing land tax—which is part of the policy of this Government—and then unloading on landholders numerous other imposts which must create hardship on them in their rural undertakings. No doubt the Minister will give an interesting reply. However, if I am still not satisfied, I will take the opportunity of speaking again on the second reading of the Bill.

Hon. H. RICHTER (Somerset—Minister for Local Government and Conservation) (12.46), in reply: It is obvious that the hon. member for Bundaberg is confused in his thinking, possibly because he came into the Chamber late. However, he made some interesting comments with which I shall deal later.

The Deputy Leader of the Opposition expressed concern about the security of plant and how payments are to be made. Advances will be made to the extent of 80 per cent. of the value of the plant or buildings, and they will be secured by mortgage. There is no danger there. As the work proceeds, money due to the Commission will be obtained by deducting that amount from the progress payments which become due.

Mr. Walsh: I hope it is as easy as it sounds.

Mr. RICHTER: It is easy under the Water Acts.

The hon. member also raised the possibility that some equipment may be under hire purchase. No advances will be made unless the plant is owned by the contractor.

There has been much comment about this Bill's giving power which overrides that of the local authority. As I interjected when the hon. member for Bundaberg was speaking, this applies only in a declared irrigation area. As the hon. member said, we could declare the whole of the State an irrigation area. But I do not think he gave that remark his usual——

Mr. Walsh: Wherever you have an irrigation project, yes.

Mr. RICHTER: It was rather a silly remark, not worthy of the hon. member for Bundaberg. He does not usually speak in that strain.

Warwick was mentioned by the Deputy Leader of the Opposition. This provision will not apply to Warwick because it is not a declared irrigation area. Warwick's water supply, under an agreement between the Commission and the Warwick City Council, will come from Leslie Dam.

Mr. Newton: The same applies to Gympie.

Mr. RICHTER: Yes.

The hon. member for Belmont commented about handing these jobs over to contractors. He should have a close look at the jobs now under construction; many of them are day-labour jobs. Contractors are employed on day-labour jobs, and many day-labour jobs are being carried out by contractors. The preliminary work at Eungella will be done by day labour, and the earthworks by contractors. I think there is fairly good balance there, and I do not think there is any cause for alarm. The construction of the Wuruma Dam, in the Eidsvold area, will be a day-labour job.

The hon. member for Burdekin referred to the water supply at Clare. I am aware of the problems there, and the Irrigation and Water Supply Department is endeavouring to put down a bore to overcome them. The water is discoloured and contains foreign bodies, and a bore is being sunk in an effort to improve the position.

The hon. member for Bundaberg said the Government was usurping the job of the banks. The action proposed in the Bill is taken by all authorities. Even the Snowy Mountains Authority makes advances to contractors to enable them to get on with the job. If the job was being done by day labour, the machinery would still have to be bought. It will be paid for and the amount involved will be taken off the advance.

Mr. Walsh: The Snowy Mountains Authority has a lot more money than you have.

Mr. RICHTER: That may be so. Nevertheless, encouragement is given to certain contractors, especially the smaller ones. Many of our jobs are done partly by contractors and partly by day labour. This Bill will give the small man an opportunity to get on, as he will be advanced on his plant to the extent of 80 per cent.

I can see no merit in the complaints and arguments that have been put forward. What the Bill contains was very fully considered. As a matter of fact, all that we ask is to be allowed to continue what is being done now. As I mentioned before by way of interjection, there is some doubt about the validity of the regulations. They have not been challenged, and we do not want them to be. The Bill merely enacts legislatively what was done previously by regulation. I do not know whether it would ever have been challenged, the Bill makes sure that now it will not be.

Motion (Mr. Richter) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Richter, read a first time.

BRISBANE EXHIBITION GROUNDS TRUST BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. A. R. FLETCHER (Cunningham—Minister for Lands) (12.55 p.m.): I move—

> "That a Bill be introduced to establish a trust in respect of the Brisbane Exhibition Grounds."

The purpose of this fairly simple Bill is to create a special trust to control and manage the lands occupied by the Royal National Agricultural and Industrial Association of Queensland for showground purposes.

Mr. Walsh: You do that now for all the other show committees throughout Queensland.

Mr. FLETCHER: This Bill deals with the Brisbane Exhibition Ground. The lands used by the Royal National Association are held under various tenures, and this collection of tenures has grown during the post-war years, particularly during the last five or six years, as a result of expansion in the activities of the association.

The main exhibition ground, on which the main pavilion and the No. 1 oval are located, is held as a perpetual lease that was granted to the association in terms of a special Act introduced in 1920. The association subsequently extended its activities onto the area known as Alexandra Park, which was an old grant upon trust made to the Brisbane City Council for recreation purposes. From time to time the association has acquired from the Brisbane City Council parcels of land excised from Bowen Park. In addition, the association has purchased by private treaty 34 freehold titles, and 48 other allotments were resumed under the Public Works Land Resumption Act, at the expense of the association, to meet the expanded requirements of that body. The association is also using a small reserve and an area of vacant Crown land that was formerly a road. It is desirable that title to the lands used by the association be clarified and consolidated so that people will know exactly where they stand.

I am sure that all responsible people will agree that the annual district show in any locality should be supported and encouraged. Shows provide members of the community with an opportunity of coming together and displaying the results of endeavour in the district in the fields of agriculture, industry, the arts and crafts, and so on. Most hon. members are very familiar with what happens at exhibitions and shows. Better standards of living and production, in addition to many other benefits, flow from these undertakings, which largely are on a voluntary and unpaid basis in so far as organisation and management are concerned. In the case of the Brisbane Show, the efforts of all those people who collectively provide this great annual highlight are even more praiseworthy. The Brisbane Exhibition is often referred to as the "show window" of the State, and it is desirable that the efforts and objectives of the association be recognised and fostered and the basis of its management placed on a secure and permanent footing.

In recognition of the considerable personal effort of so many of the public-spirited citizens of Queensland in providing district show opportunities, the Government introduced this financial year a subsidy scheme to assist show societies financially in their undertakings.

Mr. O'Donnell: The R.N.A. would not be eligible, would it?

Mr. FLETCHER: Yes.

Mr. O'Donnell: Why? The area is used for other purposes.

Mr. FLETCHER: That is true; the R.N.A. does use its grounds for other things, apart from running its annual show; but, in effect, all its efforts are designed to provide a bigger and better show, and of course it would be eligible for assistance under the subsidy scheme. The basis of the subsidy, as the hon. member probably remembers, is 33⅓ per cent. of cost in respect of toilet facilities and 20 per cent. in respect of all other works. Acquisition of land for show purposes is recognised, also, and attracts the payment of 20 per cent. subsidy. The various show societies, including the R.N.A., have been very quick to take advantage of this assistance, and, as a result, the general public

will benefit from the improved amenities and facilities that will be provided as a result of this scheme.

For some time we have been negotiating with the R.N.A. on the question of the lands owned, leased, reserved or used by the association in connection with its annual exhibitions. The Bill contains the new charter under which the R.N.A. will function and is in keeping with agreements reached with that body.

The Bill establishes a special trust called the Royal National Agricultural and Industrial Association of Queensland Exhibition Ground Trust.

Mr. Duggan: Couldn't you give it a shorter title than that?

Mr. FLETCHER: It could be shortened; it could be called the "R.N.A. Trust", if the hon. member likes.

The trust it to consist of two trustees and those trustees are to be the two members of the association who presently are the trustees appointed by the association to manage its property. They are Mr. W. B. J. G. Sparkes, a former member of this Assembly, and Sir George Green, a senior member of the R.N.A. Council, who is well known in the field of public benefaction. Provision is made for the appointment of a third trustee if at any time the association requests the appointment of a third member.

The Bill vests all the lands used by the association for show purposes in the trust for an estate in fee-simple upon trust for the members of the association to be used in accordance with the objects and rules of the association.

The Bill extends corporate status to the trust and provides the necessary machinery dealing with such things as disqualification from holding office, vacancies of office and the appointment of fresh trustees. All the encumbrances presently affecting the lands used by the association are saved and carried forward to the new grant.

The Bill also provides that property other than land presently vested in the trustees be now vested in the new trust. Provision is made to enable the trustees to deal with the trust property by way of mortgage, lease, etc.

Mr. Duggan: Can they sell any of the existing property?

Mr. FLETCHER: Not without the permission of the Minister. The trust may dispose of land only with the consent of the Minister.

The Bill also provides that any lands subsequently acquired by the trust may be vested in the trust and brought under the Act.

The Bill clarifies and regularises title to the lands used by the association. In the place of the perpetual lease, the trust grant for recreation purposes, the reserve and the 80-odd separate parcels of land, the association will receive a grant as freehold subject to the trusts clearly set out in the Bill. The main advantage in this from the association's point of view is that it will have certainty of title and a more satisfactory charter as a basis for its operations and future expansion. I am sure that commends itself to the good sense of everyone. The association will have adequate security of tenure and will be placed in a more satisfactory position than hitherto from the point of view of long-term planning, particularly in respect of borrowing capacity.

That, broadly, is the outline of the Bill, which I commend for the consideration of the Committee.

[*Sitting suspended from 1 to 2.15 p.m.*]

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (2.15 p.m.): In advancing reasons to justify the introduction of this measure the Minister directed our attention to the great variety of tenures that operate at the present time on property owned by the Royal National Association. He has very properly drawn our attention to the details of those tenures, their types, and how they have been acquired. We realise that, because of their complexity and because of the administrative difficulties, there is perhaps reason for the council of the Royal National Association to approach the Government in an effort to remove those difficulties. No doubt there have been many consultations between the parties concerned, and this Bill is the result.

The Minister indicated that in addition to the land that has passed to the Royal National Association from the Brisbane City Council and the Government, the association has, if I remember correctly, acquired 34 freehold titles and 48 allotments which have been resumed. That gives some indication of the problems confronting the association.

I can recall concern being expressed many years ago by councillors regarding their inability to stage, in the area available to them, a show of the size they desired. When it became apparent that the only means of substantial expansion was the acquisition of private homes, some resentment was expressed by householders against such a move because accommodation was not easy to come by. However, they received, I think, fair compensation for the properties acquired from them, which doubtless enabled them to buy superior accommodation elsewhere, although it may not have been quite as convenient from the point of view of accessibility to public transport.

I regard it as appropriate at this stage to join with the Minister in paying my measure of appreciation to the people controlling the Royal National Association for the work they are doing. It is regarded as a very important honour to be a councillor of the Royal National Association. I think it might be said that it is almost as exclusive as, perhaps, the Queensland Club. It is a highly sought after honour to become a councillor of the association, but in fairness to the people who

occupy the position, privilege and responsibility, I say that they have earned it because it is very difficult to gravitate to the position of councillor until one has served a long apprenticeship as a steward or in some other responsible position in the lower categories of the association. One must do that before it is deemed prudent and desirable to advance one to the position of councillor.

From my close association with these gentlemen, I can say that they all work very hard. It is a very important responsibility and I think they discharge the responsibility with distinction. As the Minister said, they do not receive any remuneration for their work, and it is not only a matter of spending their time during the currency of show. Prior to the actual event, and indeed for some time after it, they are closely engaged on the work of promoting a bigger, better, and brighter show.

There has been a good deal of controversy as to the site chosen for the Brisbane Exhibition. Many people consider, because of its value, that the show society would be well advised to sell this very valuable industrial land and go out to an area where there is room both for their present requirements and their future needs. But, against that, I think it must be said in fairness to the association that many of the fixed improvements that have been built on the showground would be suitable only for a purpose similar to that for which they are used at the present time. Anyone acquiring the land would either have to demolish some of the valuable assets on it or use them substantially for the same purpose as they are used by the Royal National Association. Although it is very easy to point out that there are some disadvantages associated with the present location, it would be very difficult to find within a reasonable distance from the city a sufficient area of land that is served as well by trams, buses and trains. When we have big carnivals and international and interstate football matches and other sporting events, many people are concerned that they have to park relatively distant from the arena. However, I do not think there are any greater difficulties here than there would be with most similar events in other parts of the State. I know that with the Toowoomba Show, which is by no means comparable with the R.N.A. Show, many people are obliged to park their cars at least as far from the entrance gates. The present location, too, allows the great bulk of the people to use a convenient and relatively cheap form of transport.

I visualise the time when the association will be called upon to build stands that will extend across the existing roadways. Because of space limitations they will have to do something like that. Their ability to extend is limited by physical considerations. Gregory Terrace, Bowen Bridge Road and O'Connell Terrace prevent further expansion unless they go over those roadways.

An appeal has been made by the President of the R.N.A., Mr. Wadley, for support from public-spirited bodies. For example, he has asked the sugar associations to build a sugar pavilion on the R.N.A. grounds. This would not involve the R.N.A. in any capital expenditure. However, the sugar interests say that they are already providing adequate facilities there. It is not my purpose to argue this matter; I am merely drawing attention to the fact that the sugar associations and other interested bodies have been asked to build various pavilions at the Exhibition Grounds.

The Minister intends in this measure to consolidate all the association's various titles to land. There should not be any great objection to that, particularly in view of the fact that the objects of the trust have been specified. It would be a very foolish Minister who did not take proper cognisance of public opinion about the association's dispossessing itself in the future of land that was so laboriously acquired at relatively high cost. The people there would not want to sell land unless they got an equivalent or better deal. Any Minister would realise that, after all, this is one of our show cases. It is used by the association to display our primary products, livestock and various other assets that are gathered together at that place.

I am not an expert on these matters, but I have been led to believe that the R.N.A. Show is one of the finest of its type in the Southern Hemisphere, if not anywhere. It is a very good show indeed. It has become something of a tradition for people from all over Queensland to come to Brisbane for the Show in August. It is a gala week in Brisbane. It coincides with the school holidays. I think the councillors are seized of their obligations to the public, and have progressively effected improvements to the grounds. Obviously it would be difficult to please everybody. There will always be complaints, particularly when vested interests feel that there is some deficiency in the facilities provided. They become critical, and whenever there is criticism, whether it be of a Government or anybody else, a good deal of publicity is always given to it. With the funds available to it I think that the R.N.A. has done a very good job. In general terms, I should like to commend the work it is doing.

The Minister indicated by reply to an interjection that the association is eligible for certain subsidies. It may be helpful if he would refresh everyone's memory on the basis of these subsidies. I think he said that there was a subsidy of 33⅓ per cent. for toilet facilities and 20 per cent. for other capital works.

Mr. Fletcher: That is so, so long as it is for show purposes.

Mr. DUGGAN: There does not seem to be any need for elaboration. Such assistance helps national associations and agricultural societies. When money is paid out for those purposes it comes out of general funds and there is some reduction in the allocation of funds for other purposes. However, the

Government has accepted it as a matter of policy and I do not think we should be niggardly. The public benefits from it.

There are many pessimistic people in the community who have predicted that these shows will collapse. However, judging from attendance figures and displays, that does not seem to be the case. The commercial atmosphere to be found in the pavilion is a matter for some regret. I recall that many years ago one saw greater varieties of handicraft work than today. The main pavilion is now largely a conglomeration of refrigerators and various other electrical appliances and consumer goods which are available in the shops. I admit that they are displayed in a very convenient form for people who attend the show, and for revenue purposes I suppose the association looks to them for the revenue they produce. Many years ago there was quite an attractive exhibition of furniture. Today, only one or two makers of high-class furniture exhibit at R.N.A. shows.

Although there has been a decline in the type of displays in the pavilion to which I previously referred, there certainly has been no decline in the livestock exhibits. On the contrary, there has been an improvement. An opportunity is given for assessing standards, and international judges help to improve varieties and qualities. In that way a direct benefit is gained by the State.

I think that, having established that shows serve a very useful national and State purpose, having acknowledged that many people work very hard and do an excellent job, and that the shows serve the interests of the general public, it is not unreasonable to approach the Government for some measure of assistance in trying to sort out the present tenures.

Seeing that it is proposed to accede to the association's request in these matters I should like an emphatic assurance from the Minister that the public interest will prevail at all times. If the Government is to do anything it should be in the way of giving power to acquire additional land. Park land should not be handed over, although it is looked at rather enviously. I do not think there should be any encroachment on park land. Land is often lost gradually for deserving purposes. In Toowoomba I have seen Girl Guide huts, Boy Scout huts, croquet lawns, bowling greens, and various things of that nature put on park land. In the initial stages they brought a transformance to ugly, undeveloped land which was sometimes neglected by the local authority. Because there has been a transformation people think it is a good idea. The department or the Minister have established a precedent by allowing some small encroachment on public land, but as the population increases it is difficult to find substitute park land.

I hope the Minister will not give carte blanche authority for authorities to dispossess themselves of land in the future because there may be some monetary gain in selling an area which is particularly suitable for some industrial enterprise. I do not think there should be any power in the trust to dispose of land for that purpose unless the members of the trust can show that there is alternative freehold land in the area which can be acquired as compensation for the area sold. I should think that would be the only factor governing the decision of trustees and councillors in embarking on a course such as I have indicated. It is very valuable land and we should ensure that, while these people are performing a public service, the land should be kept as a public trust in perpetuity.

There are one or two aspects of the matter I shall look at when the Bill is printed. From what the Minister said, its general principles seem praiseworthy. The people who have sought this assistance deserve it because of the initiative they have shown and the progress they have made during the period they have acted as trustees of the R.N.A.

Mr. WINDSOR (Ithaca) (2.31 p.m.): I support the Bill, more from the point of view of congratulating the former Minister, the hon. member for Fassifern, than for any other reason. When I was elected as the member for Fortitude Valley, the Gair Government was threatening to resume some of the houses close to the Exhibition Grounds. Many of the home-owners were frightened out of their homes and accepted half of the value of their properties.

Mr. Hanson: That is a lot of rot.

Mr. WINDSOR: It is not a lot of rot. They knew they would have to get out of their homes, and they got out while the going was good. They were sorry afterwards when they found that 20 or 30 people would not budge, and the R.N.A. would not pay the price demanded.

I took the hon. member for Fassifern to that area on about four occasions and showed him these properties. On one occasion I asked him what he considered one particularly property was worth and he said, "About £3,000". I took him to another property about 100 yards away and asked him to assess its value. He said, "About the same as the other one". I said, "Yesterday, this one was sold for £12,500."

I told him that I did not consider it fair that these people should be chased out of the area without getting fair compensation to enable them to establish themselves elsewhere as comfortably with the same convenience. He approached the R.N.A. and told them that a fairer price would have to be offered.

I do not advocate establishing the Exhibition Grounds miles out of town. I think it is now in the most convenient area.

I rose to tell the Committee how a former Minister and I worked together for the good of the working people in that area.

Mr. LICKISS (Mt. Coot-tha) (2.33 p.m.): When a facility such as this has to expand in a developed city there must, of course, of necessity, be a certain amount of growing pains, and today we see the result of necessary expansion having been carried out by the R.N.A. Today we have a patchwork quilt, as it were, of land title in this area. I congratulate the officers of the Department of Lands for having sorted out this somewhat complicated problem and for preparing this Bill, which will reduce the land to a common denominator and then issue it back to the R.N.A. in a consolidated form in a deed of grant in fee simple in trust.

An argument that can be put up in regard to the development of the R.N.A. in this location is the long-term wisdom in continuing the development of a facility of this nature where it is presently located. Transport has been a problem for some years; as against that, it is close to the centre of population. So one could cancel out the other. The problem is whether we are using the land to its optimum capacity. I believe this to be one of the things that must concern all of us. One wonders for how long the Brisbane Exhibition will be held at the present site, and whether in other large cities of the world similar facilities have had to be shifted in accordance with planning arrangements. The principle contained in the Bill poses this question, and I believe that we have to study the situation to see whether future extensions can be adequately catered for in the present location.

Mr. Davies: Where would you suggest the grounds be moved to?

Mr. LICKISS: I suggest that the hon. member who interjected look after the affairs of Maryborough and I will try to look after those of Brisbane.

The main purpose of the Bill is, as I mentioned before, to bring the lands presently held by the R.N.A. under various titles and tenures to a status at which a deed of grant in fee simple issued in trust can be handed back to the R.N.A. I think that is a very commendable thing to do. In fact, it is common sense, because the longer this arrangement is delayed the more complicated will become the administration of the lands for the Department of Lands, the Titles Office, and the R.N.A.

I compliment the Minister for taking this action. The R.N.A. has shown itself to be a tremendous asset to Queensland. The exhibition each year is Queensland on show, and the community is indebted to those who have over the years taken office in, and looked after the affairs of, this association in Queensland. Irrespective of whether or not the Exhibition Grounds are ultimately situated elsewhere, the sports ovals and many of the buildings could be used in years to come in their present situation.

There are other areas of land presently contained within the area known as the Exhibition Grounds that I believe are not used to their optimum capacity throughout the year. In years to come, this land can be dealt with.

The main purpose of the Bill is to facilitate administration of the lands by the Department of Lands and the Titles Office, and to greatly assist the R.N.A. I have much pleasure in supporting the legislation.

Mr. HUGHES (Kurilpa) (2.39 p.m.): I have a very brief submission to make concerning the Bill. Obviously it sets the seal on the retention of the showgrounds in their present position. This is a very debatable point and has been the subject of much controversy for many years. It could well be said that the amount of capital invested in the present site makes it desirable that it be retained. However, I do not intend to enter into an argument on that subject.

The point I wish to make is that if the exhibition is not shifted to some other site and if the central area becomes a sports centre for Brisbane and the other area is used adequately throughout the year by business, industry, and commerce, perhaps the council of the R.N.A. will have to reconsider some of its policies. The exhibition portrays all aspects of life in the State, and if people are to continue to accept it and put up with the chaos that it causes in transport, it must be good and cater for the paying public, the people who, in the long run, make it possible. On this score, I question the wisdom of the association's decisions in recent years to raise admission charges. It has occurred to me that it might be better to lower the charges and attract more people to the show. A man might take his wife and family on more than one occasion if prices were reduced.

Mr. Davies: If we had Government control over prices, there might be some advantage in that.

Mr. HUGHES: I know that the hon. member supports a socialistic policy, even to the extent of controlling the time at which a man may make love.

It is really a question of what admission charge should be made to the public to enable them to see a show that provides worthwhile educational entertainment. In this respect, I believe that there is an obligation on a show society such as this, which has the assistance of the local authority and of the Government in the presentation of its exhibition, to see that it does not cost people out of the showgrounds, and I believe that the obligation is heavier than that cast upon private enterprise and commercial undertakings in regard to prices. Although I pay tribute to the council of the R.N.A. for the manner in which it has conducted the show and made improvements each year, I believe that facilities available to the public still leave something to be desired. As I said

earlier, a lower admission charge would probably attract people to the showgrounds on more than one occasion. People who have space in the pavilions and the side-show men pay big prices to the R.N.A., and they would probably be interested in paying a price per foot for their space based on the number of people who passed through the turnstiles. Each and every year the council of the R.N.A. is hopeful of setting new attendance records. In the last few years it has had difficulty in doing so, and I have thought on a number of occasions that this may be because of the high admission charges, particularly those for the children. The stage has been reached where in some instances the financial burden on the ordinary John Citizen in taking his wife and children to the show has become onerous, and these are the people who make the show a success.

Mr. Hanson: You think they should reduce the admission charges?

Mr. HUGHES: Yes, I think charges should be reduced, and children should be allowed in for a peppercorn. If this were done, I believe that more people would attend the show and that it would be an even greater success.

Mr. Hanson: They keep a lot of showmen off the grounds by imposing high charges.

Mr. HUGHES: Showmen would want to pay for more space. I take children from various institutions to the show each year—I pay tribute to the R.N.A. for extending this opportunity to inmates of charitable institutions—and I know many of the showmen and the high charges they have to pay in relation to the number of people who attend the show. In my opinion, the R.N.A. might be well advised to reduce admission charges and thus induce more people to see what Queensland can, and does, produce

If the R.N.A. is to be allowed to spread its wings further and encompass a greater area of land, it should adopt the policy of providing for the public facilities that are not presently provided. I believe it is hard to justify the very small space in the Exhibition Grounds available to the public to sit down and have a cup of tea. Such spaces are virtually non-existent. In fact, the only real space that can be utilised for this purpose is on the No. 2 oval and, of course, it is only in the first few days when the grass is green that this can be availed of without picking a spot between heaps of cow-dung.

Mr. Davies: Have you ever served on the council?

Mr. HUGHES: No, but I have been associated with the councillors closely enough to know that they do a good job. I do not know that any of them should be supplanted. But that is not the point. The real point is that if they get more ground, they should adopt a policy of giving the public, who make the show, sufficient space on which to picnic. At present the showgrounds are little more than a concrete and asphalt jungle. Land should be set aside, and even decked with beach umbrellas, to provide a little more for the convenience and welfare of the patrons as distinct from the continuous endeavour to get numbers through the turnstile in order to give the association a handsome return. I think there is more to running a show than that. I do not think the society has been realistic in facing up to the fact that more than just carnivals, fat cattle, etc., are needed to make a show. It needs a family atmosphere about it to really portray, in a very friendly atmosphere, the products of the State and the type of people in it. I believe the R.N.A. could achieve this objective by providing more of the facilities that the public need.

Hon. A. R. FLETCHER (Cunningham—Minister for Lands) (2.48 p.m.), in reply: I should like to say how much I appreciate the helpful and co-operative attitude of those hon. members who have expressed an opinion as to the merits or demerits—they have stuck mainly to the merits—of the Bill.

The Leader of the Opposition, as indeed I would have expected because he is intelligent and generally a very fair gentleman, has supported the idea behind the Bill. He referred in quite well-deserved terms to those choice spirits who are privileged to serve as councillors in the R.N.A. arena. These gentlemen have done very well and have established such a reputation before the world that it is quite an enviable achievement to become a councillor. They have had their difficulties but such difficulties have largely been forced upon them by their geographic position. They have done very well indeed.

I am pleased that the hon. member for Ithaca spoke so well of my predecessor in office. He did no more than speak the truth when he suggested that the hon. member for Fassifern had lent his kindly counsels on the matter of resumptions, in a situation in which anyone with any compassion would be sympathetic to those who had to leave their homes—some of them not very elaborate, but nevertheless homes. Some of these people though that they were inadequately compensated and, following Mr. Muller's wise counsel, a standard of compensation was established which was more satisfactory from their point of view than the initial one apparently was. Indeed, by his personal intercession the hon. member avoided the need for any sort of legal action which, of course, always leaves in its wake some regrets and heartburnings.

The difficulty facing the association has been referred to by three or four hon. members, including the hon. members for Mt. Coot-tha and Kurilpa. No doubt this is a matter which has caused the association a great deal of concern. They must have had to use a great deal of their valuable time in discussing whether it would be wise to leave the present central area and go out to where there was more land available but where there would be certain disabilities.

They would have had to weigh the disabilities of getting out to a more abundant area of land against the obvious difficulties of the present centralised position. Although there is nowhere to park very close to the present location, it has the advantage of being close to cheap public transport. Quite obviously they must have come to the final conclusion that that was where they had better stay. This is evident from the amount of money that has been spent there in the last few years, mostly in assets that could not be moved. They have put up all sorts of buildings that would not be of very much use for anything but show purposes. That must have been their decision—a very expensive and permanent one. I have been handed a newspaper printed in 1964 in which reference is made to the fact that £500,000 worth of improvements had been made on their land in the last 10 years. Someone who would be in a position to know fairly accurately has told me that the total value of the land, pavilions and other improvements would be over £2,000,000.

Mr. O'Donnell: They must be determined to stay there. There is no possibility of extending because it is economically impossible.

Mr. FLETCHER: It depends on how much they have to spend, and what they want the land for. The fact that they have acquired 80-odd allotments around them shows that they were prepared to spend a considerable amount on extensions. They have justified this action by saying that this is something very special which warants the expense. They may have to do more of that. I think everybody who takes an interest in the matter agrees that they are doing a tremendous job for the State. There is a very good relationship with the various industries which use the R.N.A. as their shop window. For years they have been prepared to support the R.N.A. financially to a considerable degree. There is no doubt about the good relationship between the R.N.A. and the people they mainly serve.

Mr. O'Donnell: They don't make any profit, either.

Mr. FLETCHER: No. Any profits that are made through the turnstiles are immediately ploughed back in improvements.

The Leader of the Opposition made some appropriate comments about park lands being sacrosanct, and the inadvisability of encroaching upon them, with which I thoroughly agree. By coincidence, only this morning somebody from the country came to me with the proposal that I should allow him and his partner to acquire some land which was reserved about 80 years ago as a park, on the score that it has never been used as such. As the Leader of the Opposition said, the immediate effect would be an improvement, but from the long-term point of view I had to say to these two gentlemen, "No. We will let you carry on on the present informal basis for a while, but in case the next generation, or the next, want to do what the man who originally planned this area thought should be done, we must keep it as it is." I join with the Leader of the Opposition in having a very great sense of responsibility for preserving our park lands and other reserves against those who would erode them away for a little immediate advantage, and leave future generations no advantages.

I think I have covered the points raised by the hon. member for Mt. Coot-tha. The hon. member for Kurilpa spoke of the need to get families into the showgrounds to take advantage of the undoubted entertainment and education provided. The councillors of the R.N.A. have that point very much in mind at all times. It is prominently in their minds as one of their objectives. I do not think they have done too badly up till now. I have very much pleasure in accepting the assurance of support from the Chamber.

Motion (Mr. Fletcher) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Fletcher, read a first time.

GYMPIE CEMETERY BILL

INITIATION IN COMMITTEE

(Mr. Gaven, South Coast, in the chair)

Hon. A. R. FLETCHER (Cunningham—Minister for Lands) (2.58 p.m.): I move—

"That a Bill be introduced to provide for the conversion to a public park and garden of a certain disused cemetery at Gympie."

This Bill deals with the old Gympie Cemetery, which is situated near the Gympie Railway Station adjacent to the goods shed. It comprises an area of about 16½ acres and is prominently situated in that city. It is one of Queensland's early cemeteries, having been set apart for that purpose during 1868, which is quite a long time ago. The site was not satisfactory, and the cemetery was closed during 1886; it has been a source of annoyance to the city of Gympie ever since. The area is covered by a heavy body of grass, rubbish, and undergrowth. In the main, the few remaining tombstones, by movement, such as being pushed around, by rubbish growing around them, and by disrepair and other causes during the last 80 years, cease to identify those in whose memory they were originally placed. There is no record of the number, identity, or location of interments, and the departmental files on this area show, in various reports, that the present unsightly mess has been in existence since before the beginning of this century.

For the past 50 years there has been agitation every now and then by residents of Gympie aimed at the development of this

site, but for various reasons the issue has been side-stepped. There has been an understandable reluctance to enter the cemetery and disturb what is considered to be hallowed ground. The case of the old Gympie cemetery is not uncommon in this modern day. I have come across it in other parts of the country. From time to time we hear of cases of these early cemeteries, now completely surrounded by residential, industrial, and business development, holding back investment and development or assuming the proportions of a fire and health menace. The neglect of this old cemetery is utter and complete, and the present situation cannot be allowed to continue. While there must be respect for a burial ground, we cannot continue to ignore the unsightliness, and the fire and health risk, associated with the area. Such an eyesore so well situated in Gympie is detracting from that city and from the welfare of its citizens. Inquiries made by my department indicate that the time has arrived when that community generally accepts that action should be taken to convert the old cemetery to better use.

There has been no burial in the old cemetery since 1886, approximately 80 years ago. Few of the graves can be identified with any sort of certainty. There is no plan or any other record to assist in the compilation of a proper register.

The Gympie City Council and the hon. member for Gympie have pressed for the conversion of the cemetery to other purposes, and the Government has decided that in all the circumstances this request should be granted forthwith. In the absence of records, and as the last interment was effected many years ago, the exhumation of human remains, if any, is largely impracticable.

The Bill terminates the trust for cemetery purposes and the land becomes Crown land. The Bill requires that as far as practicable a register of interments be compiled from evidence available from surface structures remaining on the land, and by other inquiries. A copy of that register is to be kept in the department, another is to be forwarded to the Oxley Memorial Library, and another is to be maintained at the office of the Gympie City Council, and will be available there for public scrutiny if necessary or required. Relatives of deceased persons buried in the old cemetery are to be given an opportunity of requiring removal of remains from the old Gympie cemetery to the present Gympie cemetery at the Two Mile, at the Crown's expense, provided certainty of the identity of the grave can be established. Relatives may also remove remains at their own cost and expense should they so desire, although this would be difficult to do. Any headstones or monuments presently remaining on the area are to be moved to the Two Mile Cemetery provided they are in reasonable condition.

After removal of the remains, as provided for in the Bill, a substantial part of the area will be developed as a park and garden. The area to be so developed will be the area where it appears from surface evidence that the majority of the interments were made. It seems more appropriate to make a park or garden of an area that was obviously used as a cemetery than to cut it up into building allotments. This work will involve considerable filling, levelling, top-dressing, grassing, and the provision of appropriate trees and shrubs.

A substantial monument is to be provided to identfy the area as the old Gympie cemetery, and a suitable plaque will direct any inquiry concerning the area to the office of the Gympie City Council where the records, such as they are, will be kept. It is expected that the cost of this conversion will be considerable. There may also be some requests for re-interments, although this is not expected or encouraged in the light of the obvious practical difficulties, which hon. members can easily envisage.

Neither the trustees for the closed cemetery nor the Gympie City Council are in a position to accept this financial liability. To offset the cost of the project, it is proposed to dispose of part of the area and to apply the proceeds against the cost of the overall development. In short, as much as will defray the cost of development work will be sold. The Bill enables this disposal of land but limits the extent of disposal to that necessary to defray costs.

In effect, although the area is well situated and could well be developed to the financial advantage of the Crown, it has been decided to dispose of only so much of the area as will, in our opinion, meet the cost of development of the balance for conversion to park and garden purposes. The project will be on a virtually non-profit-making basis. There is a lack of parkland near the railway station and, as the Bill seeks to convert the present eyesore into an attractive public place of quiet recreation in the interests of the people of Gympie, I am sure that it will meet with general local approval.

Agitation for this project of conversion is of long standing. However, we were loth to convert an old cemetery unless the circumstances of the case were very clear and there was evidence of a general acceptance in the community of the need for such action. With perhaps a goodly measure of respectful regret, we have decided that the old cemetery should be put to better use. In this way, the result of many years of neglect will disappear from its prominent showplace, and in its stead I hope and believe will be provided a quiet place for the benefit of present and future residents of that city in memory of those early men, women, and children who helped to make Gympie the city that it is today.

I commend the Bill to the consideration of the Committee.

Mr. O'DONNELL (Barcoo) (3.8 p.m.): I must say that the Minister has given a very clear outline of what is to be done under the provisions of the Bill. When it was listed on the Business Paper, some concern was felt about the reaction that there would be to it. It must be appreciated that the town of Gympie is one of the early historic monuments to the development of the State. We can all remember history books referring to the discovery of gold in the Gympie area in 1867 as the most important early milestone in the development of Queensland. Naturally the thought came to mind that there would be, associated with the cemetery, the names of very early pioneers of the State. I was very pleased to hear the Minister's assurance that there are no records existing from which it is possible to identify the remains of those who were buried in what is now a central part of the city of Gympie.

The introduction of the Bill may lead to action in other centres in Queensland where similar problems have arisen. I am well aware that, with the effluxion of time and the development of areas, certain unpleasant problems have to be faced, and I can understand that when this idea was first mooted there was probably a thought amongst the civic fathers of Gympie and others who had lived there for a considerable number of years that some disrespect may be shown in some way. I am happy, therefore, to have the Minister's assurance that this is not so and that the council has been moving for quite a long time. I also spoke to the hon. member for Gympie, Mr. Hodges, on this matter and he told me that the move had been made over so many years that any people who had any objections would have lodged them by now. A certain amount of publicity will follow the introduction of the Bill today, and we may yet hear that there are people with some thoughts on the subject.

It has been mentioned that the greater part of the area, which is not really very large, is to be devoted to park and gardens. This, in itself, will be a fine monument to the people who pioneered this part of Queensland in the early days and who, perhaps because of the passage of time, have been forgotten. There is little to quarrel with in the fact that a limited part of the area is to be disposed of and the resulting profits used for the beautification of the remaining area. I am sure that the people concerned will see that the area used for residential development will be a part of the cemetery that was either very little used or not used at all, and the park and gardens in the centre of Gympie will be a memorial to the pioneers of the area, even though they cannot be named as all records have been lost. Furthermore, every consideration will be shown to people who appear to have some connection with the deceased, because the Minister said—I do not doubt that it will be done—that the tombstones will be moved to the cemetery that is in use now and that the Crown is prepared, also, to pay for the removal of remains to that cemetery. I do not think much more than that can be done. One can realise why these records have been lost when one knows that the cemetery was used from 1867 to 1886, a period, no doubt, of confused settlement. Even though there was a gold rush at the time, the population of the area would have been comparatively small and the use of the cemetery would not have been very great.

I indicate on behalf of the Opposition that we shall be offering little or no objection to anything contained in the proposed Bill. As a matter of fact, I should like to say that I appreciate the way in which the Minister has presented it to the Committee. I think he has endeavoured, in expressing what is to be done, to give every consideration to avoiding unnecessary worries to anybody who might feel that a leaf from the past will be lost. After all, the change will provide an everlasting memorial to people who gave something to this State in a period of its history when pioneering was pioneering.

Mr. HODGES (Gympie) (3.16 p.m.): I should like to comment very briefly on the Bill before the Committee. I thank the Minister and the officers of his department for the very close co-operation and assistance I received in having this Bill introduced. I feel that, without the co-operation of his officers and his department, this could have been a long-drawn-out measure and could have taken some time to come before the Committee.

I also thank the Opposition for accepting the measure as presented by the Minister. I fully endorse his statement that the neglect of this area is utter and complete. I feel sure that any hon. member who visited the area and was told that it was an old cemetery that had been used for a period of only 18 years in the early days of mining in Gympie would feel that it had been completely desecrated.

Many Gympie people, the Gympie City Council, the Gympie Chamber of Commerce and the Gympie Development League, have been agitating for 50 years for the better utilisation of this area. As the Minister has said, it is an area of possibly 16½ acres situated right in the centre of the business section of the city of Gympie. It is in close proximity to the railway station and in a rapidly developing residential area. It is within 200 yards of the Gympie High School and, as I say, there has been rapid development of the area. Because of the fact that the Gympie City Council could not accept the responsibility of cleaning up the area and because the Gympie Cemetery Trust has not sufficient finance to do anything with it, Gympie people as a whole, including the city council and the cemetery trust, will appreciate the action now being taken by the Minister and his department for its utilisation. I feel quite sure that the people of Gympie will appreciate any action that may be taken and that there will be general

acceptance of the well-prepared scheme outlined by the Minister this afternoon, particularly as there is an assurance that there will be a respectful application of the plan for the utilisation of the area.

I feel that the respectful application of the plan for the development of this old cemetery will lead to a place of beauty and usefulness and will at the same time retain the memory of those who contributed in any way to the advancement of the city and district. As I said earlier, any action taken to put this area to better use would be much better than leaving it with its existing atmosphere and tangible evidence of desecration. It will remove an area of desecration from the inner city and replace it with an attractive park and playground site whilst retaining within the area—in the park—a monument referring to what it represents and showing evidence of what the area was in early years. There will be a plaque directing visitors or relatives, if any are still alive, to the Gympie City Council where any record or information can be obtained relative to the existence of the old Gympie cemetery. Rather than its being a place of desecration, with the application of the plan suggested by the Minister it will be a place of beauty and usefulness, one that will hold in respect the memory of those who contributed in many ways to the city and district.

The Minister has given a very comprehensive outline of what is intended. Although it may sound a little parochial let me suggest, in order to further perpetuate the memory of the gold-mining days in Gympie, that when the subdivision of this area takes place the streets forming part of the subdivision could bear the names of some of the prominent gold mines which contributed so much to the welfare of the State.

Mr. Duggan: Have they done anything in that regard in the existing streets? Do they recognise some of the earlier miners?

Mr. HODGES: In one or two areas, yes, but not so much the mines. The discovery of gold in Gympie virtually saved the Queensland Government from bankruptcy. At that time Queensland had about 7½d. in the Treasury, and the discovery of gold in that area contributed greatly to the welfare of this State in its early years.

All in all, I think this is an exceptionally good measure. There is no suggestion of desecration about the utilisation of this area. The plan will be applied with a great deal of respect. Sufficient publicity will be given to it so that any distant relatives of those buried in the cemetery will have ample opportunity to lodge claims for recognition. I commend the Minister for the introduction of the Bill and the hon. member for Barcoo for his acceptance of it. It introduces a principle which I think could be applied throughout the State.

Hon. A. R. FLETCHER (Cunningham—Minister for Lands) (3.23 p.m.), in reply: Briefly, I express my appreciation to the hon. member for Barcoo for his acceptance of the Bill on behalf of the Opposition, and assure the hon. member for Gympie that his very fitting suggestion that we perpetuate the names of some of Gympie's pioneers will be given close consideration.

Motion (Mr. Fletcher) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Fletcher, read a first time.

BURIALS ASSISTANCE BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (3.27 p.m.): I move—

> "That a Bill be introduced to assist in the disposal of bodies by providing for the burial or cremation of deceased persons in certain cases and for purposes connected therewith, and to validate certain burials."

The Bill validates a procedure which appears to have been in existence throughout the life of this State but which has not previously had legislative sanction.

It will be apparent to all hon. members that someone must ultimately be responsible for the disposal of dead human bodies that are unclaimed. In Queensland, the responsibility has always been accepted by the Crown and over the years the Department of Justice has made all the necessary arrangements. Recently it was found that in all the years since Queensland's foundation this procedure has been carried out without any statutory sanction.

It often takes considerable time to trace the relatives of a deceased person after he has been identified and to ascertain whether there is any survivor who is willing and able to make suitable funeral arrangements, or whether the Crown should arrange what may be termed a pauper's funeral. In such a case a body may sometimes be kept for many months until the department is in a position to know whether it should arrange for the disposal of the body. In fact, in Brisbane, where we have the facilities, bodies are kept under those conditions for very many months. I am sure hon. members will agree that this situation is most undesirable. The general law on the matter is that it is the responsibility of the survivors of a deceased person to see to the proper disposal of his body. However, it is often impossible, or extremely difficult, to ascertain or determine who are the survivors in a particular case.

As the failure to dispose of a dead body promptly can create a health hazard, over the years in other places those authorities who are responsible basically for the health of the

community have taken over the task of disposing of dead bodies where suitable arrangements have not been made by the survivors. However, as I have said, Queensland history shows that the Department of Justice has always shouldered this responsibility and it is now intended that it should be given legislative sanction.

In Britain the responsibility rests generally upon local authorities under the National Assistance Act of 1948. The situation is different there in that the National Insurance Act of 1946 provides for a funeral payment, and in the vast majority of cases the local authority concerned is able to recoup itself from the National Insurance Fund. This is not possible in Queensland.

The Bill, while providing that the Department of Justice is initially responsible for disposing of any body where it appears that no suitable arrangements for its disposal have been or are being made otherwise, empowers the Under Secretary of the Department of Justice to recover the cost of the funeral from the deceased's estate, or from any close relative. Hon. members will note when they peruse the Bill that the list of persons from whom the cost of the funeral may be recovered is severely restricted. In the case of a wife the only person is the husband; in the case of a husband the only person is the wife; and in the case of a child the only persons are the parents. None of these persons is involved if the deceased's estate is capable of carrying the burden.

Further than this, the Under Secretary is not obliged to attempt to recover any funeral expenses from the estate of a deceased person who was an indigent person, nor is he obliged to attempt to recover the expenses from any one of the relatives I have mentioned if that relative is an indigent person.

Mr. Duggan: What about a brother or a sister?

Dr. DELAMOTHE: No, they do not come into it.

Beyond this, the Bill does nothing more than validate this Department's previous actions in this regard and provides a power to make necessary regulations.

Under the present system there are, on occasions, inordinately long delays in the disposal of dead bodies, and this Bill should assist in the prevention of those delays. Recently lack of sanction to bury a body that had been kept for about eight months was brought to my notice, and I was asked how much longer it was necessary to keep it.

I commend the Bill to the Committee.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (3.33 p.m.): The Government seems to be adopting a somewhat sombre note this afternoon. The previous Bill dealt with cemetries and this one deals with the disposal of bodies. I know that the accusation that doctors have the benefit of being able to bury their mistakes is made only in the most facetious manner. That could be why the Minister for Justice, who possesses a medical degree, is charged with the responsibility of determining these matters.

It is extraordinary that Bills are introduced into this Parliament from time to time to validate something that has been going on for 50, 60, or 70 years. There seems to be no reason, other than that, for instance in this particular case, a body has been kept for eight months because no-one was acting in the matter, and the Minister feels that someone should make a decision. In order to defend himself from any accusation that he or his officers acted wrongly, he now desires to validate those actions. It is proper that that be done. But how have we been able to do it for so long without legal authority?

I do not want to take up any more of the time of the Committee. It seems obvious that action should be taken to clothe someone with the necessary authority mentioned by the Minister. I think the only other point requiring some comment concerns costs. The Minister anticipated me by his reference to that aspect. I do not think anyone could properly say that he had been called upon to assume a financial burden that one would not expect him to shoulder without any argument.

I think I would be merely wearying hon. members by spending more time on this Bill. I think it is a simple straightforward measure providing something that is required. The necessary power should be granted to cope with these situations, and the sooner it is done, the better. I would not like to see a body held under such conditions one day longer than was necessary.

Mr. RAMSDEN (Merthyr) (3.36 p.m.): I support the Bill. Although I know that all hon. members feel the same way about it and that no attack has been made on its provisions, I take the opportunity afforded by this debate to make a plea to those in authority, both secular and ecclesiastical, to give more consideration to the general subject of disposal of the dead.

Basically, in this modern day and age, with its population explosion and the increased number of deaths from ordinary causes that must occur among a larger population, plus the increasing toll of the road, a far more satisfactory method of disposal of bodies must be found than that which has served us for many years past.

In this small exercise, I should like very briefly, without desiring to waste the time of the Committee but wishing to illustrate a point, to try to give a quick survey of the practice of burial of the dead. The practice came about in the first place because primitive man was forced to find some way of getting rid of dead bodies; it was so unhygienic to live with them. One way to overcome the problem was to move away

from the bodies. When grandfather died, it was easy for nomads living in tents to pack up and move somewhere else. Gradually over the years a more satisfactory system had to be found for the hygienic and economic disposal of bodies. At the same time, consideration for the burial of the body was demanded by the almost universal belief among all races in the immortality of the soul and its survival after biological death. Throughout the years ceremonies were devised to assist in the emotional readjustment of the bereaved and to ensure the proper disposal of bodies in the best interests of the community.

We have been talking this afternoon about the burial of the dead. I think it might, as a small exercise, be a matter of interest to consider the methods of disposal that have been followed throughout the ages among various races. There has been, of course, the ordinary method of burial. There has been the method of exposure, to the elements and to the birds and animals. There has been cremation, and there has been preservation as carried out in ancient Egypt. There has been artificial decomposition, such as often is employed in murder cases. There has been burial at sea or burial in water, and there has even been cannibalism, in which the bodies of the dead have been eaten.

Mr. Davies interjected.

Mr. RAMSDEN: I thank the hon. member for his very sensible interjection, which is a rarity. I will come back to it later.

Burial, of course, took place under varying conditions. There were coffins, urns or ossuaries in cemeteries. There were even different methods of exposure. Some bodies were staked out on the ground, others in tree platforms or in towers. There was, too, cremation or preservation, which could be either partial or complete. Artificial decomposition was effected by washing, scraping, burning, and even, in some cases, by the use of ants.

Mr. Houston: You have done a lot of research on this.

Mr. RAMSDEN: I have done a lot of research. In addition to all of those methods, as I said, there is burial at sea or in water, and cannibalism.

Mr. Davies interjected.

Mr. RAMSDEN: Often, when I look at the hon. member for Maryborough, I feel like indulging in cannibalism myself.

Cannibalism can be entire or symbolic, and either immediate or postponed. All these methods of disposal have been adopted throughout the ages by different races of varying beliefs and customs.

Finally we come to the modern age, in which the problem of the disposal of the dead must occupy our serious thoughts if we are to bring the custom into line with up-to-date practice and thinking. In the western countries, the disposal of the dead has resolved itself into either burial or cremation.

Mr. Davies: You are not going to start arguing about that?

Mr. RAMSDEN: No, I am not going to start arguing. I make the assertion that, in my view, the ultimate solution must lie in cremation, and I make a plea to the State and a plea to the various religious bodies to give some very serious consideration to the question.

Mr. Davies: They already have.

Mr. RAMSDEN: I am very grateful to the hon. member for telling me the views that other churches hold.

Mr. Smith interjected.

Mr. RAMSDEN: I will exhort the Anglican community, and I trust that my colleague the hon. member for Windsor will join me by doing the same in his own religious community.

I think that the time has now come when the churches, in their own varying beliefs and responsibilities, should give very serious thought to this question to see whether or not those who presently feel that cremation is not right and is contrary——

Mr. Davies: Do you want to take those rights away from the respective churches?

Mr. RAMSDEN: In my opinion, they should give due consideration to the problem to see whether there is any valid reason, in the light of modern theology, for retaining views that have been held for many years past.

Mr. Ewan: Do you advocate the use of Roma gas for cremations?

Mr. RAMSDEN: I will leave that to the hon. member for Roma, who is very capable of putting that view himself. Anyone who goes to a modern cemetery will see around him evidence of decay, evidence of long vegetation, evidence of neglect; on the other hand, if one goes to——

Mr. Davies: You go to the new Gympie Cemetery or go to the one out at Lindum ——

Mr. RAMSDEN: We have just agreed to the introducion of a Bill to deal with the old Gympie Cemetery.

Mr. Davies: Or to the one at Nundah.

The CHAIRMAN: Order!

Mr. RAMSDEN: If one goes to the Toowong Cemetery and takes a look at the unsightliness there and then compares it with the crematorium at Mt. Thompson, I think that, from the point of view of aesthetics alone, one would not have any doubt about which is preferable. There is no doubt in my mind which I would prefer. As the hon. member for Maryborough is so vociferous in his interjections, I am sure he will get up

and tell the Committee exactly where I am wrong. I hope he does; after all, he has been interjecting so much that I am quite sure what he has to say will be of value to us. I may add that I will give him a more courteous hearing than he has given to me.

I propose to tell the Committee of an incident that happened some years ago. I think you will remember it, Mr. Hooper. You may recall that, in your more humble days before your elevation to office, you shared a room with me and we were approached by a firm of undertakers in Brisbane who, at that time, had been prosecuted for burying a body, I think it was on a Sunday afternoon.

Again speaking from memory, I think it was a person who had been knocked down and killed in a road smash on the Friday and was taken to the undertaker's rooms. As the law stood at the time, the undertaker was precluded from burying him on the Saturday or the Sunday and he was forced either to break the law and bury him illegally—which he did and for which he was fined—or to store him away probably in most unhygienic conditions in the summer.

Mr. Melloy: That is not right; they have cold rooms for that.

Mr. RAMSDEN: I am glad that hon. members opposite know more about this case than I do. I can assure the Committee that what I am relating is factual and the facts are not open to any other interpretation. In view of the circumstances, I am pleased to see the Minister bringing down the Bill but I repeat my plea to the various churches through their councils and synods to give serious thought to meeting modern-day conditions and to readjust their theological thinking in terms of burial of the dead so that we may have no need for new burial grounds and may rely on crematoria in the future.

Mr. BENNETT (South Brisbane) (3.48 p.m.): I did not propose to speak to this Bill but the hon. member for Merthyr obviously spoke on a subject he knows little about. I feel that the churches concerned are more able and more qualified to consider matters such as this, that they have done so over the years, and that the various interests have good grounds and reasons for their decisions. It ill behoves a man of the insignificance of the hon. member for Merthyr to tell the churches what to do.

Mr. Davies: It is sheer impertinence.

Mr. BENNETT: It is impertinence; it is arrogance and utter hide on the part of the member. He has cast some aspersions on the method of burial adopted by many people and by the Christian world over the centuries. He referred to Toowong Cemetery and so forth. What the Toowong Cemetery may look like from time to time is not an indictment of the principle involved, which relates to the sanctity of the body and all that it means, and, if those who come after do not care for these cemeteries the way they should, that is no argument against the system itself; it is an argument against the laxity of those in charge and of those who should care for such areas.

Mr. Davies: Nambour has a very beautiful cemetery.

Mr. BENNETT: Yes, and we have some well-cared-for cemeteries in Brisbane. In comparison with cemeteries in other parts of the world, Brisbane can take pride in its new one at Hemmant. There is a great deal to be said for the method of burial at Hemmant. Although I wholeheartedly respect the beliefs of those who favour particular methods for the disposal of the body, I do not think any parliamentarian should precipitate or deliberately provoke a controversial argument on such matters. Speaking now in a personal sense—I visit a cemetery every Sunday. My family and I get great solace and satisfaction from those visits. We care for a particular grave—and others as well—and derive a great deal of contentment from being able to relive our memories of the person we put there one sad day. I think it ill behoves any hon. member to say what should be done in these matters because of modern methods and so forth. We hear a lot of bodgie-ism talked in attempted justification of the conduct of the modern world. If people want to adopt those standards, that is their business. On the other hand, if people want to preserve prestige and tradition, their finer thoughts and the sanctity of burial, why provoke an argument about it? If we make provision for all forms of disposal, we are doing our job. It is completely unnecessary for any hon. member to say that the things that we have cherished over the centuries should be completely disregarded and thrown overboard. The hon, member has shown shocking callousness, and I am surprised at his embarking on such a proposal. If some people are persuaded to accept the modern method of disposal, let them be so persuaded, but let us not deride those who still cherish the traditions of the past.

Mr. SMITH (Windsor) (3.53 p.m.): When my colleague the hon. member for Merthyr referred to the unsightliness of the Toowong cemetery, he was not really assailing the virtue of interment. He was really criticising the care of the graves in that cemetery. Some of those graves, of course, would contain the remains of people long since dead, whose relatives also are long since dead. They would have fallen into disrepair simply because nobody presently living is greatly concerned about them. Others, of course, have very fine monuments erected over them, and these have been maintained or are of such a composition that they do not deteriorate. However, the hon. member's criticism does direct some sensible thought towards the development of cemetries in the new style—graves with no headstones but with the slabs at or below ground level, which permits the authorities to keep the

cemetery in order by mowing. In this way the whole area presents a tidy, well-kept appearance, but still meets the needs of those people who wish to return from time to time to the burial-place of their relatives; that is a very laudable ambition.

Mr. Davies: That is the general aim now.

Mr. SMITH: Yes, and it is a very aesthetically pleasing aim. The war cemetries in in particular are an excellent example of this development. I am strongly in favour of the retention of some open spaces around the city. I feel we can combine utility with the practical aspect by seeing to it that burial places are preserved in an aesthetic, satisfactory fashion.

I do not for one moment agree that, on the measure before us, it is necessary to go into any wide discourse on the method of disposal of the bodies or to go beyond validating the disposal of such bodies in the community. I have pleasure in supporting the Bill.

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (3.56 p.m.), in reply: The support of the Leader of the Opposition on this Bill, which covers a very small sector, is very much appreciated, but might I say how far the disposal of unclaimed bodies proceeded into a discourse on moral conduct.

I agree with the hon. member for South Brisbane that the choice of method of burial is, in ordinary cases, entirely a matter for the individual relatives. I do not for a moment think the hon. member for Merthyr intended his remarks to apply as they were taken up. I do not think any of the other comments call for a reply.

Motion (Dr. Delamothe) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Dr. Delamothe, read a first time.

LEGAL PRACTITIONERS ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (3.58 p.m.): I move—

> "That a Bill be introduced to amend the Legal Practitioners Acts, 1881 to 1961, in certain particulars."

The Bill, although it seeks to amend the Legal Practitioners Acts, 1881 to 1961, really follows amending legislation which was originated by the Legal Practitioners Act Amendment Act of 1938.

The 1938 Act enabled officers of the Public Service of Queenslnd, after employment for certain periods in any one or more of certain offices, such as that of the Solicitor-General, the Crown Solicitor, a Registrar of the Supreme Court, the Public Curator or of any clerk of petty sessions (now the Registrar of the Magistrates Court or Clerk of the Court), to sit for the various examinations for admission as solicitors of the Supreme Court of Queensland.

Under this legislation a field of recruitment has been provided, over the intervening years, for the Crown's legal officers, although the number qualifying has been insufficient to fill all vacancies. But the legislation has enabled several of our present-day stipendiary magistrates to qualify for admission and to be admitted as solicitors of the Supreme Court of this State. I think it will be agreed that this is a welcome development.

From time to time over the intervening years these provisions of the 1938 Act have been amended, and in the year 1961 an amending Act was enacted in conjunction with the making of new rules relating to the admission of solicitors, and having relation to the prescribing of a new course of study at the university known as the articled clerks' course in substitution for a course of study with examinations conducted by the Solicitors' Board, which up to that time had been the method of qualifying as a solicitor.

In both the 1961 amending Act and the new rules relating to the admission of solicitors, various transitional provisions were designed to preserve the rights of students, inside as well as outside the Public Service, to continue their studies of the old course, which they were in various stages of completing, and to continue to sit for the examinations conducted by the Solicitors' Board on that course. In other words, provision was made for those who were part-way through their course to continue and to sit for the examination conducted by the Solicitors' Board.

The objects of the Bill are—

> (a) to place officers employed in the Chief Office, Department of Justice, in the same position as officers employed in any section of the Public Curator Office, any Supreme Court Registry, any section of the office of a clerk of magistrates courts, or any section of the Solicitor-General's Office, in being enabled to undertake the prescribed course of study and to sit for, and to be admitted as, solicitors of the Supreme Court of Queensland;

In other words, service over the whole period, or part of it, in the Chief Office of the Department of Justice, will count as qualifying time for them to sit for their examination and to be admitted. The objects continue—

> (b) to include, for the purposes of being eligible to sit for the various examinations and for admission as aforesaid, in the prescribed periods required to have been served in any one of the Public Service offices previously mentioned, or partly in one and partly in another or others, service in the Chief Office, Department of Justice; and

(c) to modify the transitional provisions of the Legal Practitioners Acts Amendment Act of 1961 whereby, subject to the fulfilment of certain conditions, officers, as aforesaid, may continue and complete their studies and examinations for admission as solicitors, in the course of study with examinations conducted by the Solicitors' Board of Queensland.

As regards the first two objects—

(a) such action will remove an anomaly which exists when comparisons are made for these purposes of the various Public Service offices concerned;

(b) the Chief Office is now in a similar position to the chief offices of similar departments of the Commonwealth and other States where certain legal administrative work of the department is performed in the chief office itself;

(c) An incentive is provided for younger officers in the Chief Office to commence their studies and to become eligible for transfer to other offices of the department; and

(d) An opportunity is given to the Chief Office of obtaining the services of officers from the various offices of the department who are studying the prescribed course.

As regards the last objective, under the "transitional" provisions of the 1961 amending Act officers of the Public Service cannot take advantage of the examinations on the old course for admission as solicitors unless—

(i) they were serving or had served in a Public Service office as aforesaid on 4 December, 1961;

(ii) They are admitted before 31 December, 1970; and

(iii) They presented themselves for the Intermediate examination before 31 December, 1964.

In the transitional period, arrangements as outlined were made to permit these people who had undertaken a course of study and served some time to be carried forward in the course in which they started and be examined by the Solicitor's Board.

It is known that there are several officers in the Public Curator offices and Magistrates Courts offices who are in their various stages of study of the old course, although the actual number is unknown.

In the Supreme Court registries—

(i) At least 16 officers are in their various stages of study of the old course, four of whom are in their various stages of study for the first and second sections of the final examination;

(ii) Of the four officers who presented themselves for the Intermediate examination of the Solicitors' Board in November, 1964, three passed and one failed the examination;

(iii) However, 11 officers who had advised the registrar of their intention to sit for the November, 1964, Intermediate examination found they were not sufficiently advanced in their studies to sit, and these include a number of older officers who find study more difficult than do those with the higher educational qualifications available today.

I am informed that a subcommittee of the Solicitors' Board is at present considering submissions for the amendment of the rules relating to the admission of solicitors to provide for the continuation of the examinations conducted by the Solicitors' Board for an indefinite period, so that these people concerned can be covered.

In relation to this lastmentioned objective, the Bill therefore seeks—

(a) To modify the times in which officers of the Public Service, in order to take advantage of the "transitional" provisions of the 1961 amending Act, are to sit for examinations in the old course and to apply for admission—

(i) in respect of the Intermediate examination by substituting for "31st December, 1964," "31st December, 1966", or if some other date is fixed by the Governor in Council by Order in Council published in the Government Gazette, then that day." In other words, they are being given a couple more years than was envisaged earlier to complete the Intermediate examination. If it is found at 31 December, 1966, that a few are still outstanding, the Governor in Council can take action to extend the time by a sufficiently small period to cope with the situation. It is not expected that there will be any to be so provided for, but there could be.

(ii) in respect of the last day for admission, by empowering the Governor in Council, by Order in Council published in the Government Gazette, to extend, if later he thinks fit, 31st December, 1970, to some other day;

(b) To remove certain anomalies at present applying to those who may still take advantage of the examinations conducted in the old course by—

(i) deleting the qualification required of officers in the office of either the Public Curator or any clerk of magistrates courts to pass the qualifying examination as prescribed for clerks of courts pursuant to the Public Service Regulations before sitting for the solicitors' examinations (this is not a requirement for officers of the Supreme Court registries); and

(ii) deleting the requirement of one year of further service in any of the prescribed Public Service offices between the first and second sections of the final examination.

Accordingly, I commend the Bill to hon. members.

Mr. BENNETT (South Brisbane) (4.12 p.m.): Mr. Hooper,——

Mr. Ramsden: I hope you are going to support this measure. It will allow you to study law and become qualified.

Mr. BENNETT: I thought that the hon. member for Windsor had suitably disposed of the hon. member for Merthyr 10 minutes ago, but he is back again.

It is true that I support the Bill. It relieves some public servants of injustices that were created, perhaps unconsciously, by the 1961 Act. The Bill that was then brought down, which made provision for educating young lawyers, in the main through the agency of the university, made is possible for law clerks to attend a special study course at the university that would equip them better, I think it was conceded, for the practice of the law and give them a greater knowledge of the intricacies involved. At the same time, it was necessary also to safeguard the interests of those who had already committed themselves to the Solicitors' Board examinations, or, for that matter, the Barristers' Board examinations, and it has been found that, perhaps due to the timing stipulated in the Act, there are some students who would be prejudiced, or perhaps even prevented from entering the profession, because they would not be entitled to sit for the examinations at the appropriate time. It is only right that public servants should be given the appropriate opportunity to achieve the results that they expect.

It was pointed out at the time that one of the reasons for bringing down the 1961 amendment was to aim at a qualified magistracy. This Government is never anxious to insult the judiciary or the magistracy, but I think it was somewhat insulting to the magistracy when the then Minister for Justice said that the Government was aiming at a qualified magistracy. I have believed during my time as a practising barrister that all magistrates are qualified. Although some are qualified in a different manner from others, I believe that they are in fact all qualified as magistrates. I do not know that the Government is doing much to achieve the aims that were expressed at that time in relation to the younger generation who entertain ambitions to be qualified magistrates. It is obvious that the existing magistracy have completed their courses of study one way or the other and we are not going to change them. It is obvious that this Government is prepared to listen to the hon. member for Townsville South castigating and upbraiding magistrates from time to time and, every time he queries a decision by a magistrate, every time he tells the Minister that a magistrate's decision should be appealed against, invariably with great alacrity Cabinet follows his direction and says, "Yes, we will consider an appeal." That is in spite of the fact that the hon. member for Townsville South has no knowledge of the circumstances of the case and applies himself very irresponsibly to the problem. He is able to direct the Minister and Cabinet on matters relating to the magistracy and the judiciary. It surprises me that Cabinet is so afraid of the hon. member for Townsville South. I often wonder why he can direct them and tell them when they should or should not appeal. He can say that this Government should tell the magistracy and the judiciary that they have been wrong in the quantum of their sentences and in the decisions they have made.

It is surprising that such a man, unqualified as he is—he has no proper knowledge of the particular subject—nevertheless is able to dictate to the Government on matters of law. I can assure the Minister, through you, Mr. Hodges, that the judiciary and the magistracy are disquieted by the fact that this Government takes such great notice of a man who is so completely irresponsible. It disheartens them in the application of their work; it gives them a feeling of frustration in their dealings with judicial matters to know that they can be spoken about in this place, which has been referred to by the erstwhile Minister for Labour and Industry as "a coward's castle" and "the circus at the top of George Street," and that their decisions can be queried at the behest of a man like the hon. member for Townsville South. I think such a situation gives a completely wrong conception of the functions of Parliament and the duties of the magistracy.

If we want to encourage a qualified magistracy, the fundamental principle we must inculcate into these young students is the independence of the magistracy, that no Government has a right to interfere with their discretion in matters of penalty or the application of the law, and that no backbencher in Parliament without a knowledge of such affairs can dictate to the Government in relation to the decisions they may make.

Mr. Hughes: You would not suggest that Parliament should be subservient to them, without any right to appeal, would you?

Mr. BENNETT: Parliament seems quite reluctant to enter into the controversy about Mt. Isa. Hon. members opposite say it is a matter for the Industrial Court. Why do they try to enter the field in any other practice of the law and why do they take notice of the ratbag from Townsville South when he tells them what they should do.

The TEMPORARY CHAIRMAN (Mr. Hodges): Order! The hon. member for South Brisbane has used an unparliamentary term. I ask him to withdraw the expression "ratbag".

Mr. BENNETT: I withdraw it, but it is a term that has been used by the hon. member for Townsville South on many occasions and has never been queried. I do not know how he can dictate to so many responsible officials of Parliament.

Another factor in the training of these men for the magistracy in order to obtain a qualified magistracy relates to the use of tape recorders, about which we have heard so much over the last three to five years. Not

one has been installed in any court. We put a special Bill through Parliament to enable evidence in courts to be taken on tape recorders. That would relieve the depositions clerks who are, in fact, the training magistrates in the State, of the onerous duty of pounding a typewriter all day and allow the evidence to be taken down by tape recorder. But not one tape recorder has yet been installed in any court. One is used by the Licensing Commission, but that is not a court and it was being used by the Licensing Commission before the legislation to which I refer was introduced.

I said at that time that the Bill was indicative of the hypocrisy of the Government which introduced it—there is much cheap, unimportant legislation on the agenda at the moment—purely to fill in the session. It was done to avoid the discussion of matters of major importance to this State. Time was wasted on whether we should have tape recorders—a purely theoretical although interesting discussion—without any idea or intention of ever implementing the legislation. That was a long time ago, yet as far as I know no arrangements have yet been made for the installation of tape recorders in the courts. If we are going to improve the standard of the depositions clerks and give them greater opportunities to study, let us relieve them from the typewriter. Furthermore, I referred at that time to the shorthand writers we had at our disposal. In my opinion the shorthand writers, skilled at their work, take down evidence as well as any mechanical device. Seeing that we cannot afford to buy mechanical recorders—I presume that is the only reason they have not been introduced—why do we not use a qualified staff of shorthand writers?

When practising as a lawyer in his capacity as Attorney-General, the Minister seems to have the impression that we should tell legal practitioners what they should aim at—what their ambitions should be. There is provision that a legal practitioner, a barrister of five years standing, may be appointed to the Supreme Court judiciary. He may also be appointed as a judge of the District Court. But the Minister has stultified the ambitions of many lawyers to become District Court judges, because apparently he is of the opinion that once a man becomes a District Court judge it is absolutely impossible for him to be promoted to the Supreme Court Bench. He has dampened the ambitions of those who might have accepted appointments to the District Court Bench but for the knowledge that they can expect no preference after appointment in that field. He has shown scant gratitude to the three judges who reconstituted the District Court at a time when it was under a lot of fire and criticism, and subject to a lot of searching examination by lawyers and others after it had been out of existence for at least a quarter of a century. He showed scant gratitude to those who successfully re-established the District Court.

I make no observations on the qualities of those who have since been appointed to the Supreme Court. I do not doubt their qualifications; I think they have the capacity to carry out their duties. However, in the case of, say, Judge Andrews of the District Court, we have a man who worked hard to give the correct impression to the public that it was a court of some substance when it was reconstituted. I think the Minister has shown poor consideration for the practice of the law by continually overlooking the District Court judges, in particular Judge Andrews with his knowledge and qualifications, in making appointments to the Supreme Court.

Another undesirable practice has crept into the appointment of articled clerks since the 1961 legislation was introduced. We well remember with a certain amount of disappointment that chemists are reluctant to employ apprentice chemists because they are entitled to take time off during the week to attend lectures. Let me assure the Minister—I say this with some degree of diffidence—that unfortunately this attitude is creeping into the employment of articled clerks in the legal profession. Some solicitors are very good and take on as many articled clerks as they can—sometimes more than they can cope with—but others are refusing to take on articled clerks because they virtually have the right to attend lectures at the university, and take time off for this purpose, so that they can equip themselves to pass the examinations and become practitioners. I think the Minister should see that the practice does not develop, and that all solicitors whose practice can justly carry an articled clerk should be made to accept one.

I have been disappointed because, in spite of my protestations, the Government has resolutely refused to allow complete reciprocity of practice between barristers in this State and those in New South Wales. There are certain senior barristers practising at the Bar in Queensland——

The TEMPORARY CHAIRMAN (Mr. Hodges): Order! I ask the hon. member to come back to the provisions of the Bill before the Committee.

Mr. BENNETT: I understood it to be a Bill to amend the Legal Practitioners Act. I do not know the exact principles in the Bill as yet, although the Minister has indicated them. I submit that I am entitled to speak on the Legal Practitioners Act and suggest other provisions that should be included in the Bill, if they are not being introduced. Of course, I could move an amendment if necessary. I appreciate your ruling, Mr. Hodges, but the gag is applied so often in this Chamber that one very seldom gets an opportunity to advance new ideas.

The TEMPORARY CHAIRMAN (Mr. Hodges): Order! I inform the hon. member for South Brisbane that I am not applying the gag. I ask him to confine his remarks to the Bill before the Committee.

Mr. BENNETT: I am not suggesting, for one moment, Mr. Hodges, that you are applying the gag, or have applied it, but there are others who do—and the Government directs them to.

The TEMPORARY CHAIRMAN: Order!

Mr. BENNETT: I am not aware of the principles of the Bill. I have not seen it. From my previous experience of the Minister I know that he overlooks certain principles in Bills when introducing them and conveys a wrong impression of what they contain. At times he gets into a state of confusion when introducing a Bill. I can only conjecture at the principles in the Bill, and suggest what they should be. I think I am entitled to do that.

During the discussion on the introduction of the 1961 legislation my Leader said that he had some anxieties that a fence was being erected around the legal profession. At that time, quite frankly, I did not agree with the suggestion. I felt that that would not be possible and that it would not happen. But, since 1961, to some extent it has happened. At the time my leader was merely querying the possibility of its arising. I mention this very sincerely. If we are to tidy up the 1961 legislation let us do it properly now. There are some members of the profession—fortunately they are in the minority—who would have a fence erected around the profession and who do not care about training young students. They do not want to see any competition enter into the practice of law so that high fees may be maintained and those who are already qualified will be in great demand. If we do not make it possible for law students to attend lectures freely—without any reprisals, without the possibility of their articles being cancelled—we will have a fence erected around the profession as obviously there is a fence erected around the profession of practising chemists. I think that is a matter which the Minister should well consider. He should make it quite certain that any articled clerk whose legitimate absences during the course of his employment are queried can report to somebody in authority the person who is querying his absence.

Although I am wholeheartedly in accord with giving every facility to legal men in the Public Service to qualify, I am becoming increasingly anxious about the professional Crown Prosecutors who are being trained in the Public Service. I feel sure that my colleague the hon. member for Windsor entertains the same anxiety, and I note with interest his question about the Milgate trial, the answer to which I shall be very interested to hear. Instead of lawyers in the Public Service not being informed and trained to present a Crown case in an impartial fashion, without any great objective to obtain a conviction come hell or high water, as seems to have happened in the Milgate trial, they should be properly told that it is not the function of the Crown, or men in the Crown Law Office, to secure convictions; rather is it their function to see that all available evidence is properly put before the court.

There was a time in Queensland when prosecutions were carried out by independent members of the Bar. They were not subject to any direction from the Solicitor-General or from the Government. They were able to practise their professions as prosecutors honestly and with integrity, without being told that they must get a conviction at all costs. I consider that the Crown's attitude in the Milgate trial was that a conviction should be obtained at all costs, and that a grave injustice resulted.

One day last week a Crown Prosecutor, properly carrying out his duties, should have entered a nolle prosequi before the end of the first day of a hearing. In spite of a strong intimation from the judge the Crown Prosecutor insisted on proceeding with the trial. That resulted in its going into the second day. The trial had to be taken from the jury on the second day, but only after the accused was liable for the costs of the second day of the trial. If the Crown Prosecutor had not feared his superiors and this Government he would have readily concurred with the obvious feelings of the judge that there was not a case to go to the jury. He completely refused to take any action because he was a paid servant of the Crown permanently employed by the Crown—not an independent person—and was not game to enter a nolle prosequi. He had to do it subsequently, after the accused had been saddled with the costs of the second day. He was paying the costs of senior and junior counsel, as well as those of his solicitor. That is not justice.

I hope that the Minister, when introducing Bills of this nature, will ensure that men in the Public Service, particularly Crown Prosecutors, are clearly informed of their responsibilities and duties.

Mention was made also of the Barristers Board and the Solicitors Board and the fact that students will have to sit for examinations set by those two boards. I feel that the Minister is lacking in his duties in relation to that class of student. They get no help at all with instruction, training, or lectures. They are told that the examinations are set for a certain date, and that particular subjects are involved. Thereafter they are left to their own resources. They do not know exactly what field the course covers, and they receive no tutoring unless they pay for it privately. They get no instruction. They are placed at a considerable disadvantage, particularly in comparison with students who have the opportunity of studying at the university.

I think that the Minister should insist on the provision of some system of tuition. I am sure that private practitioners, at no cost to the Government, would lecture free of charge those students who are getting no

instruction at the moment because they are not able to attend the university, provided a properly organised scheme is arranged and provided they are properly organised into classes.

Not only should we not build a fence around the legal profession in Queensland; we should also not build a fence around Queenslanders generally to keep out competition from other States. It is high time that amending legislation was introduced to enable Queensland barristers to practise in New South Wales. The New South Wales authorities would be prepared to have them there if New South Wales barristers were allowed to practise here. Legislation should be brought down to enable the New South Wales Bar to practise in Queensland. I feel that those who advise the Minister in a manner contrary to the advice that I am giving him have a vested interest in practising their profession in Queensland, and perhaps they form a small group at the Bar who are afraid of competition from New South Wales.

Mr. Windsor: Do you think we should hand over the drafting of our legislation to you?

Mr. BENNETT: I think that would be an excellent idea. There would be a lot less Queensland legislation upset in the Full Court of Queensland and the High Court of Australia if I drafted it and implemented in it principles that I espouse. In saying that, I am not being derogatory of the Parliamentary Draftsman or officers of the Solicitor-General's office. Quite frankly, I fail to understand how the Solicitor-General and the Parliamentary Draftsman can operate from time to time with the confused instructions that they get from various Ministers. So often have Ministers and portfolios been changed that the draftsmen must find it hard to get any constant direction from the Government, particularly in relation to the Orders in Council drafted recently. I do not know whether a certain amendment will be found to be valid in court, either.

Although I agree that the measure is desirable to give equal opportunities to all concerned, if it is found that too much time has to be taken off to attend lectures in the university course, some facilities should be made available at night.

(Time expired.)

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (4.37 p.m.), in reply: Never have we listened to a more confused contribution to a debate than that made this afternoon by the hon. member for South Brisbane. He spoke about confusion. I have yet to hear from him a speech in any debate that is not the acme of confusion. The more I listen to him the happier I am that I introduced this Bill, because I think it would be an advantage to him if he joined the Solicitor-General's office and repeated his law course, as he might then learn a little along the way. He certainly has not learnt any law up to date if what he says here is to be taken as an indication of his ability.

I think his reference to changes in the Ministry was particularly ill-advised, because two of the last three have been caused by the deaths of the incumbents. In his enthusiasm I think he lost sight of that fact because, bad and all as he is, I do not think he would have done that deliberately.

Mr. Bennett: I was talking about the police portfolio, which has been changed three times in the last four years.

Dr. DELAMOTHE: In the earlier part of his speech the hon. member made, in a very confused way, an attack on the hon. member for Townsville South. This would have been better made if that hon. member had been here to defend himself.

The hon. member also made some reference to tape recorders. Let me assure him that preparing for their use has been a long, trying time. First of all, there was the difficulty of getting the most modern form of instrument. The training of the operators is now going on, and the installation of tape recorders is in sight. I share the hon. member's impatience in that regard. That is one matter on which we agree, at least.

The Legal Practitioners Act has nothing to do with District Court judges, so I do not propose to deal with the promotion of District Court judges.

The hon. member offered criticism of solicitors who, for selfish reasons, do not employ as many articled clerks as they could. That is a matter that he might well take up with Queensland Law Society, which might be able to clear his mind on that point.

In regard to his attack on Crown prosecutors, the tenor of his remarks seemed to indicate that he must have had some unsuccessful encounters with them recently. There was a certain sourness about them.

Mr. Coburn: He made a very serious accusation.

Mr. Bennett: It was true. I could name the case.

Dr. DELAMOTHE: The hon. member's accusation that Crown prosecutors are venal and do things that are against the ethics or morality of the profession was an unworthy attack on a body of people who are not here to defend themselves. If he has these sentiments towards Crown prosecutors, I think he has ample opportunity to bring them forward in court.

Mr. Bennett: You cannot bring them forward in court. It is the Government who is directing them.

Dr. DELAMOTHE: To say that the Government directs Crown prosecutors to do something that is illegal, unethical or immoral is completely incorrect.

Motion (Dr. Delamothe) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Dr. Delamothe, read a first time.

OPTOMETRISTS ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Hodges, Gympie, in the chair)

Hon. S. D. TOOTH (Ashgrove—Minister for Health) (4.45 p.m.): I move—

"That a Bill be introduced to amend the Optometrists Acts, 1917 to 1959, in certain particulars.'

The proposed amendments deal with four principal matters, namely—

(1) the revision of the penalties prescribed in the Acts;

(2) the raising of the entrance standard of trainees in optometry to the Senior University standard;

(3) the enabling of the Board of Optometrical Registration to prescribe a diploma course at the Institute of Technology for optometrical trainees in lieu of the existing apprenticeship system;

(4) the bringing of the provisions relating to offences or unprofessional conduct by optometrists more in line with the corresponding provisions of the Medical, Pharmacy and Dental Acts.

The penalties at present prescribed in the Acts in some instances have remained unchanged since 1917, while others have been unaltered since 1939, or of more recent origin.

When it was known that an amendment of the Optometrists Acts was contemplated, the Board of Optometrical Registration drew attention to the inadequacy of the majority of the penalties prescribed in the existing Acts and requested that these penalties be reviewed and brought into line with present-day values. A large proportion of the amendments contained in the proposed measure deal with these revised penalties and do not require further detailed explanation.

One of the features in these amendments is a provision to enable the Board of Optometrical Registration to raise the entry qualification to enter optometrical training to that of the Senior standard. This amendment has been sought by the board and by the profession generally over a long period of years.

One of the main advantages of raising the standard is that it will remove the present bar to achieving reciprocity with the other States in the matter of registration as an optometrist. All the other States of Australia prescribe the Senior examination as the standard of entry into the optometrical profession and when the Bill becomes law there will be nothing to prevent the Queensland board from approaching the other States to obtain reciprocity.

Another reason for the raising of the standard is to provide an acceptable basis of entry to the profession because under present conditions the first year of apprenticeship is generally absorbed in bringing students up to the Senior standard in mathematics and physics—two essential subjects in the profession. The amendment will remove this disability.

The desired purpose is achieved by deleting the proviso to clause 11 of Schedule II of the principal Act. This schedule lays down the subject matter for the making of by-laws and clause 11 empowers the board to make by-laws prescribing and regulating the method, subjects and scope of examinations. The proviso in the existing clause debars the board from prescribing a standard higher than the Junior standard and the repeal of such proviso removes that restriction.

This deletion also has the effect of vesting in the board power to prescribe a diploma course in optometry instead of the apprenticeship system. This is contingent, of course, on the inclusion of a diploma course in optometry in the courses to be provided at the new Institute of Technology.

Mr. Bromley: Will this mean that there will be reciprocity between States?

Mr. TOOTH: The effect of these amendments will be to enable the board effectively to approach other States for reciprocity. The other States have not been prepared to grant reciprocity up to the present because of the inferior entrance examination in Queensland.

The proposed diploma course stems from the difficulty being experienced in the profession of obtaining adequate numbers of optometrical trainees. I am informed that there is a general reluctance on the part of optometrists to employ and train apprentices, and it seems that almost the only persons who are able to obtain an apprenticeship in this profession are the relatives or close friends of members of the profession.

The adoption of a course of training to qualify as an optometrist is considered to be a logical alternative to the apprenticeship system, which, under present conditions, leaves much to be desired.

The matter of the proposed new course is under discussion with the education authorities, and it has already been indicated that such a course, if instituted, would probably require Senior passes in English, Maths. I, Physics, Chemistry, and one other subject.

If this purpose is achieved it should attract more students into the optometrical profession—and students with higher qualifications than those at present.

The fourth feature in the Bill relates to offences or misconduct by optometrists. The only disciplinary power possessed by the

board under the present legislation is contained in Section 19 of the Act, which empowers the board to suspend an optometrist or licensed spectacle seller from practising his profession if it considers it necessary. The board may also remove the offender's name from the register for disobeying the Act or for some act of misconduct.

These powers are not sufficiently flexible to enable the board to meet varying types of offences or degrees of misconduct. It is proposed to substitute for the present powers a new clause which basically is similar to the corresponding section of the other professional Acts. The board's power to deregister an optometrist for misconduct of an extreme nature will be retained, and it is being provided further that conviction of an indictable offence may also be a ground for deregistration.

The new provisions provide for varying degrees of penalty to meet varying degrees of misconduct.

Provisions have been included setting out the procedure to be followed by the board in the exercise of its powers to take disciplinary action and to protect the rights of an optometrist charged under the section to be heard in his own defence.

It is proposed also that the board shall have power to determine that any inquiry held in pursuance of the proposed provisions shall be open to the public, and it is also proposed to allow the complainant or the optometrist the right to request an open hearing. It is proposed, however, that such request shall be subject to the board's determination.

In the event of the board's determining against the complainant or the optometrist, the latter has the right of appeal.

The right of appeal is contained in the existing Act (section 27), which provides that any person who thinks himself aggrieved by any decision, ruling, order or direction of the board or registrar, may appeal by summons to a judge of the Supreme Court.

There is a minor amendment of the section providing for definitions in which it is proposed to bring the definition of "Minister" in line with the present title of the Minister for Health.

Two consequential amendments flow from the proposed new section 19A, and these provide for the repeal of part of section 20 and the whole of section 25 of the principal Act. I commend the Bill to the Committee.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (4.51 p.m.): I shall reserve comment on this measure until the second-reading stage because, through no fault of the Minister—I was engaged in necessary consultation firstly with the Premier and secondly with a colleague—I missed most of his submissions. I did gather that there are four principles contained in the Bill, namely, a revision of the penalties, the raising of entrance standards, a prescribed diploma course to be determined by the registrar, and a provision dealing with unprofessional conduct. I should like to look at the Minister's submissions as they will appear in the proof tomorrow to see the points covered. The second-reading stage will then afford an appropriate opportunity for me to deal with any matters I wish to raise.

Mr. HOOPER (Greenslopes) (4.56 p.m.): I listened very carefully to the Minister's introductory speech and I am very pleased indeed with the principles that we can expect to see in the Bill. I should like to remind hon. members that, in my Address-in-Reply speech in September, I made suggestions about many of the matters that the Minister has indicated will appear in the Bill, and I am very grateful that they have been taken into account. It is most heartening to know that the educational standard is to be raised to the Senior level. The people in the field of optometry have been seeking this for a long time. I suggested in my earlier speech that some university course might be adopted and I am pleased to note that the board will have power, if it desires, to institute a diploma course. This is very desirable and it will be taken advantage of if the board decides it is appropriate.

In the Minister's introductory remarks he referred to the failure of optometrists to employ new apprentices. I do not agree with the Minister's suggestion that this is so. To my knowledge the real reason for the lack of employment of additional apprentices is the absence of reciprocity between the States. This has been a bar to training more young people in this very important profession. The raising of the education standard is one of the factors that will enable Queensland to approach the other States for reciprocity in the profession. With the offer of the opportunity to institute a diploma course, there is the hope that, in future, when young people become qualified, they will be able to practise in other States.

I should like the Minister to examine from Queensland's point of view the reciprocity rights of other States in Queensland. I know of one case of a practising optician from Victoria who came to Queensland. During the war he served with the Army here as an optometrist, and after the war he was still in the Army as an optometrist, but he has been unable to get registration in Queensland although he is registered in Victoria. I ask the Minister to examine the matter closely. If we are to have reciprocity, let us have complete reciprocity. I think the hon. member for Norman knows something about this.

I am pleased to note the disciplinary action that the board will be able to take under the new provisions, and I am very pleased that optometrists will have a right of appeal to a judge of the Supreme Court. That is very important.

The Education Department comes into this matter. I appealed to both the Minister for Health and the Minister for Education to get together, with the object of implementing a higher education standard.

I am sure that this will be accepted not only by the optometry profession but also by young people who still have their eyes set on it. I know from my personal experience that this profession does a remarkable job in our community and I am happy to see a Bill such as this introduced.

Mr. HANSON (Port Curtis) (5.1 p.m.): Like the Leader of the Opposition, I await the Bill with interest. I know that he will carry out research and give a good deal of thought to the matter before speaking on it again.

In his introduction the Minister mentioned certain principles. One dealt with raising the standard from the Junior to the Senior level, with particular emphasis on mathematics and physics. That is desirable. It was envisaged in the legislation introduced by Dr. Noble in 1961. In this modern age when great emphasis is placed on education, particularly in the specialist fields and the professions, it is highly desirable for the physical well-being of the community that people be better equipped and better trained. Owing to the alarmingly high percentage of blindness from glaucoma, it is necessary that our optometrists be highly trained in this field. I cast no reflection on many of the very fine men in the State today practising optometry. Some of them, particularly those with whom I have come into contact and those who have gone from the metropolis and set up practice in country areas, are highly ethical and do a great service to the community.

An article on glaucoma published in the Australian Journal of Optometry states—

> "We have on many occasions most emphatically expressed the view that every optometrist must be equipped with the theoretical and practical knowledge necessary to make every investigation within the ambit of his legal practice.
>
> "Assuming then that every optometrist is so equipped, the question arises, when should he apply that equipment? The answer would obviously be, whenever the slightest suspicion is aroused by the patient's history, by the objective examination or by the subjective examination.
>
> "Such an answer does not seem adequate in view of the present day incidence concerning glaucoma; for in view of the insidious nature of the onset of glaucoma simplex and the fact that it may be symptomless, and further that the symptoms, when present, are often common to other benign conditions, it is obvious that some other approach is necessary."

In other words, the writer is saying that the optometrist should be highly trained, particularly in the prevention of this particular disease. The article continues—

> "We make one suggestion. After a given age statistically determined or otherwise, every patient should be given, as a matter of routine, a thorough perimetric and scotometric investigation, at regular intervals. We assume that the optometrist has developed the utmost skill in applying and interpreting digital tonometry in his every day routine, but can we assume that he has acquired the utmost skill in perimetry and scotometry?
>
> "If these investigations were routine in an age group he would certainly quickly possess that efficiency.
>
> "We therefore suggest that perimetry and scotometry become part of every complete optometric examination in a selected age group as well as in every case where symptoms may suggest it."

Scotometry is an obscuration of part of the visual field due to a lesion of the retina or of the ophthalmic centres in the brain. Perimetry is measurement of the field of vision and determining the visual powers of different parts of the retina.

I quite agree with that article, and also with the submissions of the Minister. The legislation gives preference to the diploma course over the former apprenticeship course, and this is particularly advantageous for people in country areas who have not ready access to ophthalmic surgeons or eye specialists. I give this part of the legislation my support.

Last year I asked a question in the House concerning contact lenses. I had read in a magazine that the Massachusetts Ophthalmic Institute had conducted an investigation into many cases of blindness caused by incorrect placing of contact lenses in the eyes of patients by optometrists and opticians. The Minister was able to tell me in his reply that there were no known similar cases in this State of blindness or near-blindness caused by the insertion of contact lenses. Nevertheless, the possibility is worth investigating and guarding against. I hope that those responsible will be constantly watching for this type of condition that can be caused by insufficient skill on the part of practising optometrists, eye specialists, or opticians. As was stated in the Minister's answer, any scarring of the cornea could cause considerable embarrassment and could possibly lead to blindness or near-blindness. In my short lifetime I suffered once from an ulcer on the cornea of the eye, and I can assure hon. members that I had three weeks of agony. I greatly appreciated being able to get the correct advice and the right treatment for it.

As to penalties—by-law 59 (e) of the Board of Optometrical Registration reads—

> "Any offer of free service, and without limiting the generality thereof, including free sight testing, bonuses, premiums, discounts, or any other inducement."

The board should be told, as I think its members know already, that that by-law is not worth the paper it is written on. I do not know how many prosecutions have been launched by the board, and I do not want to pimp on any optometrist or optician. Nevertheless, certain rules are laid down by the board, just as they are by other boards controlling other professional men, such as doctors and dentists. There have been numerous cases in which inducements and large discounts have been offered, to the detriment of trained optometrists who have set up practices in country centres and are rendering good service in their communities. They have to meet competition of this sort.

If a board has the blessing of Parliament in making these by-laws, they should be strictly adhered to, and no encroachment should be made upon the preserve of those who have gone to country towns and are providing a very good service for the people.

While I am on that point, let me say that several people have approached me and, through the good graces of the Department of Health, I have obtained railway passes to enable them to go to certain centres to consult eye specialists. Spectacles have been prescribed for them and they have expressed a desire to go back to their home town of Gladstone and see the optometrist who resides there. I understand that in some cases officials at hospitals have actually stamped their feet and demanded that the patient go and see someone down the road. I do not know whether the person down the road has any contract with the hospital board in question, but I want to say quite frankly that if such a state of affairs arises again and I discover that there is no contract between the board and the private optometrist concerned, I shall raise the matter in this Chamber. I believe, as does every member of the Australian Labour Party, in a policy of "live and let live". If it is good for one person, it is good for another. I do not believe there should be any favouritism. A patient should have the right to choose whichever optometrist he desires, in the same way as he has complete freedom to go into a shop and choose whichever brand of cigarettes he desires to smoke. In my opinion, a hospital board should not have the right to direct its patients to consult a particular optometrist. I am not saying that any funny business is going on, but if such a practice is followed in future I shall bring it up in this Chamber and I shall mention names. The person who is very much to the fore in this state of affairs will know what I am talking about, and I hope he has the good sense to behave himself and to allow ordinary, decent people a freedom of choice of optometrists.

I agree with the desire of the Queensland Division of the Australian Optometrical Association to obtain for patients of its members benefits similar to those obtained by patients of members of the A.M.A. under medical benefits schemes. I believe that the Medical Benefits Fund of Australia provides £1 13s. for a test by an eye specialist and £2 for the provision of spectacles, but these payments are not available to a person who consults an optometrist who has passed his examinations.

The Minister intends now to raise the standard, but he cannot get away from the fact that there are many fine optometrists in practice who have detected physical conditions in the eyes of people who have consulted them and who have then sent them to eye specialists. To give one instance —some years ago an optometrist in Bundaberg recommended that a man take his child to the Children's Hospital in Brisbane to have an abnormal eye defect investigated. The man followed the recommendation and the child received therapy. Eventually a prescription was given for glasses and the man was told to take it to Optical Prescriptions Spectacle Makers Pty. Ltd. I do not know whether the Brisbane General Hospital has a contract with Optical Prescriptions. It could be a good firm for all that I know, and many people make use of the service that it provides. However, I would not go to it; I would go to the optometrist who practises in my own home town and who is a very fine man. As I said, the optometrist in Bundaberg told the man that his child had an abnormal eye condition and that he should take him to the Brisbane General Hospital. In my opinion, it was quite wrong to tell the man to take the prescription for spectacles for the child to Optical Prescriptions. If the child really needed spectacles, why not take the prescription back to the optometrist in Bundaberg who had the decency, honesty and integrity to tell the man to take his child to the Brisbane General Hospital?

Mr. Donald: Do Optical Prescriptions test eyes?

Mr. HANSON: No. They provide spectacles on prescription. As a matter of fact, there is a certain amount of argumentation in the optical world about Optical Prescriptions; personally I have never done business with them.

The point I make is that this man in Bundaberg recommended that the child be taken to the Brisbane Hospital and the hospital had no right to recommend that the man go to Optical Prescriptions. He wanted to take his business to the man residing in his own town and he should have had freedom of choice and been allowed to do so.

I think a terrible state of affairs exists with the medical benefits funds—not that this comes within the ambit of the Minister; it is a Federal matter. Nevertheless, patients of optometrists should be given similar benefits to those of the medical profession. Any medical practitioner can set himself up as an eye specialists overnight, particularly in a country town, and his patients then enjoy benefits not enjoyed by an optometrist's

patients. However, I shall be speaking to the second reading of the Bill and I shall reserve any further comments until then.

Mr. BROMLEY (Norman) (5.16 p.m.): I do not intend to speak very long on this Bill. Unfortunately, I missed some of the Minister's introductory remarks as I was called to the telephone; I missed his outline of the four main provisions but, from what I did hear, I think we should charge our "reading" glasses and commend the Minister for introducing the Bill because I feel that it will do a lot of good in this field.

The Minister did not say whether there was much illegal practising in this profession. I have not heard of much of it. The Minister did not indicate, either, whether the provisions relating to penalties associated with the profession will be altered very much. Perhaps he will indicate now or in his reply what the increased penalties will be.

I believe, as the hon. member for Port Curtis does, that there should be an eye-testing centre at all hospitals whether they are on the north side or the south side of the river. I mention that in passing because it is very important, particularly for children. I agree that it should be part of any health scheme, but that is not the particular concern of the Bill.

The raising of the educational standard for any trade or profession is very important and something we should all commend. I wonder whether the Minister can tell us whether the raising of the standard in this case from Junior to Senior in conjunction with the diploma course will create a somewhat closed preserve in this very important profession. I believe there are some very clever men in this field in Queensland. I say that from my association with "Narbethong", the School for the Blind. In that capacity, I have quite a lot to do with children who have to go to optometrists for eye-testing and I have come into contact with, and have been told about, some very brilliant men in this field in Queensland.

The Minister spoke about deletions from section 11. Unfortunately, I am not very familiar with that section but I believe it relates to penalties of some type. Is that correct?

Mr. Tooth: No, it is the deletion of certain standards of entrance examination, permitting the board to set a higher standard than Junior.

Mr. BROMLEY: I do not know whether the Bill will adversely affect any optometrist presently practising. I hope it does not because, after all, these men are well established; they have a very good name; and they have been doing a good job not only in the city of Brisbane but also in country areas.

I am very happy to know that the Bill contains the principle of reciprocity. We in Queensland have been slipping behind the other States somewhat in matters affecting these various professions. I hope that the Bill will lead to a set standard throughout Australia. Reciprocity will enable people coming from the South to undergo the necessary diploma-course training and then become available to practise in the various isolated areas in Queensland where we are so short of men in this profession.

I reserve further comment until I have seen the Bill. I believe it to be a step in the right direction.

Hon. S. D. TOOTH (Ashgrove—Minister for Health) (5.21 p.m.), in reply: I thank hon. members for their comments, particularly the commendation that has been offered.

In reply to the hon. member for Norman, I point out that the penalties will be increased to bring them to modern levels of value. As I said in my earlier remarks, many of these penalties were assessed and included in legislation as far back as 1917.

Mr. Hanson: You are not talking about the penalties provided in the schedule to the by-laws of the Board of Optical Registration?

Mr. TOOTH: I am referring to the monetary penalties provided in various sections of the Act for various breaches of the rules laid down by the board, and for breaches of professional conduct.

The hon. member raised an extremely important point about not penalising optometrists presently in practice. It must be emphasised that the Bill will not of itself achieve reciprocity. It will put the registration board in a position to negotiate with registration boards in other States to arrange reciprocity. Obviously it must work both ways.

As to the instance given by the hon. member for Greenslopes, it is unlikely that reciprocity will be granted by Queensland unless similar reciprocity is granted to our people by other States, so that the flow is both ways. That is one of the prerequisites to any reciprocity arrangement. I should be very surprised if the board were to penalise present Queensland optometrists because of their entrance examinations having been lower than those now being prescribed. Whether the Queensland board will be able to obtain reciprocity for them in other States is a matter I hesitate to make any prophecy about. It will be a matter of negotiation when the board has the necessary powers.

The hon. member for Greenslopes referred to the shortage of apprentices and the possibility that it arises not so much from the unwillingness of optometrists to indenture them as from the fact that not many in Queensland are willing to enter the profession until such time as reciprocity with the other States is assured. There may be some weight in that suggestion. If so, no doubt the registration board will do something about it in due course. The willingness of the Department of Education to co-operate to

establish a diploma course at the new Institute of Technology has been assured. I am confident that, when this comes in, together with many other diploma courses, it will mean a greater recognition of Queensland professional men throughout Australia.

The hon. member for Port Curtis commended the Bill, particularly the changes in the educational standard. I must confess I was somewhat overawed by the technical knowledge he displayed in this matter. I could not possibly hope to compete with it. His references to glaucoma and his remarks about contact lenses and the possibility of their causing blindness will be noted. These matters will be passed on to the appropriate technical officers in due course, and, if they have any comments I will pass them on to the hon. member.

The hon. member's comment concerning regulation 59, which I understand he feels is honoured more in the breach, will be looked at, and the matter of favouritism in hospital recommendations of optometrists is perhaps an important point. If he has any specific cases that he thinks should be looked into, I will be grateful to have information concerning them, and then they will certainly be investigated.

Motion (Mr. Tooth) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Tooth, read a first time.

MINING ON PRIVATE LAND ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Hodges, Gympie, in the chair)

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Main Roads) (5.28 p.m.): I move—

"That a Bill be introduced to amend the Mining on Private Land Acts, 1909 to 1956, in certain particulars."

Following the recent amendments to the Land Act and the closer settlement of this State, it has been found necessary to review the Act relating to mining on private lands. The preliminary requirement to the granting of a title to mine on private land is the possession of a permit to enter. This entitles a prospector to go onto land and peg out a lease or claim. Without this permit to enter a man can be classed as a trespasser and no title to mine can be obtained. The permit to enter also prevents any other prospector from entering onto the particular block of land. This applies to any land that is private land held under a freehold tenure. Even the freeholder himself does not own the minerals in the land. The Crown retains the right to minerals, and the only way a person can exercise any right or claim over the minerals is to acquire a mining title. A very important part of this Bill provides for an authority to prospect on private land. This enables larger areas to be prospected under special conditions which usually involve substantial and continuous expenditure. The area covered by a single permit will be limited to 640 acres.

Mr. Bromley: Is there any time limit on the permit?

Mr. CAMM: There will be a time limit on the permit.

Provision already exists under the Mining Act for an authority to prospect on Crown land, and also over Crown and private lands under both the Petroleum Act and the Coal Mining Act.

An authority to prospect is an early prospecting title to test the ground and later a production title, such as a lease, can be granted to enable the actual mining to commence.

No mining lease can be granted on private land within 50 yards of an existing improvement, such as sheds, or even fruit trees, without the prior consent of the owner. This is contained in the principal Act and is still in existence.

Clause 2 repeals the existing section 7 of the principal Act and inserts a new section 7. As it is now worded, an area of private land can be exempted from the grant or registration of a mining tenement or a permit to enter under this Act but does not prohibit searching for coal or petroleum (which are dealt with under other Acts), as I mentioned earlier, or does not debar the applicant for a permit to enter who is the holder of an authority to prospect under this Act.

Clause 3 repeals the existing Section 12 and inserts a new Section 12. It now provides for an application for permit to enter to be made to cover only contiguous parcels of land owned by the same person or persons. There is the same provision for occupiers in the case of private land which has not yet been alienated by the Crown in fee simple. A permit must be obtained for each separate parcel of land.

Subsection 6A allows the holder of a permit to enter to bring his employees onto the private land concerned to search for minerals, and subsection 7A protects the land-owner by way of compensation. Every permit to enter will require the lodgment of a token deposit of £5 which will be an acknowledgement of the liability for compensation to the occupier.

Subsection 8 precludes an application for a permit to enter over land on which such a permit exists. However, this restriction does not apply where the land is covered by an authority to prospect. Under that Act the holder of such an authority has the right to apply for a further permit within seven days before the current permit expires.

The proviso to subsection 9 allows the holder of an authority to prospect to obtain continuous permits to enter over the same

private land during the currency of the authority to prospect. A permit to enter lasts for 30 days, whereas an authority to prospect lasts for any period fixed by the Minister.

Clause 4 inserts a new section 12A which provides for a grant of an authority to prospect over private land for gold or minerals other than coal, fire clay, or mineral oil. It gives the Minister power to fix the terms and conditions of the authority to prospect and also to set certain requirements as to the mining tile to be applied for in the event of the discovery of gold or minerals. The section also sets out the obligations of the holder of the authority to prospect including that of obtaining a permit to enter before he attempts to enter upon any private land within the authority. This authority to prospect has never before been granted on private land.

Clause 5 provides an amendment to Section 13 to allow the applicant for a mining tenement to apply for a right of way to a practicable point (not necessarily the nearest) of any road, river, waterway, or railway. There may be physical difficulties that make it difficult for the holder of a lease to go to the nearest point, which could be across a river, gully, or hill. This amendment specifies the nearest practicable point.

Clause 6 amends Section 17 to provide for fresh arrangements for compensation in respect of any renewal of the mining tenement.

Clause 7 amends Section 18. It spells out certain requirements for an agreement on compensation. That will depend on changing circumstances.

Clause 8 amends Section 21A by inserting a new definition of the term "private land". The main reason for this amendment is the amount of freeholding of land now proceeding in Queensland.

Mr. Bromley: Does this affect freehold land in the metropolitan area?

Mr. CAMM: It affects freehold land wherever it is, but no permit will be allowed within 50 yards of any improvement.

The definition in the principal Act is obscure and could be interpreted to mean that any land within the State that could possibly be freeholded at some future date could be regarded as private land. Taken to its extreme, this could mean that almost the whole State was private land, which would present insurmountable difficulties with regard to entry upon land and prospecting. The definition has now been amended to cover only land that has been freeholded or is being purchased as freehold from the Crown, or in respect of which an absolute right to freehold accrues upon the performance of a necessary developmental or improvement condition. In other words, it covers any land which is in the process of being freeholded or on which the present lessee has undertaken to construct certain improvements that will enable him to apply for freehold title. Reserves are not included. This action has been made necessary by changes in the Land Act.

Clause 9 extends the provisions of this Act to applications for permits to enter made before the commencement of the Act but which have not been granted or refused at the date of commencement.

I consider that the provisions set out are desirable and bring improvement to the Act as it now stands. I commend the Bill to the Committee.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (5.39 p.m.): Unless one was versed in mining matters, one would need to be a Philadelphia lawyer to understand the full implications of the measure. My head is still reeling from the amendments to be affected by clause 8, clause 9, and so on. It is quite impossible to appreciate the full import of this measure.

I think it would have been more helpful at this stage if the Minister had indicated, quite apart from the recent amendments of the Land Act, the general wishes of the people engaged in prospecting and to what extent their objectives have been nullified by legislation preventing them from carrying out their activities. What is the Government aiming at? What is the State aiming at? Has the Government available to it information that on private land there are rich mineral deposits that people, other than the owners of the land, are prevented from prospecting? Is the information available to the Government sufficient to necessitate these amendments? Are they largely technical amendments resulting from the amendment of the Land Act? The Minister said that the Coal Mining Act, the Petroleum Act, and other Acts that impinge upon this subject already make provision in regard to their application to private land and that the right to mine for minerals is excluded. What is the reason for this change? It is a fundamental principle, and the amendment of the Land Act is not responsible for the change. Somebody must intend to carry out general prospecting. Areas of 640 acres are quite substantial if the provisions of the Bill are to affect people living in closely settled areas. The Minister merely stated that prospecting will be prohibited within 50 yards of fixed improvements, and a fruit tree could be described as a fixed improvement. I think it would require very cogent evidence to justify coming to within 50 yards in prospecting. As the hon. member for Norman pointed out, it could cover prospecting in metropolitan allotments.

I think it would be helpful if the Minister cut out some of the technicalities at this stage. Probably hon. members will have a better idea of what the proposed provisions mean when the Bill is discussed at the Committee stage. I do not want to catch the Minister in a pincers movement. Sometimes we claim that there is a paucity of information at the introductory stage and that we do not know what is involved, apart from the fact that it is a confirmation of certain

principles; at other times, when a Minister gives us an outline of the provisions of a Bill in great detail, we claim that he is being too technical.

I should like to offer my congratulations to the Minister on his appointment. It is not usual for ministerial appointments to evoke congratulations, but I hope that I may be permitted to offer mine at this stage. I hope that the Minister's stay in office will be a happy one, but I hope that it will not be any longer than is absolutely necessary from the Opposition's point of view. In future, I hope that in introducing Bills he will give a short explanation, simply stated, as to what is intended. I am not saying this in an egotistical way, but I should like to think that he will convey to us the objectives of the Government and the administration instead of giving a formal recital of what the proposed amendments will do technically.

The proposed Bill is an important one because Queensland is now in the throes of great mineral development, as is Western Australia. A great deal of our national wealth is won through our minerals, and if alterations are to be made of this type, I think everybody should be conversant with their purposes and with the lasting beneficial results that it is hoped will be achieved.

I hope the Minister does not think that I have been unreasonable in my remarks. I started to make a number of notes about authorities to prospect, and so on, but trying to follow all the Minister's perambulations into what one can and cannot do in regard to the mining of private lands became quite bewildering. It seems a matter for regret that the Parliamentary Draftsman cannot bring these matters under one measure. Earlier the Minister indicated that the proposed alterations impinge on a number of other Acts, and it is regrettable that they cannot be linked in one mining Bill and then linked again with the Land Act and certain other Acts. I do not put that forward as a very strong point, because the Parliamentary Draftsman no doubt could point out the technical difficulties and disadvantages of doing something along those lines.

I am afraid that on this occasion I need a greater opportunity than usual to peruse the proposals put forward by the Minister. He is writing into legislation new principles in one or two instances, particularly in the right to prospect for minerals on private land, and I think the Committee is entitled to know the reason for this change. If the Minister can clear up these things the passage of the Bill will be made much easier.

Mr. DONALD (Ipswich East) (5.46 p.m.): Although it may not be an appropriate time, I feel I would be remiss in my duty if I did not take this opportunity to express the sincere regret of all people connected with the mining industry in Queensland, particularly the coal-mining industry, at the passing of the late Mr. Evans. He served the coal-mining industry particularly well, as he did the State as a whole, and it was a sad blow to all connected with the industry that he was taken from our midst. Whilst I admit that perhaps I should have spoken on the occasion when the condolence motion following his death was before the House, I could not let pass the opportunity to do so now.

I am at a loss to know the reason for the introduction of this amendment to the Mining on Private Lands Acts. The Minister said certain sections were being amended in a certain way but he did not give us one reason to justify the amendments. I am quite prepared to accept them as genuine but it appears to me that protection is given to those who prospect on private land, particularly the first in the field. If the freeholder of the land is put to some inconvenience or if he has to dispense with some of his rights, then I think it is a retrograde step. Members of the Government feel that freehold land is something that is sacred and cannot be interfered with in any way. Whilst I do not subscribe totally to that view I think it is surprising that a Minister should be prepared, if my interpretation is correct, to take a privilege from the owner of freehold land and give it to someone else who is prospecting for minerals.

The Bill has nothing to do with coal mining, but the principles are the same. It gives the prospector, whether it be an individual or a company, a permit to enter upon freehold land. That permit lasts for 30 days. If he cannot make up his mind in 30 days to start prospecting then he loses his permit. I think that is sufficient time in which to say whether or not he intends to commence operations, and if he does not do so in that time he defeats his purpose. But the authority to prospect is not limited so far as the prospector is concerned. It is in the hands of the Minister, and so long as he is prepared to allow a person to prospect on freehold land he can go onto it at any time. I do not know whether I have interpreted that rightly or wrongly, but it appears to me that the authority to prospect is limited only by an area of 640 acres.

It appears too, if I heard the Minister correctly, that an authority to prospect can be granted without the consent of the owner. The prospector gets a permit to enter from the Department of Mines or some other department, and he then gets an authority to prospect. Irrespective of any objection on the part of the owner, it can be granted.

On the matter of compensation, I think that the owner of land should be given adequate compensation or at least protection in some way. He should be given the same protection as we give in the ordinary course when the Government takes freehold land from people. There should be some firm right in the owner of freehold land on

which a prospector intends to prospect to compensation for damage done to the land or inconvenience that he may be caused. That protection should be given not only to the man who holds freehold land but also to anyone who is in the course of purchasing freehold land.

It is a pity, as my Leader pointed out, that the Minister did not give reasons for the introduction of this legislation. Of course, he is merely introducing it at this stage. However, had we been given more information we would have had more food for thought and have been in a better position to express ourselves more fully on the Bill. As we have been denied an opportunity to hear the reasons for its introduction our comments must be very limited. I join with my Leader in offering congratulations to the Minister on his elevation to Cabinet rank.

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Main Roads) (5.51 p.m.), in reply: First of all, I extend my thanks to the Leader of the Opposition for his congratulations and good wishes for a long parliamentary life. I reciprocate his wishes and hope that for many years I will be able to look across at the other side of the Chamber and see the hon. gentleman as Leader of the Opposition.

The proposed amendments have been framed with a view to extending the search for gold and minerals on private land. The provisions of the Petroleum Act and the Coal Mining Act enable prospectors to go on to private land at the present time. The Bill tightens the requirements of the Mining on Private Lands Act as to entry upon and occupation of such land for mining purposes. It may be very difficult to understand this submission unless one is well versed in mining law.

I should like to stress to the hon. member for Ipswich East that no owner of freehold land owns the minerals under the ground. The Petroleum Act and the Coal Mining Act permit prospecting on private land for oil and coal. This Bill will extend the same rights to prospectors for gold and other minerals.

Any points not elaborated on fully at this stage can be dealt with more extensively at the second-reading stage. Some of the points raised are already covered by the provisions of the principal Act. The general purpose of the Bill is to stimulate prospecting, at the same time protecting the rights of the freeholder. No previous agreements are held to be cancelled. However, on renewal of a lease a fresh compensation agreement must be arranged. There will be provision in the Bill for adequate compensation. A permit expires after 30 days, when the holder must apply for a fresh one. Permits are still necessary in all cases. The freeholder's consent has never been necessary to enable a prospector to prospect for oil or coal. The freeholder has never owned the mineral in the land.

Motion (Mr. Camm) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Camm, read a first time.

The House adjourned at 5.56 p.m.