FRIDAY, 11 JUNE 1999

Mr SPEAKER (Hon. R. K. Hollis, Redcliffe) read prayers and took the chair at 9.30 a.m.

PRIVILEGE

Comments of Member for Caloundra

Mr WELLINGTON (Nicklin—IND) (9.31 a.m.): I raise a point of privilege concerning the question from the member for Caloundra to the Minister for Education in this House yesterday involving my wife. I wish to read the following letter from my wife to you, Mr Speaker—

"The Speaker Queensland Parliament

The Honourable Ray Hollis

10 June 1999

Dear Sir,

I take great offence at the comments by Mrs Sheldon yesterday regarding my nomination to the University of the Sunshine Coast.

Mrs Sheldon is saying that my appointment would be a payback because Peter gave Government to Labor—"

Dr WATSON: I rise to a point of order. I find it difficult to understand how this is a point of privilege.

Mr SPEAKER: Order! I will decide that when I have heard the member.

Mr WELLINGTON: The letter continues—

"I pose this question to Mrs Sheldon. 'As this is an honorary position with no salary or gratuity, where is the payback?'

I liken this position to that of a member of the executive of a P & C. You give of your time voluntarily for no reward other than knowing that you have done the very best you can to improve the school or in this case the university.

I want to stress that there is no payment involved. This is a non-paid voluntary position.

These are gutter tactics by Mrs Sheldon and the Liberals who are targeting the seat of Nicklin and will do anything to discredit my husband.

My connection to the university goes back long before Peter was an MLA.

Six years ago during the planning stages of the university I was the editor of two Sunshine Coast papers, the Sunshine Coast Citizen and the Nambour Chronicle. At that time, I had an excellent working relationship with the university's vice-chancellor Professor Paul Thomas and I truly believed"—

Dr WATSON: I rise to a point of order. There is a clear procedure in this House, as you know, Mr Speaker. If a citizen outside this House has a problem, the citizen writes to the Speaker and the matter goes through the Privileges Committee. This is not a matter of privilege. It does not affect the member.

Mr SPEAKER: Order! I intend to listen to this point of privilege and I will rule on it afterwards.

Mr WELLINGTON: The letter continues—

"At that time, I had an excellent working relationship with the university's vice-chancellor Professor Paul Thomas and I truly believed that the establishment of the university was crucial to the future prosperity of the Sunshine Coast region.

Like most residents I believed that the university had a vital role to play in the education of thousands of our children who at that time had to leave the area in order to further their education.

During the planning of the university, I was invited by Professor Thomas to take part in a series of workshops and meetings which dealt with many aspects of the university's development.

As a former member of the Cooloola Sunshine Coast TAFE Council I am aware of what is expected of a council member.

If I had been elected to the University of the Sunshine Coast Council it would have been my most sincere desire to make a worthwhile contribution to it (the university).

Finally, I find Mrs Sheldon's comments personally insulting as I most certainly would never consider accepting the position if I believed it was a 'payback'.

I have been very distressed by Mrs Sheldon's attack and I have decided to withdraw my nomination to the council."

I hope that all Queenslanders will see the gutter tactics that the Liberal Party is using to discredit my family. Mr Speaker, I ask that you refer this matter to the Privileges Committee.

Mrs SHELDON: I rise to a point of order. I find the member's remarks offensive. I ask that they be withdrawn. It is my right in this House to ask a question of a Minister—

Mr SPEAKER: Order! The member will resume her seat.

Mrs SHELDON: I asked the question in the interests of the Sunshine Coast University. I can assure you, Mr Speaker, that no-one on that council wishes to see the university politicised in the manner that the Minister and the member for Nicklin were prepared to have it politicised.

Mr SPEAKER: Order! The member for Nicklin, have you finished?

Mr WELLINGTON: Yes.

Dr WATSON: Mr Speaker, you said you would make a ruling on whether that was a point of privilege. Is that your ruling?

Mr SPEAKER: Order! I will decide afterwards whether it is a point of privilege. I do not have to give a ruling now.

Mrs SHELDON: I rise to a point of order. When you do make that ruling, Mr Speaker, will you make it public to the House, please?

Honourable members interjected.

Mr SPEAKER: Order! I have all day.

MR SPEAKER'S RULING

Motion of Dissent

Mr SPEAKER: After reviewing pages 2407 and 2408 of the Hansard of 10 June 1999 regarding the events leading to the honourable member for Indooroopilly giving notice of a motion of dissent from my ruling, I find that I did not make a ruling—only a warning under Standing Order 124. Therefore, the foreshadowed motion of dissent is out of order.

Mr BEANLAND: Mr Speaker, I give notice that I will move a motion of dissent from your ruling this morning.

PETITIONS

Fisheries Regulations

From **Mr Dalgleish** (31 petitioners) requesting the House to remove all sections of the Fisheries Amendment Regulation No. 3, Subordinate Legislation 1999 No. 58, relating to the legalisation of trawlers to take and sell finfish, winter whiting and blue swimmer crabs from the legislation.

A similar petition was received from **Mr Reynolds** (173 petitioners).

Old Brisbane Airport

From **Mr Goss** (5,611 petitioners) requesting the House to build at the site of the old Brisbane Airport an amateur drag racing strip.

Youth Workers, Logan Electorate

From **Mr Mickel** (752 petitioners) requesting the House to consider providing funding for youth workers to target the Crestmead, Marsden, Loganlea and Browns Plains area.

Sale of Liquor by Major Retail Outlets

From **Mr Wellington** (46 petitioners) requesting the House not to increase the availability of liquor in the community by extending the sale of takeaway liquor to supermarkets and other retail outlets.

Petitions received.

MINISTERIAL STATEMENT

Queensland Premier's Literary Awards

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.38 a.m.), by leave: I am proud to announce that I am establishing the Queensland Premier's Literary Awards to add further encouragement to Australian writers, especially Queenslanders. In a turning point for writing in this State, these awards worth $115,000 complement the newly established Courier-Mail $30,000 Book of the Year Award to give a major boost to the literary profile of Queensland in Australia.

The winners will be announced at the Brisbane's Writers Festival in October, adding even more prestige to a festival which has already become a major focus for writers and writing throughout Australia and which has been well supported by the Minister for The Arts. It is important to acknowledge the contribution and commitment of the festival to these awards and of the esteemed position the festival has established in the writing world.

As we prepare to enter the new millennium, I believe that it is important that the State Government should join with the festival in fostering a thriving literary culture in Queensland and throughout Australia. The new awards join the well-established Steele Rudd Award for Short Stories—the only award of its kind in Australia and also sponsored by the State Government—and the City of Brisbane/Qantas Prize for Asia Pacific Travel Writing, which is another unique award in that it addresses our region. Together they mean that Queensland is now in a position to lead the country in the support and promotion of writing.

The Premier's awards should not only encourage authors but should also create a greater interest among the general public in reading new Australian work. I am proud to announce that among the categories is a $20,000 prize for the best emerging Queensland writer. If we want Queensland to produce good writers, we need to encourage them along the way and these awards are a positive contribution to mentoring them. Another award unique among these awards is the current affairs category, with its inclusion of entries from the electronic media. Whether we like it or not, we now live in the Internet age and an increasing number of Australians, especially in rural and regional areas, rely on new media for their information and entertainment.

The six categories are: best fiction book, $25,000; best literary work advancing public debate, including print and electronic media, $25,000; best manuscript for an emerging Queensland author, $20,000; best history book $15,000—and by the way, we do not spend enough time writing about Queensland history and that is something that we need to address—best children's book, $15,000; and best drama, $15,000. These categories are designed to complement the Courier-Mail's Book of the Year prize, which gathers many of the works we will be honouring under a single banner.

Queensland has long possessed a thriving writing and publishing community, which produces world-acclaimed authors and with our people, geography and locations, has the opportunity, in our view, to foster creativity. The awards should serve to encourage the growth of that community in both size and quality. I look forward to being able to congratulate the first winners of the Queensland Premier's Literary Awards at a gala dinner at the Brisbane Writers' Festival later this year—an event which attracts international attention.

MINISTERIAL STATEMENT

South Burnett Meatworks, Murgon

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.41 a.m.), by leave: Late on Wednesday afternoon, my department heard that the South Burnett Meatworks Cooperative Association of Murgon was in imminent danger of closing, putting 300 jobs at risk. Yesterday morning, the company issued a press release saying that it was now under voluntary administration.

In line with our commitment to not just creating jobs but trying to retain existing jobs, we acted quickly. The regional manager of my department from Maryborough travelled to the meatworks yesterday morning for individual discussions with the company. Members of the meat industry task force are scheduled to meet with the administrator next week to see what the Government can do. In these cases, the main point is to act quickly and that is what we have done after being informed of the circumstances. As members of the House would know, we have set up a $20m package to help modernise the State's meat industry so that it can have a solid, long-term future. We have made it quite clear that this money is to help companies to set up their long-term future through the value-adding end of the business. It has been well received in the industry. Since we set up the initiative last October, we have had applications for assistance with projects worth $360m and involving the creation and/or retention of 3,000 jobs. This includes several Australian owned and regional abattoirs.

As the chairman of the South Burnett Cooperative pointed out this morning, the meat industry is in an embattled state. A continuing increase in cattle prices is one of the main reasons for the company's financial problems. I have heard the administrator's comments, which do sound positive, and like all members of the House, I am hopeful that this can be resolved positively. I shall keep the House informed of the efforts that the Government is making to retain those jobs.

MINISTERIAL STATEMENT

Employment

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (9.43 a.m.), by leave: When the Beattie Government came to office, our No. 1 priority was jobs and jobs creation. This continues to be our priority. On coming to Government, we focused on implementing our Jobs Plan and got on to the task that we were elected do to, that is, breaking the unemployment cycle.

In stark contrast to the previous Government, when we came into office we did not institute a crippling, job destroying capital works freeze as they did as they struggled to find and develop a policy direction. Instead, we concentrated on the delivery of our Capital Works Program to boost both employment opportunities and the capital assets of Queensland. In our Budget, we honoured our election commitments and we honoured them without selling off the family silver. All of this has been achieved without introducing new

taxes or charges, without damaging our fiscal position and without hocking public assets to pay for recurrent expenditure—commitments that were not based on short-term political gain.

We have also maintained Queensland's low-tax status and will continue to do so despite the Commonwealth's ill-conceived tax fiasco. Just this week, we trebled the general rebate for those paying land tax to 15%, honouring yet another of our election commitments. All of this has been achieved within a blueprint which has received the largest possible tick of approval with the credit rating agencies, which have again reaffirmed Queensland's AAA credit rating.

Since the honourable members opposite were ejected from Government, we have turned this State's fiscal fortunes around. While the forecast economic growth in the current year of 3.75% may be less than the historical growth differential between Queensland and Australia as a whole, in 2000-01 and beyond, growth levels are expected to return to levels outstripping the rest of the nation by up to a full percentage point. Even though overseas demand is expected to fall by three-quarters of a per cent this year, State final demand, which translates to confidence in a strong, stable Government in a well-managed economy, is 5.6% higher than a year previously. Retail sales figures show turnover 8.3% higher than a year ago—another vote of confidence in a well-managed economy. All this means employment growth, new jobs and rediscovered confidence.

The previous Government's May Budget envisaged an average unemployment rate for this year of 8.75%, with unemployment trending upwards towards the end of the year. This was under a coalition Government that simply did not have a strategy for reducing unemployment and boosting employment growth and, I might say, a coalition which ridiculed our commitment to target unemployment. In our first Budget, we predicted that we would create 30,000 new jobs in our first year in office. We estimated that unemployment would fall to 8.5% by the June quarter of the financial year. Our success speaks for itself. ABS figures released yesterday reveal that in just 11 months we have created 43,800 new jobs. I am pleased to announce today that Treasury analysis now forecasts an average—and I stress, average—unemployment rate for the whole of the year of 8.25%—a full half a percentage point down on what the Budget forecast. Treasury now expects a June quarter average unemployment rate of 8%—again a full half a percentage point down on Budget forecasts.

This has been achieved because we put the programs in place to boost employment, to boost training and to increase investment in business confidence. This is a determined and proactive Government that is not afraid to set itself ambitious targets and, whenever humanly possible, we aim to not just achieve those targets but to beat them.

MINISTERIAL STATEMENT

Department of Corrective Services

Hon. T. A. BARTON (Waterford—ALP) (Minister for Police and Corrective Services) (9.48 a.m.), by leave: Yesterday, the member for Toowoomba South made a private member's statement about alleged increases in senior executive ranks of the new Department of Corrective Services. It is obvious that the member has not read yesterday's Courier-Mail. On page 2, there was this story with this headline, "Prison boss slashes pay for senior executives". Anyone with a rudimentary understanding of English would realise that this story did not give the impression of a blow-out in bureaucratic budgets. In fact, it was entirely the opposite.

For the member's information, the number of senior bureaucrats in the new department has not increased. In fact, after the amalgamation of the Queensland Corrective Services Commission and the Government owned corporation, Queensland Corrections, or Q Corr, the number of senior executives has dropped from 23 to 22. The member also made note of the size of the internal business unit which replaced Q Corr. He said there were 11 senior executives in the new unit compared with three in the old Q Corr. This is incorrect. In the new unit, there are six senior level positions, down from 10 senior positions in the old Q Corr. Overall, with the reduction in the size and remuneration of senior levels from the old structures compared with the new department, there will be a saving of $171,944 per annum in salaries. That is a saving of almost $172,000 in taxpayers' funds—a saving all members of Parliament would applaud.

At the same time that the number of senior executives has dropped, the number of permanent prison officers has grown by 13% in the past six months from 1,131 to 1,283. If one includes part-time and casual custodial officers in this figure, there has been an increase of 23.9% over the same period from 1,339 to 1,659. Rather than increasing

bureaucracies and reducing workers in corrections, as the member for Toowoomba South asserted yesterday, the opposite has happened. It is part of the Beattie Government's push to increase jobs in Queensland and it is about time that the member for Toowoomba South got his facts right.

MINISTERIAL STATEMENT

Youth Detention

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (9.50 a.m.), by leave: In March this year I reported to the Parliament on improvements in the rates of detention of young people in adult watch-houses. When this issue first came to my attention as Minister, I was concerned at the accuracy of the data on the detention rates of young people in adult watch-houses. I instructed my director-general to put in place systems to ensure that at any point in time I had an accurate picture of what was happening to young people in watch-houses. I table for the information of the House the most up-to-date information in relation to this issue.

HEALTH PRACTITIONER REGISTRATION BOARDS (ADMINISTRATION) BILL

HEALTH PRACTITIONERS (PROFESSIONAL STANDARDS) BILL

Cognate Debate

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (9.52 a.m.), by leave, without notice: I move—

"That so much of the Standing and Sessional Orders be suspended to enable the Health Practitioner Registration Boards (Administration) Bill and the Health Practitioners (Professional Standards) Bill to be introduced and passed as cognate Bills for all of their stages—

(a) one question being put "That leave be granted to bring in the Bills;

(b) one question being put in regard to the first readings;

(c) one question being put in regard to the printing of the Bills;

(d) one question being put in regard to the second readings;

(e) the consideration of the Bills together in Committee of the Whole House;

(f) one question being put for the Committee's report stage; and

(g) one question being put for the third readings and titles.

Motion agreed to.

PERSONAL EXPLANATION

Sunshine Coast University Council

Mrs SHELDON (Caloundra—LP) (9.52 a.m.), by leave: Today in this House I was misrepresented by the member for Nicklin. As a Sunshine Coast member of Parliament, I have every right to question a Minister who is making decisions that can influence in any way the education of children and adults on the Sunshine Coast.

I understand that no current member of the Sunshine Coast University Council wishes to retire and that one or more people will be pushed off the council in order to make room for the wife of the member for Nicklin. I have never questioned the merits of the wife of the member for Nicklin on this position. I asked the Minister whether he had made this appointment on merit. I have every right to draw to the attention of the House any concerns people may have, particularly concerns they may have about the politicisation of the Sunshine Coast University Council by this Labor Government, because it is a known fact that the member for Nicklin's vote put the Labor Party into Government.

Further, I make representation that the rules regarding the citizen's right of reply in this House have been breached today by the member for Nicklin. I will be writing to the Speaker, asking for his ruling in this regard. There are clearly set-out procedures for how a citizen may use a right of reply. Somebody's husband reading a personal explanation into this House is not one.

Mr SPEAKER: Order! That is not a personal explanation.

Mrs SHELDON: The rules of the House have been breached and I ask the Speaker to rule on the matter. I will make that ruling known to members of the House.

QUESTIONS WITHOUT NOTICE

Youth Arts Festival Stage X

Mr SPRINGBORG (9.54 a.m.): I refer the Honourable Attorney-General and Minister for Justice and Minister for The Arts to his launch yesterday of the Youth Arts Festival Stage X, to which the Beattie Government contributed $500,000. I note that the Minister has the booklet from that festival and, indeed, has a post-it note attached to the same page that I

will refer to, which contains a section headed, "Cents-less? (5 Things to do in Brisbane with no money)". This is the booklet in my hand.

Under the heading "Ticket-dodging", it states—

> "Catch a train from a suburban station and see if you can get to another suburban station without getting busted—cost—nil, but if you're caught, the cost suddenly becomes prohibitive, perhaps you should only dodge paying the fare if you can pay the fine, but if you can pay the fine you could afford the fare. Ironic really."

It is interesting to note that this booklet contains an ad from Citytrain. Does the Minister agree that it is totally inappropriate for the first law officer of Queensland to fund a publication that encourages impressionable young people to break the law, and will he recall the publication and withdraw the offending section before young people are charged as a consequence of the gross irresponsibility of the Government?

Mr FOLEY: May I say truly that I thank the honourable member for the question. At the outset I affirm that this Government supports the enforcement of the law and in no manner, shape or form condones the avoidance of the law. However, I point out to the honourable member and to the House the context in which this appears. In fact, it expresses itself on its face to be "ironic really". It lists a number of other suggestions which anyone with any capacity to read the document would realise was done with a great deal of jest in mind. Perhaps if the honourable member wishes it to be taken seriously, he should adopt some of the other suggestions, which were written by young writers as part of a Stage X Youth Arts Festival.

The booklet outlines five things to do in Brisbane with no money. It states—

> "Nothing ...
>
> Southbank—Similar to Nothing but it's site specific—cost—nil."

After the passage to which the honourable member referred, the suggestion is, "Security scamper". This is one that the honourable member will be worried about. It states—

> "Put your pyjamas on and go into the city, be sure to carry a suitcase and a toy mobile phone. Simply attempt to convince security that you have an appointment with the head of MLC/Comm Bank/ANZ etc. An interesting variation is wearing a shirt that says "Stop raping the Earth" and try to get into BHP—cost—nil."

The document does not say what the honourable member purports. Just in case anyone was too thick to get the joke, it actually expresses itself to be "ironic really".

The real question is: what does the shadow Arts Minister think? Will he stand up for the Youth Arts Festival or will he and the Liberal Party simply go along with this absurd beat-up? Is it not about time that we heard from the shadow Attorney-General on some serious matters of policy affecting the law? It is this very sort of attitude that demonstrates how out of touch with young people the Opposition is.

Goods and Services Tax

Mr T. B. SULLIVAN: I refer the Premier to the back-room deals between the Federal coalition and the Democrats in relation to the proposed goods and services tax, and I ask: how will the changes to the GST impact on the agreement between the Commonwealth and the States?

Mr BEATTIE: As members know, for some time the Treasurer and I have been expressing our concern about this deal between the Democrats and the Federal coalition Government. Members would be aware that one of the matters of great concern is that the Democrats' Meg Lees is talking about enshrining a recipe for bread in the GST legislation. I thought I would undertake a detailed analysis of what that could mean. As all honourable members know, we cannot live on bread alone. I thought I would give Meg Lees a bit of a helping hand. I went in search of recipes for bread, and I found 400 of them, including Mama D's Italian bread—one of my favourites—banana bread, sausage cornbread, datenut bread, dizzy pineapple bread, yoghurt cornbread, apple loaf and blueberry monkey bread.

The bottom line is this: we have a diabolical situation. The legislation will not work. It has turned into a farce. For example, candied fruit bread requires four teaspoons of baking powder. For Chinky's mango bread only two teaspoons of baking powder are needed.

A Government member: Only two?

Mr BEATTIE: Which one of those will go into the recipe?

Mr Mackenroth: And which one will be GST free?

Mr BEATTIE: Which one will be GST free?

What about eggs? The State coalition is supporting this nonsense of a definition of

"bread" going in the legislation. Let us look at the issue of eggs and the GST. For example, for a cherry spice loaf two eggs are recommended. However, for cinnamon cranraisin bread—I am struck and alarmed—only one egg is required. Worse still, it requires one egg that is only slightly beaten. Do honourable members know what that reminds me of? It reminds me of the Opposition and the GST legislation, because not only is it slightly beaten; it will not work.

TAB Privatisation

Mr BORBIDGE: I direct a question to the Minister for Transport and Minister for Main Roads.

Mr Elder: Scrambled eggs.

Mr Hobbs: Better than being a cracked egg.

Mr BORBIDGE: It is better than being a cracked one. I ask: is it true that, in his capacity as a Minister, in spite of the overwhelming support of the Queensland racing industry and against the Westminster system of Cabinet solidarity, he is quietly working away in the background with his faction to derail the TAB privatisation at tomorrow's Labor Party conference? Is this another underhanded attempt by the Minister to undermine the influence of the Deputy Premier to further his own political ambitions?

Mr BREDHAUER: The question from the Leader of the Opposition is farcical. My position on the TAB was printed in the Courier-Mail earlier this week. But I admit that that was three days ago, and the Leader of the Opposition might have trouble remembering it. I have stated publicly in the media that in the interests of the Westminster tradition and as a Cabinet Minister I support the decision that the Cabinet has made. Of course, the matter that has been raised by the Leader of the Opposition is not within my portfolio responsibilities, and the assertions that the Opposition Leader makes are false.

TAB Privatisation

Mr BORBIDGE: I refer the Minister for Tourism, Sport and Racing to the answer just given by his colleague that it is not his portfolio responsibility—I accept that—and I ask: does the Minister have full confidence in the fact that his colleague the Minister for Transport and his colleague the Minister for Fair Trading will be publicly supporting and arguing the case for the TAB privatisation at the Labor Party conference this weekend? Can he assure the House that in no way whatsoever has the Minister for Transport and Minister for Main Roads been attempting to derail the privatisation process and undermine the position of the Deputy Premier?

Mr GIBBS: I am delighted that my colleague has indicated that he is at one with me on this issue.

Economy, Cairns Region

Ms BOYLE: I ask the Deputy Premier and Minister for State Development and Minister for Trade: can he outline any moves that the Government is taking to diversify the economy of the Cairns region?

Mr ELDER: The members for Cairns, Mulgrave and Barron River and the Minister for Transport, the member for Cook, have been at the forefront of looking at how we can diversify the economic base of Cairns. Several years ago, when I was the Minister for Business, Industry and Regional Development, I commissioned a regional economic development strategy for the Cairns region to broaden its economic base, which was dependent on tourism. We found that Cairns, given its geographical proximity to the Asian market, had comparative advantages in the area of education. It was seen as a place that had fine education standards and also a safe environment.

Although there has been talk in Cairns for many years about building a private international university, that study gave that project in particular some focus. Since our return to office, we have given that project some further momentum. When in the private sector, the member for Cairns was instrumental in working with the education sector and the board of the Cairns international university to help to establish a university in the Cairns region.

I am told that the CIU group is well advanced in getting funding in place. However, a further object that the project has faced has been securing a site for the campus. Consequently, I am delighted to inform the House that the Government has put up an $80,000 guarantee towards the purchase of land for the proposed $60m international university in Cairns. The project has the capacity to deliver 600 new jobs and inject $60m annually into the Cairns region. It would be a boon for the Cairns CBD and the region.

My colleague the Minister for Transport, the honourable member for Cook, who also represents an electorate in that region, has quarantined a 2.7 hectare block at the corner

of Sheridan and Kenny Streets as the site for the development of what would be Queensland's second private university. The guarantee will help progress negotiations between the proponents of the Cairns international university and Queensland Rail for the purchase of surplus railway land in the Cairns CBD. The Government will guarantee Queensland Rail its land-holding costs of $80,000 during the 12-month option period during which the university will have an opportunity to raise its finance. I acknowledge that that carries some risk in relation to the transaction, but it is one that I am prepared to take to give the project the best chance of getting off the ground.

I stress that this Government is about facilitating, intervening and helping to get projects such as this off the ground. We are not involved in the total finance package, but we do see a way of getting that project up and running. I thank all members in the Cairns region for their support of the initiative. The syndicate has 12 months to put a funding package in place. This type of support results in these projects getting off the ground. I thank everyone for their contribution.

Customer Service Centres

Mr JOHNSON: I ask the Minister for Transport and Minister for Main Roads: in view of his continued scheming to oppose the privatisation of the TAB, is his Government currently involved in discussions with an international finance enterprise concerning the outsourcing of Government customer service delivery? Can the Minister advise what guarantee of continued employment the staff at these customer service centres will be given if these services are to be privatised?

Mr BREDHAUER: I do not know what the member for Gregory is on, but it has to be pretty good! There is no plan to privatise any part of Queensland Transport, the Department of Main Roads or any of the Government owned corporations that I represent. Let me make it quite clear to the member for Gregory and to all of the members on the other side of the House—and everybody on this side of the House knows what the Government's policy is in relation to privatisation—none of the Transport or Main Roads portfolio or its Government owned corporations is up for privatisation.

In fact, let me just say that when he was the Minister for Transport, the member for Gregory put in place the review of the corporatisation of Queensland Rail. That review recommended that Queensland Rail become a Corporations Law company, which would have put it on the slippery slope to privatisation. What did we do? We rejected the recommendations that his Government came up with. We will guarantee the member for Gregory and everybody else in this House and all of the railway workers and the people of Queensland that we are proud supporters of public ownership of Queensland Rail and all of our other Government owned corporations within the Transport and Main Roads portfolio. His flight of fantasy in respect of the privatisation of the service delivery network is just that—a flight of fantasy.

Mr Johnson: Will you guarantee their jobs?

Mr SPEAKER: Order! The member for Gregory!

Mr Johnson interjected.

Mr SPEAKER: Order! I have called order. The member will cease interjecting.

Electricity Boards

Ms NELSON-CARR: I refer the Honourable the Minister for Mines and Energy to Opposition claims that he could be interfering with the running of the electricity corporation or somehow jeopardising the autonomy of the board, and I ask: can he respond to these allegations?

Mr McGRADY: I thank the member for her question and I am happy to respond. I categorically refute the allegations that I am interfering with the operation of electricity boards. However, I do have some strong concerns about some of the activities of some of these boards. I have particular concerns about overseas travel and the way it is being utilised by some of these people. I make the point that I see nothing wrong with overseas travel. It is imperative that travel is undertaken and there are many benefits to be gained. For example, I will travel overseas next week to visit major customers and build and foster strong relationships with those companies that invest billions of dollars in the State of Queensland. This visit has been approved by the Premier and on my return I will provide this House with a full report on this trip. I plan to be around for some time to make these relationships work. The issue about overseas travel is that, if public money is being used, then you have to be accountable.

As members would know, the Queensland Cabinet took a decision some months ago to amalgamate the six regional electricity corporations into one. On that decision, I then requested all of the

corporations to inform me of their travel arrangements and also of the policies of the boards with regard to travel. Having received no response from the chief executive of the NORQEB board, I wrote again in April this year requesting information as to both actual and pending overseas travel arrangements for this financial year. Bearing in mind that this board ceases to operate on 30 June—the chief executive officer responded on 4 May, indicating that he would be attending a conference to be held in France this month and then going on to visit many other areas.

As a shareholding Minister for this Government owned corporation, I then asked a senior officer of the Department of Mines and Energy to contact the chief executive officer about the forthcoming overseas travel. This letter from the DME officer to the chief executive officer stated—

> "In view of the amalgamation arrangements now under way, the Minister considers that it would be inappropriate for overseas travel to be undertaken at this time.
>
> He has therefore asked that your travel arrangements to France in June be cancelled."

On 24 May, a telephone conversation took place between these two officers in which the chief executive officer said that he still intended to take the trip. Another letter was then sent to the chairman of the corporation informing him that the chief executive's travel should not proceed on two counts: firstly, it will present a poor public image if the chief executive officer was seen to be taking an overseas trip paid for by the electricity consumers——

Time expired.

Beach Huts; Native Title

Mr KNUTH: I direct my question without notice to the Minister for Environment and Heritage and Minister for Natural Resources. In the last sitting of Parliament, I asked the Minister if his department could guarantee the future of beach huts in the Burdekin electorate. The Minister claimed he could not guarantee the future of huts because of environmental issues. Further inquiries, however, revealed that the relevant land is subject to a native title claim. Will the Minister either confirm or deny that a multimillion dollar compensation claim is being made and can the Minister also name the claimants involved and the land areas being claimed?

Mr WELFORD: In relation to the issue that the member asked about, I do not know any details of a native title claim in respect of that area. The issues that I spoke of at the last sitting of the Parliament have nothing to do with the native title claim.

The area of land that the member refers to was held under an occupational licence, I understand, and the person who held that licence was in a sense an absentee licensee; they did not live on the site. The licence was held, as I understand it, for agricultural and grazing purposes, although it was not actually used for that. Back in 1994 the then Government alerted the licensee that, unless the proper purpose of the licence or lease was exercised and unless the inappropriate occupation of the site for purposes other than those for which the licence was granted ceased, then the renewal of the licence could not be guaranteed. Really, that is the issue that has had to be addressed since. As to whether or not there is a native title claim, I do not have personal knowledge. However, I am happy to check it out and let the member know.

Police Beats

Mr MUSGROVE: I refer the Minister for Police and Corrective Services to the fact that this year the Minister will honour his major election commitment of introducing 10 new Police Beats throughout Queensland. Since some of the Police Beats are already up and running, I ask: can the Minister highlight some of the positive feedback he has received about this important community policing initiative?

Mr BARTON: I thank the member for the question. Of course, this member—the member for Springwood—is very deeply interested in ensuring that we get our community policing initiatives into place, which we are doing, because one of the police shopfronts that we will be opening literally in a few weeks' time is in his electorate. That is one in which the Premier also had a very heavy involvement in the run-up to the last election.

Let me return to the Police Beats. I have opened Police Beats at Trinity Beach in Cairns as well as four in Townsville—at Kelso, Rasmussen, South Townsville and Garbutt—and last week opened the Kallangur and Bray Park Police Beats. The Riverview, Redcliffe, Slade Point, Eagleby and Urangan beats are either operating but not yet officially opened or are very close to completion. In relation to the ones already operating, there have been some very positive comments, including this

one that I would like to read to the House. It states—

> "Look, police beats are a great system ... It's a great way of putting a police officer into a suburban community so that they know the families, they know the young fellows that are around that might be likely to cause a bit of mischief ... And I think it's a great move, community policing, such as a police beat."

That is a great endorsement. It came from none other than the member for Toowoomba South last month on Townsville radio. It is welcome support, but surprising since his Government in which he was a senior Minister mothballed the entire process of putting Police Beats and police shopfronts into place, with the exception of two. When Labor promised to introduce 10 beats, which received a very good reception from the public, the then Minister, Russell Cooper, gradually went out there and started promising beats everywhere, despite having had only enough in the budget that the coalition brought down in May last year for two additional beats. I am being harassed by many members of the coalition saying, "Where is our promised police beat?" They were ones that their Government promised but did not fund. In due course, we will get back to those because we are very committed to the whole process of Police Beats.

Here are a few more unsolicited comments that I am sure the Parliament would like to hear, including one that you, Mr Speaker, would be interested in. It states—

> "The decision to establish police beats in Redcliffe should be welcomed by most residents. Why? Because the program will focus on crime prevention by ensuring a permanent police presence in the community."

That was from an editorial in the Redcliffe and Bayside Herald. Here is another one. It states—

> "The police presence should make people feel more comfortable in the outdoor dining strip. It makes it so much more relaxed if people can sit out there and ... not be harassed."

That was from Ian Jones from La Bamba Restaurant. That appeared in an article on page 1 of the Townsville Daily Bulletin recently. Here is another one, from the Sunday Mail—

> "Police are back on the beat and Queenslanders will feel better for it. The visible presence of the law walking our streets should not be underestimated."

That was an editorial in the Sunday Mail. Here is a further one—

> "We can definitely see the difference and her presence around the suburb is being felt. She must have pulled up 1000 kids"——

Time expired.

Water Backflow

Mr SEENEY: I refer the Minister for Public Works and Housing to Michael Ware's article of 28 May in the Courier-Mail in which it is claimed that the tension surrounding the backflow project sparked a heated exchange within the parliamentary precinct between the Minister and the principal of a private company, and I ask: can the Minister confirm that this incident occurred; can he confirm that it required his colleague the Minister for Transport to physically separate him from the other party; and can he explain to the House the benefits of this ministerial thuggery?

Mr SCHWARTEN: This issue surrounds the whole backflow question. It is evident from the standard of questions being asked this week that we may have a backflow issue within this Parliament in the Opposition area. Some silly syrup has obviously backflowed into the water system there and they have all been indulging in it. They have overdosed on it and every single drop of it seems to have worked. The incident referred to did occur——

Mr Hamill: The ideas factory.

Mr SCHWARTEN: Yes. Obviously we will have to consider what is in that water system over there. Q-Build will investigate that.

The fact is that a very concerning incident occurred in the Strangers Bar on an evening not so long ago. I think it is a matter of regret that members of this place cannot go about their business without being harassed and abused by individuals and strangers coming into this place.

Mr Seeney: Stranger?

Mr SCHWARTEN: That is what he was. He was a stranger into this place; he was not a member. The fact is that the Minister for Transport was present on that occasion. The gentleman concerned is approximately twice my size and I am slightly taller than the Minister for Transport. I can assure the House: the Transport Minister would have been little assistance in that regard had a fracas been under way.

I did actually don gloves when I was younger and I was not too bad at it, but I believe the gentleman concerned is a welterweight. The point is: that was neither the time nor the place for such an incident to occur. At no time was there bodily contact between the two individuals. However, there was some unparliamentary language exchanged. At one stage I did indicate to the person that perhaps it was time his parents got married. The reality is that the incident was a disgraceful display by that particular person. Any person who was there will attest to the fact that I, as always, conducted myself in a proper manner.

Unemployment Statistics

Dr WATSON: I refer the Premier to yesterday's job figures for May, which show that State unemployment again peaked above 8% and that the number of Queenslanders out of work is actually greater than for the corresponding time last year. I also refer the Premier to his reported statement in today's Courier-Mail that the Government is still on track to achieve its 5% unemployment target and also to the Treasurer's earlier ministerial statement, in which he provided Treasury's forecast for average unemployment for the 1998-99 financial year. I ask: given that leading independent economic forecasters are predicting that Queensland's current unemployment rate will remain within the current range until at least 2004, will the Premier now release Treasury's forecast for unemployment for each year for the next five years?

Mr BEATTIE: The Treasurer indicated this morning in his ministerial statement the projection for unemployment. One of the most important things we need to understand——

Dr Watson interjected.

Mr Hamill interjected.

Mr SPEAKER: Order! You will allow the Premier to answer the question.

Mr BEATTIE: Not only has the Treasurer provided what we think is appropriate information in relation to the question asked by the Leader of the Liberal Party, do honourable members know what the real statistic is? This is the important statistic—the statistic that really means things are happening. This figure came out yesterday—43,800 jobs have been created under my Government.

Opposition members interjected.

Mr BEATTIE: Listen to those opposite carry on and interject. Why? Because they want to see jobs destroyed. They are not interested in seeing the job creation that is going on in this State.

What did we predict in the Budget? We predicted 30,000 jobs would be created. What has been achieved? We have created 43,800. I think that is a significant advance on our target. And unemployment is not above 8%, as the Leader of the Liberal Party said. He said that it is above 8%, but it is not. The adjusted figure is 7.9%. The member for Moggill said "above". He should get his figures right.

Dr Watson: Seasonally adjusted, 8.3%.

Mr BEATTIE: 7.9% is the adjusted figure. For the last period it went up 0.1% to 8%—not above, as the member said. There are greater participation rates. Do honourable members know what is going on out there? Everybody knows that we are driving jobs. There are more people seeking jobs because they know that Queensland is the engine room of jobs in Australia.

Last month we created approximately 3,000 jobs. Honourable members should think about that. In one month we created 3,000 jobs. The figure went from 39,900 to 43,800—approximately 3,000 jobs in one month. What is the contrast? Not only do we have 43,800 new jobs—well beyond the 30,000 we predicted, which is a significant achievement—what did the last Budget of the coalition in Government predict? It predicted that unemployment would go up. What was the unemployment figure we inherited? It was 8.9%. What was the figure yesterday? It was 8%. Unemployment is down by almost 1%, and that has happened in a year.

Mr Borbidge: 8.4.

Mr BEATTIE: 8.9% was the figure that the coalition left us with. We took it down to 8% within a year. The last Budget of the now Leader of the Opposition predicted that unemployment would go up. We turned it around.

Community Cabinet Meetings

Mr PEARCE: I refer the Minister for Public Works and Housing to recent Community Cabinet meetings, and I ask: can he outline decisions taken as a result of such meetings that have benefited people in rural and regional areas?

Mr SCHWARTEN: I thank the honourable member for his very apt question and for his interest in his own community. One of the great hallmarks of this Government has been

the Community Cabinet process that we have put together. I congratulate the Premier on his initiative in that regard. The Premier has often said that one of the great advantages of this scheme is that it enables ordinary, everyday Queenslanders an opportunity to eyeball Ministers and put their ideas—a chance they have never had before.

The first of these meetings we had was in Edmonton, in the electorate of Mulgrave. One of the outcomes of that was the Abbeyfield project, which I inform the honourable member is progressing very well. Also at that meeting, the people from Manoora in the electorate of the member for Cairns, who has taken a great deal of interest in this, put forward a proposal about involving long-term unemployed from Manoora in the Urban Renewal Program. Again, we have made that happen. That is working well.

When we went to Mount Isa, the honourable member for Mount Isa got deputations to me about airconditioning public housing. Again, that has occurred. I thank the honourable member for his support in that regard. In Longreach we met with a group from the Pioneer Aged Hostel complex. I was able to inspect the very poor conditions in which the elderly were being kept there. I was able to approve $236,000 to make a change in those peoples's lives.

When we went to Toowoomba, Higgins manufacturing group approached me about its insulation program, which it could not get in to the State Purchasing Policy. I was able to approve a trial program for that on the spot—something the previous Government never did. Two members of the previous Government representing that electorate were never able to help a local manufacturer get a leg-up on the State Purchasing Policy. With the flick of a pen, we now have a product being trialled in Mount Isa.

Mr SPEAKER: Order! The time for questions has expired.

STATE PENALTIES ENFORCEMENT BILL

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (10.30 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act about the issue and enforcement of infringement notices, the enforcement of court ordered fines and certain court ordered debts, and for other purposes."

Motion agreed to.

Mr SPEAKER read a message from His Excellency the Governor recommending the necessary appropriation.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Foley, read a first time.

Second Reading

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (10.31 a.m.): I move—

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

This Bill will establish the State Penalties Enforcement Registry, to be known by the acronym SPER. A flow chart and an explanation of the flow chart appear in the Explanatory Notes to this Bill and give an overview of the various collection and enforcement stages of the SPER model. I will not repeat that overview in this speech.

Like the FINDER model proposed by the Opposition when last in Government, this Bill will establish a new regime to replace the current SETONS registry and it will be responsible for the collection and civil enforcement of most penalty amounts due and owing to the State, including—

> court ordered fines;
>
> infringement notice penalties and charges;
>
> compensation or restitution; and
>
> amounts forfeited under undertakings and recognisances.

But there the similarities virtually end. The former Government's legislation is out of date, as the various department stakeholders have, since the development of the FINDER model, taken part in the new interdepartmental committee—which I will refer to as the IDC—chaired by my department, which developed the SPER model in accordance with the policies of the Beattie Government. SPER will be more cost and outcome efficient.

A proactive call centre will be established. This was not part of the Fines Bill model. The call centre will engage a staff of approximately 20 full-time equivalents to conduct skip tracing and to make phone calls to debtors to remind them of overdue payments. The call centre will offer to assist people to make alternative arrangements to pay or discharge the outstanding amount via instalments or fine option orders. The call centre will also receive and process incoming calls with requests for

such assistance. An enforcement officer network will be deployed around the State. Officers will go out and interview fine defaulters and obtain their cooperation to assist with the discharge of the amount by instalments or community service. Alternatively, they will obtain information necessary for the further enforcement of the fine by garnishee, direct debit of accounts at financial institutions, or by the seizure and sale of goods. The officer may also serve a notice of intent to suspend a driver's licence.

Fine option orders will still be available, but only people who genuinely cannot afford to pay will be able to obtain a fine option order. The orders will be available early in the enforcement stages but not at the ticket issue stage or at the end after arrest on warrant. The SPER model will allow fine option orders in Stages 2 and 3 of the four-stage enforcement model. Under the Fines Bill model, fine option orders would be available in Stages 1 and 2. While superficially attractive, the FINDER implementation business process redesign exercise, and the departments involved in the IDC development of the SPER model, found that to offer fine option orders as soon as an infringement notice is issued would simply encourage many offenders to try to elect this option instead of making payment, even if they could afford to do so—in full or by instalments.

In turn, as the FINDER implementation team found, the FINDER proposal would have been difficult and more expensive to administer in that it required the then Queensland Corrective Services Commission—QCSC—to obtain a statutory declaration from every applicant for a fine option order stating matters designed to enable the QCSC to financially assess the applicants to see if they could actually pay in full or by instalments. Under each model, fine option orders would no longer be available at the watch-house door upon arrest—a common delaying tactic—unless the person had previously applied for and been refused a fine option order but can show that his or her financial circumstances have become significantly worse.

In relation to court imposed fines, this Bill will not affect the ability to obtain a fine option order from the court. Instalment payments will be available from Stage 1 as in the Fines Bill proposal. However, again, the FINDER implementation business process redesign exercise, and the departments involved in the IDC development of the SPER model, found that to offer instalments without a minimum threshold penalty amount and without a minimum payment would have encouraged people who can, and these days do, pay in full to elect to pay by instalments, thereby affecting cash flows and raising administrative costs.

Garnishee of wages—in this Bill called regular redirection of earnings—is, again, common to the SPER and Fines Bill proposals. However, under the Fines Bill it was available only with the consent or at the request of the offender. Under SPER, once the matter reaches Stage 3, the civil enforcement stage, the registrar will be able to issue a notice to the employer without the consent of the offender, as long as the registrar is able to obtain the relevant information necessary to issue the notice. The garnishee provisions have been modelled on the Commonwealth child support garnishee provisions so that employers will be familiar with the requirements.

Attachment of debts owed to the offender is a power common to the SPER and Fines Bill proposals and will not be any different in scope for it would be rarely used under either model. The equivalent of the old warrants of execution for real and personal property are, again, common to the SPER and Fines Bill proposals. The execution of such warrants would be the exception rather than the rule. However, under the Fines Bill the potential existed for enforcement officers to attempt to seize property in many more cases because the issue of such warrants was an automatic step with no conditions placed on the enforcement officer to attempt other methods of enforcement or collection such as will occur under SPER.

The State Penalties Enforcement Bill specifically provides that the issue of an enforcement warrant to seize and sell property may be made conditional on the enforcement officer first interviewing or attempting to interview the fine defaulter and obtaining information necessary for the further enforcement of the fine by garnishee, direct debit of accounts at financial institutions, or by fine option order. The officer may also serve a notice of intent to suspend a driver's licence. Like the Fines Bill proposal, this Bill includes a power for the registrar to impose a charge on property, which may be coupled with a restraining order. However, under this Bill it will extend to land, prescribed interests or shares and other securities whereas under the Fines Bill it did not extend to land. It is envisaged that it would be rarely used under either model but it could be useful for recovering large fines.

Like the Fines Bill proposal, this Bill will allow the registration of interest on any register of title or dealings—for example, the Registrar

of Titles or the Motor Vehicles Securities Registry—for fines over $1,000. However, unlike under the Fines Bill, registration of the outstanding amount by SPER will also attract an appropriate rate of interest such as that under the Supreme Court Act 1995—formerly the Common Law Practice Act—which is currently set at 10% a year. Again, it is envisaged that it would be rarely used under either model but it could be useful for recovering large fines.

Another major difference between this Bill and the Fines Bill is that driver licence suspension under the SPER Bill will not be an automatic, universal step for all motor vehicle related offences. It will be one of the tools in the enforcement armoury available to the registrar of SPER at his or discretion and subject to strict criteria. Under the Fines Bill, driver licence suspension would have an impact on the employment prospects and mobility of many more members of the driving public and their families than the SPER model. Warrants for the arrest and imprisonment of fine defaulters—the old warrant of commitment—will still be available, but only as a true last resort. This power is common to the SPER and the Fines Bill proposals. SPER is a fairer model because through the call centre and added discretions of the registrar and team of enforcement officers, SPER will be able to offer debtors much more assistance and encouragement to find a method to pay or discharge the debt without going to prison.

The Explanatory Notes to the Fines Bill 1998 state that it—

> "... has been projected that the potential start up costs, together with the operational costs for the first year, will be around $9.4m and annual recurrent expenditure of around $4.79m with forecast additional revenue/savings of around $6.8m per annum in excess of present collection rates. These figures do not include the money which will be collected during the amnesty."

This statement does not take into account changes that have occurred to the time frame within which the courts computerisation program, upon which any roll-out for FINDER or SPER would be dependent, can be finalised. Nor does it take into account the fact that FINDER would probably be implemented in a different financial year and in a different part of the year to that originally proposed. No amounts were budgeted by the previous Government for the around $9.4m said to be required to establish FINDER. For the SPER proposal, a whole-of-Government submission to fund the implementation of SPER has been prepared, including the costs of the administering agencies, and is being considered by the Cabinet Budget Review Committee in June as part of the 1999-2000 process.

For the sake of completeness I would like to add, in relation to the costings shown at page 7 of the Explanatory Notes to this Bill, that my department is continuing its efforts to identify cost reductions and further savings that can be made in the implementation of the SPER model. Also, a recalculation of a Queensland Transport component of the costings has identified the fact that the recurrent costs are likely to be approximately $600,000 per annum less than the figure estimated in the Explanatory Notes.

The objects of the Bill—as stated in clause 4—include—

> maintaining the integrity of fines as a viable sentencing or punitive option for offenders;
>
> maintaining confidence in the justice system by enhancing the way fines and other money penalties may be enforced; and
>
> reducing the cost to the State of enforcing fines and other money penalties.

These objects are to be achieved in accordance with the SPER charter—as stated in clause 9—which includes the following—

> maximising the collection, for victims of offences, of amounts payable under the Penalties and Sentences Act 1992 by way of restitution or compensation;
>
> maximising the amount of fines and other money penalties paid before enforcement action is taken;
>
> promoting a philosophy that community service work is for the needy in the community and not an alternative to payment of a fine for those who can afford to pay the fine;
>
> reducing the use of imprisonment for fine default by encouraging the use of other enforcement mechanisms; and
>
> promoting public education about the obligations of offenders and the consequences of not satisfying the obligations.

SPER will be a fair, and a cost-effective and efficient enforcement model which will serve the people of Queensland well, and well into the next century. I commend the Bill to the House.

Debate, on motion of Mr Springborg, adjourned.

HEALTH PRACTITIONER REGISTRATION BOARDS (ADMINISTRATION) BILL

HEALTH PRACTITIONERS (PROFESSIONAL STANDARDS) BILL

(Cognate Debate)

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health) (10.40 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to provide for administrative arrangements for the Health Practitioner Registration Boards, and for other purposes and a Bill for an Act to establish arrangements for the disciplining of registrants and the management of impaired registrants, and for other purposes."

Motion agreed to.

Mr DEPUTY SPEAKER (Mr D'Arcy) read a message from His Excellency the Governor recommending the necessary appropriation.

First Reading

Bills and Explanatory Notes presented and Bills, on motion of Mrs Edmond, read a first time.

Second Reading

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health) (10.42 a.m.): I move—

> "That the Bills be now read a second time."

The Health Practitioners Registration Boards (Administration) Bill and the Health Practitioners (Professional Standards) Bill represent the first stage in the comprehensive reform of 12 Acts and 15 pieces of subordinate legislation which will deal with the registration of health practitioners in Queensland. These Bills address, in a generic way: the provision of administrative support to the health practitioner registration boards; the making of complaints about registrants; the investigation of complaints regarding registrants; the discipline of registrants; the management of impaired registrants; and the relationship between registration boards and the Health Rights Commission.

Later this year, following consultation with key stakeholders, the Government will introduce a further 13, profession-specific, Bills addressing other aspects of the regulation of registered health practitioners. The administration Bill and the professional standards Bill are the outcome of an unprecedented public consultation process, involving thousands of individuals and organisations over a six-year period.

During the course of the review of health practitioner legislation, four public consultation documents have been released, over 5,000 copies of these documents have been disseminated throughout the community and over 450 public submissions have been considered. In addition, intensive consultation has occurred with registration boards, peak professional associations, unions, health consumer groups, the Health Rights Commissioner and various expert advisory bodies. Most recently, key stakeholders were provided with an opportunity to comment on the workability of exposure drafts of these Bills. The legislation being introduced today incorporates various refinements made to address issues raised during that process.

As a result of the comprehensive consultation process undertaken there is a high degree of support for the Bills. The core principles underscoring the development of this legislation are: the protection of the public; accountability; fairness; peer and public involvement; and efficiency and effectiveness. The Bills reflect a careful balancing of various views and interests against these core principles.

Overall, the Bills have a strong emphasis on public interest and this has been applauded by health consumer groups in particular. The administration Bill and the professional standards Bill are at the leading edge of reform of occupational regulation legislation and they reaffirm the State's responsibilities in respect of the regulation of registered health practitioners. The Government anticipates that these Bills will provide a new benchmark for health practitioner legislation throughout Australia.

The Health Practitioner Registration Boards (Administration) Bill is a small but significant component of the new health practitioner legislation. The Bill reforms the provision of support services to the boards to ensure that the boards are provided with responsive and appropriate administrative and operational support by an agency fully independent of Queensland Health.

The Bill establishes an independent statutory body known as the Office of Health Practitioner Registration Boards. The core business of the office will be to provide support services to the boards in accordance with service agreements negotiated with each board. The office will be established as a public service office under the Public Service

Act 1996 and will operate independently of Queensland Health.

The office will be controlled by an executive officer who will be responsible and accountable for ensuring that the office functions efficiently and effectively. The executive officer will have all the powers necessary or convenient to ensure that the office delivers its core business. The staff of the office will be employed under the Public Service Act and will have status as public service employees.

The new administrative arrangements will provide autonomy and flexibility for the boards in staffing and other organisational decision-making processes. Through the mechanism of service agreements, the boards will have greater ability to negotiate flexible and appropriate staffing and administrative arrangements to meet their particular needs. Under the new arrangements, the executive officer will have the ability to develop and implement appropriate policies and protocols and to expedite the creation of positions and appointment of staff to service the boards' needs under the service agreements within the budgets available to the boards. A combined administrative structure offers significant advantages to the boards.

These arrangements achieve economies of scale, especially for smaller boards, which would face higher costs in establishing and maintaining autonomous administrative arrangements. The arrangements also ensure consistency in policy development and implementation, and in common administrative practices, for example, in the processing of registration applications and renewals. A combined administrative structure will also provide mutual support for boards during the implementation of the new health practitioner legislation.

For these reasons, participation by all boards in the new administrative arrangements is mandatory, although the Bill enables the Minister to approve alternative arrangements if a board's reasonable needs cannot be met by the office. The Bill implements innovations in the provision of administrative and operational support to the boards. The new administrative arrangements will ensure the boards receive the support necessary to help them function efficiently and effectively as key components of a regulatory system aimed at protecting the public.

The Health Practitioners (Professional Standards) Bill is an important new consumer protection law containing a range of reforms which provide for a fairer, more accountable, flexible and integrated approach to deal with unsatisfactory professional conduct by registered health practitioners. The Bill replaces the disciplinary provisions in 11 health practitioner registration Acts and makes consequential amendments to the Health Rights Commission Act 1991 and various other Acts.

The Bill addresses a number of deficiencies in the existing laws related to the discipline of registered health practitioners. The Government considers that the disciplinary provisions of the existing Acts compromise the State's ability to protect the public in that—

the grounds for taking disciplinary action against registrants are too narrow;

the disciplinary actions which may be taken against registrants are limited and inflexible;

the boards' investigative powers are inadequate or non-existent;

the boards' powers to respond to imminent risks posed by registrants to the life, health or safety of others are generally inadequate; and

the Acts do not dovetail with the Health Rights Commission Act 1991, creating the potential for delays and for professional standards issues to be overlooked.

Each of these issues is effectively addressed by the Bill.

In addition, the Government is concerned that the current Acts do not comprehensively set out the rights of registrants during the investigative and disciplinary processes or provide complainants with any rights during disciplinary proceedings. For example, complainants currently have no right to attend disciplinary proceedings which are triggered by their complaints. The Bill sets new standards in respect of the rights of registrants and complainants.

The Government also considers that the existing Acts are inflexible in that they provide only one process for dealing with disciplinary matters. With the exception of the medical profession, registration boards can currently only deal with disciplinary matters by way of an inquiry. This means that all disciplinary matters, regardless of their seriousness, are dealt with in the same way. Finally, the disciplinary provisions of the current Acts are not uniform. They do not meet community or professional expectations, or conform with current drafting practice or fundamental legislative principles.

The Government has responded to health consumer demands for greater involvement in

the regulation of the professions by including members of the public and the professions on all disciplinary bodies established under the Bill. The Government has also responded to concerns about the limitations of the existing disciplinary arrangements by expanding the grounds for complaints and the grounds for disciplinary action against registrants. Consistent with recent reforms in Victoria, in the future, disciplinary action may be taken against any registrant whose conduct is below the standards considered acceptable by the profession or by the community.

In addition, the Bill broadens the range of sanctions which may be imposed where a registrant satisfies the grounds for disciplinary action. For example, the capacity to impose conditions is a significant innovation for health practitioner legislation in Queensland. This reform enables a disciplinary body to impose a sanction which will limit a registrant's activities to the extent necessary to protect the public. This is clearly preferable to the imposition of a more onerous penalty which, in some cases, could go beyond what is necessary to protect the community.

The Bill requires certain disciplinary actions to be recorded on the board's register and provides a discretion in respect of the recording of others. The Government considers that, in the absence of any competing public interest issues, the community is entitled to know the details of all conditions on a registrant's right to practise. The Bill also establishes a flexible three-tiered disciplinary structure which will enable matters to be heard in a way which is appropriate to their severity. For example, minor matters will be dealt with by way of an informal but inquisitorial process by the registration board themselves.

The boards' powers to deal with these minor matters will be limited to cautioning, counselling and reprimanding registrants or entering into voluntary undertakings. The professional conduct review panels will deal with more routine disciplinary matters. The panels will have all the disciplinary powers of a board and an additional power to impose conditions upon a registrant's registration. It is intended that panels will operate in a relatively informal way and, where appropriate, a collaborative and redirective way, with the objective of determining whether a registrant satisfies the grounds for disciplinary action and, if so, the sanction which should be imposed to achieve the objects of the Act.

The Bill provides that, for the first time, all serious disciplinary matters regarding registered health practitioners will be heard by a Health Practitioner Tribunal constituted by a District Court judge. This significant innovation will ensure that disciplinary matters are dealt with fairly by a totally independent adjudicator. This is a new jurisdiction for the District Court and this reform is evidence of the Government's commitment to the creation of a fair process for the protection of the community from misconduct by registrants. The tribunal will adjudicate all cases of sexual misconduct by registrants and other equally serious matters.

The Bill provides for disciplinary proceedings before the tribunal to be conducted in public unless there are special circumstances which warrant the proceeding or part of the proceeding being held in camera. While the Medical Assessment Tribunal has sat in public in recent years, there is no statutory requirement for this to occur. The Government considers that, unless there are special circumstances, it is in the public interest for all allegations of serious misconduct by health practitioners to be heard in public. Open hearings enhance public confidence in the regulation of the professions and have been effective in encouraging additional complainants to come forward. These additional complaints are often vital in securing appropriate disciplinary decisions.

The Bill provides, for the first time, a comprehensive approach to dealing with registrants who are impaired through alcohol or drug addiction or another mental or physical disability that affects their ability to practise. The Bill provides a two-stage process to deal with impaired registrants and the relevant provisions are designed to ensure a supportive and rehabilitative focus is available where this is appropriate. Importantly, all conduct which appears to provide grounds for deregistration or suspension, even if due to an impairment, must be dealt with by the Health Practitioner Tribunal.

This Bill also clarifies the respective roles and responsibilities of the Health Rights Commission and the registration boards and makes a number of amendments to the Health Rights Commission Act 1991 to address routine operational concerns raised by the Health Rights Commissioner. For the first time, there will be a coordinated and integrated approach to the management of health complaints about registrants. The Bill creates parallel grounds for complaint to the boards and the Health Rights Commission and requires consultation to occur in respect of various action decisions regarding registrants. These strategies will ensure that professional

standards issues are readily identified and dealt with appropriately.

Under the new arrangements, the principal responsibilities of the commission will be the receipt and assessment of complaints about registrants and the resolution of disputes through conciliation. In addition, the commissioner will have an enhanced role in overseeing investigations undertaken by the boards. The boards will focus on the protection of the public by investigating and initiating disciplinary proceedings for unsatisfactory professional conduct. Importantly, the reforms to the Health Rights Commission Act 1991 in respect of registered health providers will enable the commission to more readily carry out its statutory function of overseeing, reviewing and improving the health system.

The Bill also addresses operational problems with the Health Rights Commission Act 1991. The problems addressed are—

inefficiencies related to the receipt and consideration, and assessment phases of the Act;

the lack of power to refer complaints to other bodies at the conclusion of assessment;

the inability to take more than one action on a complaint; and

the inability to split complaints involving multiple issues or respondents into component parts.

The Health Practitioner Registration Boards (Administration) Bill and the Health Practitioners (Professional Standards) Bill represent a milestone in the reform of the regulation of health practitioners in Queensland. The Bills enhance the regulation of the professions for the benefit of the community as a whole. The Government wishes to acknowledge the efforts of many individuals and organisations who have worked toward this important goal over the last six years. I commend the Bills to the House.

Debate, on motion of Miss Simpson, adjourned.

INDUSTRIAL RELATIONS BILL

Second Reading

Resumed from 10 June (see p. 2530).

Mr NELSON (Tablelands—IND) (11 a.m.): Last night as the coalition stood in here and defended the working man in this State, that den of inequity, the Stranger's Bar, rang with the echoes of singing as the AWU invaded that coven of socialism in this House. They sang and drank as a Bill oozed through the House, a Bill that will return this State to the glory days of trade unionism and totally devastate any chance that we have of moving into the year 2000 with any confidence or ability to work towards large projects that will bring real jobs to this State—not part-time jobs of two or three hours a week, but real jobs.

Although I have spoken about this before, it may surprise some honourable members to know that I was a member of the Transport Workers Union. I was not forced to join the union. I joined out of choice because my employer was pretty shonky. As a security guard, I wanted to know that if I was ever injured in that line of work, especially as that is such a high-risk occupation, I had some sort of guarantee that I would be looked after in the future and that I would be recompensed in some way. I emphasise the point that when I joined the Transport Workers Union, it was out of choice. The guy who worked next to me was a member of the Miscellaneous Workers Union and the girl working on the other side of the machine was not in a union at all. We had that choice. The fundamental principle that we have built our society on is the freedom of choice to belong or not to belong.

Let us look at this Bill, and I thank members of the Australian Labor Party for their confidence in my ability. I know that I have a bit of a fan club with the member for Archerfield and the member for Kurwongbah who count the words in my speeches and report them back to me, but even the great Shaun Nelson cannot digest something like this very large Bill in two weeks and come back to this House to report on it with any confidence. I am sorry but it is a bit too thick for me to get through in that amount of time. Again, I thank the Australian Labor Party for its confidence in my ability, but I am sorry to say that with my meagre resources the union bosses cannot beat me over the head with something like this and get me to vote on it. That will not work. The parts of the Bill that I have read have caused me surprise and anger to say the least, but I will not vote for it simply because I was not given enough time to read the details. They can put that into their planning book.

Very few people who live on the tablelands would be members of the trade union movement, but I am not here to bash members of trade unions. Just like union bosses, last night the AWU faction sang and danced in the Stranger's Bar while the workers—the members of the coalition and the Independent members of the House—toiled away in here. It is a typical reaction for the

worker to get angry. In a few cases, especially in Queensland, workers have used their right to say whether they do or do not want certain things to happen in their workplace. I am the first to support trade unionism. I believe that it is necessary; some people would even call it a necessary evil. It is necessary to have some sort of representation of workers' rights in the workplace, but an important factor that was related to me by one of my constituents is that without employers there will be no employees. The simple fact is that any job is better than no job. If we cannot give employers the confidence that they will be able to run their businesses to the best of their ability and in the way that they want to run them, of course they will not invest their money in Queensland, they will go to a State that is a little more employer friendly.

Yesterday, the ABC reported—

> "Seasonally adjusted figures for Queensland show the unemployment rate has increased to 8.3%, up from last month's figure of 7.8%."

I do not hear any interjections, so I take it that the ABC must not be lying to us and that this must not be a media beat-up but actually must be true. Therefore, the introduction of this Bill will see a jump in the unemployment rate.

Mr Hayward interjected.

Mr NELSON: I will not indulge in any rabid conspiracy theories. We will see an increase in the unemployment rate, despite the fact that the Premier tells us that it will decrease. Therefore, somebody is not giving us the whole story—either the ABC or the Premier.

Like many members on this side of the House, there are numerous points that I would like to raise about this Bill, but when debating any industrial relations Bill we should ensure that we take into account workers' rights. Unlike the member for Burdekin and other members of the House, personally I do not have any religious beliefs at all. I put on the record that I do not care what consenting adults do behind closed doors. That is of no concern to me, so long as it is legal. Therefore, I do not think that it is important that this House debates anyone's sexuality or sexual preferences. So long as it involves consenting adults and is legal, I have no problems with it. However, it is very dangerous to try to entrench in industrial legislation sexuality and the different issues associated with that. Homosexuality is already a burning issue in society and it already creates great emotional conflict, as we saw last night. I know people, whom I call friends, whose sexual preferences are known to me—and that is something that I would not partake of or indulge in. I believe that there is something to be said for the sort of relationship that, for example, my parents had. I was brought up in a traditional family unit and there is something to be said for that. Every member of this House——

Mr Dalgleish: On this side.

Mr NELSON: No, members on the other side as well. Most members of the House are family people and support the traditional family unit. Being a young person, I have come to accept that people have ideas towards sexuality different from mine. Although the member for Barron River made some very valid points about fairness and equity, I do not think that an industrial relations Bill provides the forum to have that debate. It is certainly an important issue that needs to be addressed in a modern society. As a 26 year old working in the Department of Defence, I had to work next to people with different sexual persuasions to me. Being a country boy who was brought up in quite a different environment, at first it was hard for me to accept. However, it was not my place to judge their preferences. I know that I am getting a few frowns from members in the Chamber. Even though I personally do not agree with it, I do not think it is for me to make a crucial judgment on whether these people deserve rights in the community equal or similar to——

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! The member is testing the Chair's ability to understand how he is referring to the Bill.

Mr NELSON: I think this is covered under clause 110 of the Bill. It is certainly important to me. I am trying to get to the point.

Mr DEPUTY SPEAKER: Order! I have read that clause, and I think the member is still drawing a very long bow in relation to the arguments he is pursuing.

Mr NELSON: I will get to the point. The inclusion of this provision in the Industrial Relations Bill—legislation that I cannot support—will mean that I will be voting against giving a fair go to every citizen of this State regardless of their race, colour, creed or sexual preference. I wish to put on record that, although I believe in giving everyone a fair go and would not judge somebody just because of what they do behind a closed door as a consenting adult, I do not believe that this is the right forum in which to address this issue.

I do not believe that this Bill will provide stability for the State of Queensland. I will now refer to the comments of another tablelander. Firstly, he said that Labor factions are very formalised and always visible. Secondly, he

stated that the Labor Party provides ideological shelter for almost any group that is not primarily based on self-interest and so the potential for disputes is infinitely greater than that of our opponents. Thirdly—and as a corollary to the second point—he stated that all of the factions of the conservative parties have a common denominator, that is, self-interest, and generally wish to preserve the status quo, and so the potential for factional disputes based on ideology is not high.

The research report states also that the monolithic nature of factions draws into disputes individuals who might otherwise remain uncommitted in the particular conflict, and the more widespread the dispute, the more likely it will be that it will ultimately be translated into rejection at the ballot box. Mr Deputy Speaker, I am sure that you would probably remember that for many years the Labor Party did not have a great foothold in this House. That was mainly linked to the Labor Party's inability to control factional warfare at the time. The coalition was probably able to beat down factional warfare by virtue of the National Party's ability to govern in its own right. The message that that sends to anybody who studies politics is that even today factionalism will be rejected by the State of Queensland. No-one would deny the fact that the Australian Labor Party can hold power in its own right in the State of Queensland. However, it will be a long time before that is able to be said of the National Party. The simple fact remains that that factional infighting will be viewed by members of the community, especially members of the rural community, as being unacceptable and as discouraging stability in Government.

I believe that the factional system has been a success story for the Australian Labor Party and that it has worked on some occasions. However, on this occasion we can see the rift quite clearly. According to the list of speakers, only one or two members of the AWU will be speaking to this Bill. They are remaining adamantly quiet. On Monday, we will see whether Bill Ludwig is browbeaten and thrown to the ground by the Premier. I believe the Premier has won his battle and beaten the AWU into submission. I congratulate him on that massive achievement. However, the simple fact remains that there is a dispute and some members of the Labor Party believe that you don't get angry, you get even. I do not think anyone who has studied trade unionism or factionalism in this State would rate highly the chances of seeing a highly disciplined and rigid Australian Labor Party going into the next election. I predict that we will see paybacks at the end of the Premier's term.

As I said at the beginning of my speech, I believe that trade unionism is important. However, I think we are long past the days of children going down into coalmines. The other side of the House indulges in a fair bit of farmer bashing. But a lot of farmers are saying to me, "Coalminers get a hundred grand a year to go down into those coalmines. They are not exactly living on the poverty line—a fair day's work for a fair day's pay. What is all of the fuss about?" As I said before, trade unionism is important in most workplaces. As I said, I worked as a security guard at the Canberra Airport. On the advice of friends, I joined the Transport Workers Union——

Mr Paff: Not another one. You've been everywhere.

Mr NELSON: I certainly have led a long and interesting life in 26 years.

Mr Dalgleish: Short.

Mr NELSON: It has been very short but very interesting.

I was a member of the Transport Workers Union in the ACT. A friend of mine, who was working next to me, was a member of the Miscellaneous Workers Union. The person working on the other side of the machine was not in a trade union. We all got on well. I did not have any qualms about that whatsoever. The only people who ever seemed to have any trouble with it were the union representatives who, every once in a while, used to come around and have a bit of a whinge about unity in the workplace and so on. The point is that we had freedom of choice; we could choose to do what we wanted. To me that is of fundamental importance. In Queensland we should not be entrenching any sort of legislation that will force people, as we have heard before, into the 1950s mentality of no ticket, no start.

I am trying to phrase these issues as questions. I hope the Minister has taken on board not only my speech but also those made by members of the coalition. I hope he can address some of these issues. As I said before, I am a very busy person and I did not have time to address the important issues in my electorate and also read industrial relations legislation that is one and a half to two inches thick. Again, my office consists of me and only one electorate officer. Unlike the member for Nicklin, I do not have access to any support staff. Therefore, if I wanted to find out about the Bill, I had either to get a briefing—and

many of the briefings I have had before are highly——

Mr Hamill: Let me tell you that that is exactly the way we had to operate for the whole period of the time we were in Opposition.

Mr NELSON: I thank the honourable member for his confidence in my ability. I have the utmost respect for many of the members of the Australian Labor Party who stayed in this House through the Sir Joh years and the days of the cricket team. It must have been a trying time. Being in the situation I am in today, I can empathise with them. But they fought on. I was brought up to think of Sir Joh as almost a cult or hero figure. To me he was a great man and a great Queenslander who held this State together. Time and time again people tell me that those years were great years for Queensland and that we were a fantastic State.

Mr Paff: What's that got to do with industrial relations?

Mr NELSON: I know that the member for Ipswich West could not care less about industrial relations, but I certainly have some concerns that I would like to address, because people in my electorate are concerned about how industrial relations and this Bill will affect small businesses on the tablelands, such as sawmilling operations and independent mining operations—not that there are many of those left. Hopefully, given the geophysical surveys that are being done at the moment, one day we will see their return.

Again, I do not want to see rampant trade unionism in this State; in reality, I do not think anyone does. I think we should have freedom of choice. I think that, if a person in a workplace wants to join his trade union and he wants to support it and do that in no uncertain terms, that is a fine thing. I think he should be allowed to and I think that, in some cases, he should even be encouraged, because there are certain scurrilous employers out there who try to drive the working man into the ground.

There are many employers who work very hard for their money, who work day in, day out and spend a hell of a lot of their own personal funds on getting their businesses up and running. They do not need to be discouraged from doing that, because small business is the engine room of employment in this State. Again, I draw the attention of honourable members to the jobless rate that has jumped back from 7.8% to 8.3%. I say that, with any luck, this Industrial Relations Bill can be changed in places and the Minister for Employment, Training and Industrial Relations will address some of the issues that have not only been raised by me, but raised by other members on this side of the House. Hopefully, with any luck, we can reach some sort of compromise in the future.

Mr ELLIOTT (Cunningham—NPA) (11.20 a.m.): I wish to touch on a few things here today. Honourable members on the other side of the House might all wonder why we are all so concerned and why we are all prepared to be speaking on this Bill. If one looks at it and asks oneself that, one comes up with one word, and that is "balance". Some on this side of the House have had industrial tickets. I was a member of the AWU when I first left school and, as such, I have probably at least had some experience with the trade union movement and perhaps can understand it a little better than others do. The thing that really concerns me is that the Government is turning the clock back.

I just wish to recount a conversation that I had with a New South Wales businessman in the last few days. It is quite an unfortunate situation and I will just detail it to honourable members because I think it is very relevant. It is an analogy that we all need to look at. This gentleman moves houses; he moves buildings. He has done so for many years. He is probably one of the most reliable and reputable operators in the greater Sydney area. Over many years he has built up a very good plant and he has a very good work force. He does everything to the letter of the law, and he does it well.

Recently the Government put out a tender to move a building because a road was to be built there. This fellow did not submit a tender. The department involved rang him up and asked him why he had not put in a tender for this job. They said, "You are the bloke we really want. You are the bloke who will do the job best. Why have you not tendered for the job?" He said, "I will put it to you this way: if I was going to do that job for you 20 years ago, you would have required me to fill in two pages for the tender document, but now you hand me a document which has nearly 300 pages. I would think it is self-explanatory. When you look at all of the criteria you require me to address in this tender document in relation to WorkCover, site agreements, asbestos"—and he just went on and on and on with all these politically correct and industrial relations type situations——

Mr Veivers: Garbage.

Mr ELLIOTT: Garbage, exactly. My colleague from down the coast the member for Southport says "garbage". He is right,

unfortunately. If we continue down this road and if the Government continues to wind the clock back in respect of industrial relations, it will push so many people out of business altogether. People have had it up to the back teeth.

I had another interesting conversation with a guy with whom I actually went to school. He and his brothers and another friend of theirs developed a very big real estate operation. I will not embarrass them by mentioning the name, but many members would know of their firm. Quite frankly, this bloke has also had it up to the back teeth. With friends they had a discussion about where their businesses were going over the next five years. One of them said, "You are all away with the pixies", and the others asked why. He said, "Ask me how many people I employ now. I employ 200-odd. How many people am I going to employ next year?" They asked, "How many?" He said, "We will be lucky if we employ 80. The next year we will employ fewer than that again and by the year after that I will be down to employing one secretary to keep my business affairs in order and to ensure that I am able to lodge my tax correctly. I will not employ anyone else." They asked, "Why on earth are you going to do that?" He said, "Because Governments have made it impossible to do business because of the red tape that they are putting in place and all of the problems that they throw up in respect of running businesses, particularly in the industrial relations and WorkCover areas. It is not worth doing business any more. It is too difficult. It is fraught with so much potential litigation."

Mr Mulherin: Get rid of all the regulations?

Mr ELLIOTT: No, I am not suggesting that we get rid of all the regulations. But the Government is going overboard. This legislation is another case in point. It has already done that with the WorkCover legislation. It is setting the bar too high. It is not getting any balance in it. That is why I use the word "balance". That is where we have to look.

Quite frankly, some Government members think that the job opportunities will be created by multinational corporations. Sure, there are some good statistics coming through, and the Federal Government is pleased to see some of the employment that has been created by the big companies. That is all very laudable. I take my hat off to them. I am not necessarily a fan of Howard or Costello, but I do believe they have done a good job in respect of the economy. However, when it comes to a lot of other areas, they have not been game to bite the bullet. I am not talking about the level playing field, because I am not a level playing field man at all.

An Opposition member interjected.

Mr ELLIOTT: That is right.

It is of great concern to me that the people opposite seem to think that they can get out a big stick and bludgeon small business into employing more people. If they do not make it easier for small business to employ people, believe me, small business will employ fewer people; they may not even continue to employ the number of people they do now.

Back in the seventies, I used to employ 27 people. I, for one, do not want to employ anyone anymore—not on a full-time basis. It is all too hard. It is just the greatest pain.

Mr Veivers: It's a nightmare.

Mr ELLIOTT: It is a nightmare. It is the greatest pain in the backside.

I am a reasonably affable type. I get on pretty well with people. I do not have a problem with getting on with anyone with whom I work. I am one of those people who enjoys working with my hands with the people who work for me. Quite frankly, the only way I am going to employ anyone in the future is on a subcontract basis. I want people who own their own vehicle, I want them to own their own equipment and I want them to insure themselves in respect of WorkCover. Otherwise, I would have to employ another person altogether to do my books, to do the tax, to do WorkCover, to do all of the other areas that are involved in employing people. I would have to employ a full-time person who did nothing else other than just doing the book work.

What do honourable members think I am going to have to pay someone of that calibre to do that? It is going to cost me at least $40,000 a year to employ that person. How much money do honourable members think I can make, whether it is contract harvesting or something else? You are damned lucky if you can make that sort of money. Some years you are lucky if you make $50,000 out of it. Why would someone want to employ a person to have to do all that? The Government has to sit down and forget about ideology. All of us in this House understand that we have different ideologies and we come from different directions. But surely we are all interested in trying to develop a situation in this State and

nation that increases the number of people being employed, particularly the number of young people.

If honourable members do not want that, then they should not be in this place. I am sure all of us are striving for the one goal, that is, to employ more people. Unfortunately, because the Government has allowed its ideology to push it to the point that it believes it has to fall over itself to say, "Look what a good Government I am; I am protecting your interests", it takes for granted that people on wages do not have the ability to look after themselves.

I think politicians underestimate the intelligence of the electorate to a great degree in the same way that, in the industrial relations area, the Government underestimates the intellect of working people. Workers are much better educated today than they were 30 or 40 years ago. In the old days, when it was in its heyday and at the height of its power, the AWU did a great service for people. It was needed because, quite frankly, people used to abuse and undermine the work force and do terrible things. I do not doubt that there is still the odd person like that around today, but this work force is more intelligent, better educated and quite capable of sorting out whether or not they want to work for particular people.

I do not believe for a minute that we need to go to the lengths that this Government is going to today to turn the industrial relations clock back and try to tilt the playing field in the favour of the employees to the degree that this Bill does. If the Government continues to do that, I do not believe it will be able to increase the work force in Queensland at all.

As the member for Tablelands said earlier, the engine room of employment is, after all, private sector employees. That is small business. If half the small businesses put on one extra person tomorrow, the unemployment situation in this State would be quite reasonable. For goodness' sake, let us all for a change stop playing politics, stop looking at things from an ideological viewpoint and try to get practical and get some more people, particularly young people, into work.

I would love to put on someone young and train them. I enjoy training people. A young fellow worked for me just before I came into this House for the first time. He was a diesel fitter who had been an apprentice with a company. He worked for me for a lot of years. Then, quite rightly, someone offered him a really good job on top money. He has had a wonderful career. He has done very well. At the time I was probably a bit miffed that he went off and worked for someone else, but surely that is what training people is all about. Employers should be happy for people to progress, to get on in life and to do well. The gentleman I referred to has done very well and has made a lot of money as a manager of a property. He has a lot of ability.

I call on the Government to look at that issue. It should revisit the WorkCover issue. WorkCover is another area that is making things more and more difficult. Members heard my colleague the member for Warwick instancing Warwick Bacon. If Warwick Bacon is winning awards in respect of its safety record——

Mr Hegarty: Bringing home the bacon.

Mr ELLIOTT: Exactly. What sort of problem do we have if a firm with a record like that has to pay more for WorkCover each year?

Mr Braddy: You brought it in.

Mr ELLIOTT: I was trying to get us to stop looking at ideology and trying to be practical. The Minister is taking a tiny fraction of time and is trying to score a political point instead of looking at the situation which developed under the previous Labor Government, then the coalition in Government and now Labor again. Surely we should all look at WorkCover and say to ourselves that we have to address the problem and try not to overdo compensation. We need to ensure that people are protected, but these massive claims are over the top. They are not practical, they are not sensible and the end result is that WorkCover is becoming a nightmare. It is tremendously important to look at this issue.

The same issues are involved in relation to big companies. A big multinational corporation can afford to make its own insurance arrangements. It can set up a much cheaper operation than could I or someone else in small business who has to go through the Government scheme. Small businesses are being hit to leg by these changes.

The Government is making it too difficult for people to be employed. All Government members should go home, take a cold bath, have a look at what they are doing and ask themselves truly whether they are just reacting to their trade union people, who push and shove and tend to pull the strings in respect of the ALP, or whether they are genuinely interested in employing more people, particularly young people. Then they should address the problem, do something practical about it and revisit this legislation soon.

This legislation turns the clock back, making it more difficult to employ people. That is why so many of my colleagues feel so strongly about this legislation and are prepared to stand up here and talk about it. I was here until after two this morning and I did not get an opportunity to speak, but I was prepared to sit here to wait for my turn to speak on this legislation.

As I said, I was an AWU ticket holder. I was a member of a union. I worked in the wool sheds.

Mr Palaszczuk: What was the number of your ticket? A real AWU member would remember.

Mr ELLIOTT: I have a slight case of Alzheimer's.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! Would members let the honourable member wander on with his speech, please?

Mr ELLIOTT: I think it is important that we look at this legislation and ensure that we work towards employing more people, not fewer.

Mr MULHERIN (Mackay—ALP) (11.37 a.m.): The Industrial Relations Bill recognises above all the importance of industrial harmony to the State's economic and social future. The centrepiece of the reform will be a reinvigorated Queensland Industrial Relations Commission with the power and obligation to intervene early in disputes and to consider the needs of not only the State's economy but also local and regional economies in its determinations.

In Mackay last year there was a protracted industrial dispute at a local heavy engineering company. The dispute went on for a number of weeks, causing severe economic hardship to workers and their families, the company and the economy of Mackay. The Industrial Relations Commission was powerless to intervene because of the restrictions imposed by the current Act. The new legislation will allow the independent umpire, the Industrial Relations Commission, to intervene and resolve a dispute such as the one at the heavy engineering company in Mackay, thus avoiding unnecessary economic loss to workers, the employers and the community.

The Bill will restore the balance in the workplace. This Bill is linked closely to the recommendations of the Gardner task force, which consulted widely with stakeholders and the community. The vast majority of the recommendations were agreed by all parties and included in the legislation. The legislation will replace both the Workplace Relations Act 1997 and the Industrial Organisation Act 1997, removing duplication and overlap which resulted from the existence of these two Acts.

This is modern legislation which will give Queensland a platform on which to proceed economically and socially into the 21st century. The legislation will provide employers and employees with the flexibility that is needed in the workplace for business and industry to prosper. It will provide employers and employees with a greater choice of agreements to best suit their needs.

Whilst members opposite have voiced their opposition to the Bill, the majority of Queenslanders will recognise that the legislation will bring balance to the State Industrial Relations Commission. It will look after the interests of all, setting up a stable and cohesive system that will help employers and employees. No doubt members opposite will say that it is the end of the world as we now know it—just like they did in 1891. Even the member for Crows Nest last night admitted that what the workers were trying to achieve over 100 years ago was now fair and reasonable. It has taken 100 years for him to come to that conclusion. But no doubt his grandchildren's grandchildren will say the same about this Bill in 100 years' time. I congratulate the Minister and his task force on the work they have done in preparing the legislation and I commend the Bill to the House.

Mr CONNOR (Nerang—LP) (11.45 a.m.): Today we saw Queensland's unemployment rate hit 8%. That is certainly not a trend that is consistent with the Government's statements, and I do not believe that it is a trend that we want to see in the future. It certainly sends a timely warning about industrial relations legislation.

Unfortunately, some unions—and I am saying only some unions—live in the past. They live in the past because they have not come to grips with the fact that things have changed and are likely to change much more. We are moving into the new world order: global marketplaces; faster communication; digital communication—warmer and faster; and cheaper transport costs. We have a whole host of new ways of doing business—ways that had not even been considered in the past.

I will give members a couple of examples. The States are just moving into online auctions. Through online auctions via the Internet—electronic commerce—at any stage, anywhere in the world, simply with access to the Internet and a PC, a person can do

business with every corner of the world. There is simply nowhere to hide. Their products and services have to be competitive in a worldwide marketplace, and so, too, do industrial relations.

I will give members another example. General Electric, which is the largest company in the world, has a revenue flow that is greater than that of most countries in the world. It has just implemented a system whereby it does all its business via electronic commerce. I think it buys something like $300 billion worth of goods a year, so it is quite a large operation. If a person wants to sell to General Electric, they have to be in their system via electronic commerce. If someone has a widget, they are simply required to download particular software onto their computer. When the robot arm in General Electric's delivery and storage area determines that they need more widgets, that goes through their computer and out to the rest of the world. It then interrogates all the computers on the Internet network that have that particular software installed. It interrogates them to find out whether or not they have the widget that they need, whether it has the right specifications and quality, what the availability is, what the price is, and the transportation costs, and it automatically orders it. It is a process that is very similar to the old EDI systems, but the big difference is that small businesses anywhere in the world can do business this way, and it is happening right now.

In fact, the Forrester research group in the States, which is one of the larger IT consultants, has predicted that electronic commerce trading will hit $180 billion a year by 2001. That probably sounds far fetched, but right now $250 billion worth of goods and services are traded over EDI, which is the older mainframe type of business. As I understand it, something in the order of only $18 billion was traded via electronic commerce last year. So the growth rate in this industry is exponential. People all over the world are getting involved in this form of trade, and the key aspect of it is that there is nowhere to hide; either a person is competitive or they are out of business.

We are moving into, as Drucker calls it, the era of the knowledge worker. A knowledge worker manipulates symbols and data, not raw materials dug or won from the ground. The real wealth will be coming from their minds and their heads. Members should realise that this process can now take place anywhere, because via telecommuting——

Mr Lucas: You're not doing another assignment, are you?

Mr CONNOR: I was reading it off the cuff, the member might have noticed.

Mr Hamill: Reading it off the cuff?

Mr Veivers: Reading it off the cuff?

Mr CONNOR: I am sorry, I was doing it off the cuff. I am now reading it.

Mr Hamill interjected.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! I will have to give the member protection if this keeps up. The member for Nerang will continue with his speech.

Mr CONNOR: I will not digress, Mr Deputy Speaker, and I thank you for the protection from the Chair.

One only has to look at call centres. As I understand it, American Express has set up its South-East Asian call centre in Sydney. I understand that one of the reasons for that is the availability of multilingual operators in Sydney. Now, if anyone anywhere in South-East Asia has a problem with their card or credit or whatever, they ring there. So the jobs are being created for service delivery right throughout South-East Asia, but they are being created in Sydney. And why? Not because of the industrial relations environment, but because it is competitive; it has the brains; it has the connectivity through the telecommunications systems; and it has the availability of the necessary services. But if someone somehow or other tries to use an industrial relations environment to capture the work and the service delivery in a particular area, it will just slip through their fingers, because we are trading in a world market.

Of course, one of the biggest growth areas is computers and IT. We need to realise that we are moving into an era of remote maintenance. We can now have a web site sitting on a server in the States; the business is trading out of Australia, but it is serviced from Singapore. That is all done electronically with no geographical boundaries on where it can operate. Not only can this process happen anywhere, but the resulting information products can be shipped at the speed of light to anywhere in the world for almost nothing—for the most minute cost. Even rust belt industries are being transformed for this new environment, because business systems and communications have changed. As I said before, there is nowhere to hide. Either a person will be competitive or they will die. There will be no protection. If a union tries to hide behind some archaic legislation, industries will simply pack up and move to an

environment that understands their needs. In years gone by, we had scarce resources—not any more. One only has to consider the major commodities around Queensland at the moment. Look at sugar. For 10 years or more, the price of sugar sat at around US10c a pound. Now it is around US4c a pound. That is called——

Mr Veivers: It's called a disaster. That's what it's called.

Mr CONNOR: It is certainly called a disaster. But we are seeing that right across the entire commodity sector. The price of gold is at a record low. Only about six months ago oil prices dropped to $10 a barrel. We no longer have an era of scarce resources. The world is flush with resources. Prices are coming down all the time. And in Queensland in particular, if we want to continue relying on the commodity sector, all that will happen is that our standard of living and, in many cases, our quality of life will drop dramatically. And if we are not careful, they will drop very, very quickly. But at the same time, we cannot turn our backs on our traditional industries. So we have to make sure that our traditional industries are competitive, and an industrial relations environment is all part of that. We are moving into an era of what is called commodification where products are becoming more generic.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! I have been very tolerant but of late I have found it very difficult to relate this economic speech to the Industrial Relations Bill before the House.

Mr CONNOR: Mr Deputy Speaker, if you bear with me for just a moment, I am winding this new environment into the industrial environment. As you will see in the next paragraph, it does come together.

Mr DEPUTY SPEAKER: Order! I hope the member can justify that.

Mr CONNOR: I will.

Products are becoming more generic and there will be no premium on brand or type. The price is the price. If one is not willing to supply at that price, one will simply go out of business. Some people call it the era of hyper-competition. Businesses all over the world are already jockeying for a position in this new world order. Queensland incorporated is no different. As you will see, Mr Deputy Speaker, our industrial environment is operating in a world industrial environment which has been commodified.

If we try to add a premium, or if we try to differentiate our industrial environment, people will simply buy elsewhere. Believe me, people are not breaking down barriers to buy our products. Someone else sells just about everything that we sell. Someone else has just about every resource that we have. The global village is getting smaller and the cost of doing business is getting cheaper.

Mr Veivers: Look at what Clinton is doing to our lamb.

Mr CONNOR: Look at the importation of pork into Australia from Canada. As I said before, there is nowhere to hide. Everyone else has a similar product and people do not differentiate between those products as they used to. There is a standard sort of quality and people buy at the lowest price.

If we do not provide an inviting industrial environment and find productivity gains each and every year we will not attract projects in the first place and will continue to go backwards. Queensland unions have to be competitive and, more importantly, flexible, otherwise our businesses will not compete in this paradigm.

When we operated in the old settlement model—which I might remind honourable members was unravelled by the Hawke Government—with its high tariff walls and entitlements to unions and all the other different sectors of the community, the unions could bludgeon employers and gain concessions that would last in the long term. Not anymore! A non-competitive industrial agreement might be achievable but it will not last long. It will shift the balance of rewards towards the employee at the expense of the employer.

In the past, with these big tariff walls around Australia, the employer would simply put up prices. But in this new world order all employers will be making little or no economic profit. Because of global competition, they cannot put up their prices. In other words, because of the near-perfect competition, employers in these commodified industries will be making only enough return on their investment to justify remaining in business. There will be no economic profit.

If employees bludgeon a non-competitive deal from the employer, the employer will be making an economic loss and, hence, can only remain in that position for a short time. What I am saying is that the days of the bludgeon are gone. A far more clever union movement is required—a union movement that fosters investment, value adds its members and enhances the competitiveness of its industry. What we have at the moment is a bunch of Neanderthal unions who think that nothing has changed. Instead of fighting over

the crumbs left from the old world order, an ever-shrinking pool of workers in industrial age industries——

Mr Lucas interjected.

Mr CONNOR: I have little doubt that the member for Lytton knows all about Neanderthal unions. I also have little doubt that progressive unions will move into new forms of innovative programs to promote and improve their members instead of fighting with other unions in an attempt to get a greater share of the ever-shrinking membership cake. That is the challenge I make. This is where unions can value add. They can develop new industries by creating a more proactive and cooperative industrial environment.

I will now move on to detail some of the crude methods that are being used. Clearly, in the light of what I have just said, the folly of their actions will be obvious. After it was elected, the Beattie Labor Government promised to review the coalition's workplace relations legislation and repeal various aspects of it. The Minister for Employment, Industry Relations and Training, Mr Paul Braddy, established an industrial relations task force to review the——

An Opposition member interjected.

Mr CONNOR: He is only the Treasurer of the State. He would not have a clue what I have been talking about.

Mr Hamill: I have been nice to you.

Mr CONNOR: The Treasurer is just sniggering away there. I am trying to provide some insight into this new world order. I have no doubt that the Treasurer has little understanding of it, otherwise he would not be supporting this legislation.

Mr DEPUTY SPEAKER: Order! As I have already said, I find it very difficult to see how the member links this new world order to the Bill. I also find it a little difficult to believe that the member is speaking off the cuff, as he said he would be. He must be quoting from copious notes.

Mr CONNOR: I am quoting from copious notes but I am speaking off the cuff as well.

Mr DEPUTY SPEAKER: Order! I believe that would be fairly difficult. Would the member get on with his speech?

Mr CONNOR: I will, but unfortunately the Chair keeps interrupting.

Mr DEPUTY SPEAKER: Order! Could I refer the member to the question of relevance? Perhaps he could indicate the clauses of the Bill he is referring to. If he did that, I am sure the House would better understand where he is coming from.

Mr CONNOR: As you know, Mr Deputy Speaker, this is a second-reading debate. It would be more appropriate for me to do that in the Committee stage where I would be debating particular clauses. I was just referring to Mr Braddy and the matter of industrial relations. The second-reading debate is designed to be wide ranging. I will continue, with the Chair's support.

Mr DEPUTY SPEAKER: Order! I will give the member that support but I do ask that we talk about industrial relations—just a little bit, even 10%. I would appreciate that.

Mr CONNOR: I was trying to put the Queensland industrial environment into the world perspective. I will continue to try to do that, Mr Deputy Speaker, with your concurrence.

The Minister for Employment, Industrial Relations and Training, Mr Paul Braddy, established an industrial relations task force to review the State's industrial relations legislation. Amongst other things, the terms of reference of that review included the development of an industrial relations system based on cooperation, consultation and participation.

Right from the outset, the process was slanted in favour of the unions and the Labor Party. I say that because the task force comprised three union members, three employer members and two academics. We must understand that the Minister would be selecting the academics and that he would be highly likely to select academics sympathetic to the Government's position. We also had one Government member on the task force. Clearly, the academics and the Government representative would agree with the unions on most aspects of the review. The employers were outnumbered.

Submissions were invited from interested parties and the task force received 208 submissions. Many of those submissions argued that the present Workplace Relations Act was working well—I believe Mr Ludwig feels the same—and that there was no need for a wholesale departure from it. These submissions were ignored by the task force. I understand that the task force sat for a number of months and its deliberations were completed last year, with a report being published in December.

Many of the recommendations were agreed to by the various members present and were negotiated in good faith. Not all

recommendations were agreed to by all parties. I understand that about 60% of the recommendations were agreed to by the unions and the employers. That means that there were going to be many issues of contention when it came to drawing up the new Bill.

Submissions following the report were provided by various parties in February of this year. What happened in the meantime? Were the employers consulted about the content of the Bill at any time from February to May? No! The first that Queensland employers heard about the significant and wide-ranging changes was a few days before the Bill was tabled in this Parliament when they were shown a draft Bill.

It is also significant that the Bill differs from the task force report on a number of matters. The Government's intentionally departing from many of the recommendations contained in the report makes a mockery of the process of setting up an independent task force. In particular, I refer the House to the following areas: greenfield sites, legal representation and the appointment of a full-time president and vice-president to the Industrial Commission.

Has there been any opportunity for full and open consultation and discussion since early this year? No! One would have thought that it was appropriate to have proper consultation, particularly as the Bill was formulated by a task force heavily slanted in favour of the unions. The House should be condemning this Bill as it does not reflect the proper standards of fair play in consultation, which we have come to expect both in the process of drawing up legislation and in this place. However, the lack of consultation does not end there. As we have heard quite often and vociferously over the past few weeks, not even all the unions were consulted, let alone heeded. We have seen the unedified spectacle of the major and ALP-affiliated union, the AWU, loudly and profusely condemning the Beattie/Braddy Bill as one that not only does not favour the AWU but also destroys jobs and will make Queensland an unattractive destination for overseas and interstate investment. If we do not have a competitive environment in the global marketplace, we will simply lose investment.

Mr MITCHELL (Charters Towers—NPA) (12 p.m.): I rise to oppose this Labor Government's Industrial Relations Bill 1999 and, in doing so, at least at a decent hour. At one stage it looked like the member for Southport and I were going to be the rear guard at about 3 o'clock this morning. I say to honourable members that I was not looking forward to that.

It is plain that this Bill is a misadventure. It was born out of an alliance between that portion of the union movement that was disfranchised by the AWU's capacity to see the future and work towards it and the newly energised Left of the Labor Party. The odd thing is that the member for Brisbane Central allowed the Bill to be born. He knows that it does not square with his election promise to produce a 5% unemployment rate. That rabbit is likely to be a very sad little bunny in the Premier's charade. The Premier also knows that the Bill does not square with the Queensland economy of today and even less meets the requirements of Queensland's economy of tomorrow.

This Bill is a bad Bill. It attempts to reinvent the past—a past that the Left of the Labor Party apparently remembers fondly, although with very little accuracy. The Bill abolishes greenfield provisions which, incidentally, was a product of Wayne Goss and his Government, who kept the present incumbent out of Cabinet. The Bill also returns the de facto closed shop situation, permits union interference in business operations and, most importantly, hits small business. Even the do-littles opposite should be able to understand that none of those things advance Queensland or Queensland workers.

The vital difference between acting and performing—which is the vital difference that Premier "Do-little" who, despite his year in office, has failed to spot—is blindingly obvious in this Bill. The Premier has just returned from a vocal excursion to the United States where he tells us he has been trying to attract new technology to Queensland. Everyone on this side wishes the Premier well in that quest. However, everyone on this side wonders how he will achieve this, given what he is trying to do to Queensland and Queensland workers. Attracting new technology, the industry of the future and the least likely territory for a shop steward that I could imagine, sits awkwardly with unnecessary legislation that reverses labour market freedom.

Increased regulation, and that is the principal outcome of the legislation as well as a principal concern of this do-little Government, will not attract new technology or, for that matter, old technology. It will not enhance the search for private sector employment growth. To a very large extent, economic growth and employment growth are effected when Government institutions and policies

encourage innovation and risk taking. This Bill encourages a flight from that risk taking in relation to enterprise and energy. It is a simple fact of life, and if the Premier does not know it then he should widen his sources of advice, that the more Governments and their agencies regulate decision making by business, the less business will risk applying technological advances. That equation is not lost on those people overseas to whom the Premier sang his song of excellence. He says one thing and does another: promotes Queensland as the place in which to do business while undermining Queensland's prospects for attracting technology businesses by legislating to make it more difficult, more costly and more risky for businesses to start new ventures, let alone make the changes that are necessary in their structures if they are already in place in Queensland.

The advice that the Premier and the Minister for Employment, Training and Industrial Relations should be listening to includes the clash between their proposed increased regulation and the famous—now threatening to be infamous—5% unemployment target promise. Yesterday, we heard that the May unemployment figure for Queensland was 8.3%—up by half a percentage point from the April figure. Just like the Premier and his Government, Queensland's unemployment rate is going the wrong way.

The effect that the restrictive, union-favoured workplace regime that this Bill seeks to impose is likely to achieve is exactly the reverse of what the unions' friends opposite want it to achieve—a massive shift to the Federal IR arena. So much for protecting the interests of Queensland workers, at any rate from the skewed perspective of the Labor Party, if the result of this legislation is for people to vote with their feet and move out of the State industrial relations system! Moreover, under this Bill, the gap between the State's unemployment rate and the national rate will widen, to Queensland's disadvantage.

So much for the can-do Government! So much for the leading edge that Queensland has had historically! The Premier may feel happy playing in the middle of the pack and the member for Kedron may feel happy sitting on the reserve bench—and I believe that he will be right out of the team when the bomb drops from this shonky legislation—but I doubt that ordinary Queenslanders will be impressed with such plans. There are a great many inconsistencies in this Bill. The proposed increase in powers for the Queensland Industrial Relations Commission to resolve disputes sits oddly with the Premier's characterisation of the QIRC during the Sun Metals dispute—when he seemed determined to suffer an embarrassment a day—as a body with a poor record of ensuring union compliance with its orders and recommendations. Of course, that line came from the Premier's spin doctors because, under the existing legislation brought in by the coalition Government, the QIRC has all the powers that it needs. Bill Ludwig knows that and has said so publicly. The State Industrial Court knows that, and it so ruled. The defective performance in the Sun Metals dispute was not by the QIRC but by the Government, which must have been so smitten by its discovery of the new Mahatma at Gordonstone—which, by the way, is a Federal legal issue and not, as the Labor Party would like everyone to believe, a State industrial matter—that again it forgot which way is up.

This Bill's requirement for a 21-day period of abstention from industrial action after the notification of an intention to begin negotiations is unlikely to reduce disputation. As always, unions will simply take action first and then give notice. If the Government was fair dinkum about encouraging industrial peace, instead of using the Mogodon method that is embodied in this Bill, it would be encouraging the inclusion of dispute settlement procedures, including mediation, in employer/employee agreements. Both the Federal legislation and the West Australian rules include those procedures. That has had the beneficial effect of keeping the tribunals out of the dispute settling game, unless they are wanted by both sides to be involved.

The Premier and the Minister are also wrong in claiming that the proposed mandatory probationary period of three months for all new employees is a first. That is another shonky claim from the self-promoters opposite. The Federal legislation already has such a probationary period. Of course, playing up the three-month rule is an attempt—and, I might add, a failed attempt—to play down the fact that this Government is stripping small business of its exemption from unfair dismissal claims. That is yet another example of woolly thinking from this band of misadventurers who boldly go where everyone has been before. Small businesses create most of the jobs, yet they have far fewer resources than their larger counterparts by which to handle such claims. However, never mind, the Premier thinks that it is a good idea to cut off our nose to spite our face. The basic flaw in the thinking behind this legislation is that a major inequality exists in

the bargaining power between employers and employees and that that leads to the exploitation of workers unless there are extensive regulations. That is another example of ostrich behaviour: finding some nice, soft sand in which to bury one's head or, unfortunately for Queensland, taking another trip back in the time machine to a land and time in which this Government's big union mates feel warm and safe.

The facts are different. As a rule, employers now operate in a competitive market in which it is not possible to collude to force down wages and other conditions. During his US trip, the Premier might have noticed that in the less regulated US labour market, the share of GDP going to labour has actually tended to increase. Maybe he should take a leaf out of their book or, if he does not, take another trip to America to find out more. Nowadays, employees have much greater bargaining strength, partly through the income protection that the social security system provides. On another front, it is very clear that the majority of Queensland and, indeed, Australian workers require the protection that this Government says this Bill will give them.

When asked to name the best and worst things about their workplace, Australians most often refer to relationships with colleagues and management, the effectiveness of their boss and or management, the work environment and—in the words of the analysts—compensation. That is a very big and a very worrying word for a lot of small businesses. Personal satisfaction is the primary positive factor. There is plenty of scope for increasing personal satisfaction in the workplace, but no role for Government in achieving such an advance. Like with so many other things, the best role for Government is to stay out of the workplace. People want to control their own lives and they want to feel empowered to do so, and that means not having the Government breathing down their necks or telling them what to do. This Government is missing the boat—as it has always been prone to do—by harking back to the past when it should be looking to the future.

My colleague the member for Clayfield summed up the Bill when he said that it is bad legislation that replaces perfectly good and effectively working legislation. All employers are quite happy with the current workplace relations and believe that it is the only workable way for future employment in their businesses and industries. The Bill will undermine the job creation potential of all Queensland businesses because it is anti-business legislation—it is especially anti-small business. As one small business owner said to me just last week, "This is the 'Kiss the employees' boots for coming to work for me' Bill." He said that it will not worry him because he simply will not employ anyone if the unions attempt to disrupt his current operations. At present that man employs five permanent and two casual workers. He said that if things started to go wrong, he would get rid of the five permanent members of staff for a start. I believe that a thousand more businesses will have the same view.

The Bill is back to front. Employers have argued for more flexibility and less intervention by third parties when employing people. This Bill reverses that entirely. Many people have worked and saved throughout their working lives to get to a position where they own a business from which they can make a living and employ others. However, the pleas of those people have been totally ignored by the Labor Government. I do not blame any employer who takes that attitude to this ridiculous legislation.

This Bill has been formulated purely on the whims of the union movement of this State, but even then the Government could not get it right because it has favoured one union at the expense of another. I certainly hope that the legislation does come back to bite the Government, as I am sure it will. Even Bill Ludwig has said that this legislation is just not workable.

When will the Labor Government understand that before we can have employees we must have employers who are able to employ without all the imposts that this Bill will once again place on them? The Bill will further diminish the ability of small business to retain the staff that they already employ. The small business sector has had a gutful of all the Government and union interference in the workplace. We have seen this in a lot of legislation, such as the coalmining Bills that the House debated recently. As a result of the passage of that legislation, once again the unions will take control of mine sites and will be able to close down sites and interrupt the whole mining industry.

The existing coalition legislation includes comprehensive protection for workers in terms of basic rights, conditions and wages. Why are we being asked to change these rules? Because the Beattie Labor Government is not the independent Labor Government that it claims to be; it is a Beattie union Labor Government!

Mr PITT (Mulgrave—ALP) (12.14 p.m.): This Government came to office promising to

introduce a modern and progressive system of industrial relations that promotes jobs growth, job stability, economic development and competitiveness for the Queensland economy. One of the cornerstones underpinning our system is to ensure justice, fairness and equity for all Queensland workers within an efficient and contemporary framework of industrial relations. The Industrial Relations Bill before Parliament has a focus on conciliation rather than confrontation. Most of its provisions are a result of recommendations brought down by the independent task force that was established last year. The Government promised that consultation and cooperation between all parties in the system would be fundamental to this legislation.

In August last year the Minister appointed a task force comprising representatives of employer organisations and unions, as well as academic experts. The establishment of the industrial relations task force allowed for the most extensive and comprehensive review of Queensland's industrial laws ever undertaken. The Government promised that under Labor industrial relations would take account of both social and economic goals, in order to ensure a proper balance between the achievement of fair outcomes for workers and improving the productive performance of Queensland workplaces and industries.

In December last year the task force presented 166 recommendations. Of those, 84% were unanimous—a high amount of agreement in an area such as industrial relations. Of those 166 recommendations, 150 recommendations, or 90%, have been adopted in toto or with additions or modification. The task force found that the current legislation was overly complex and many submissions suggested that change was required. The task force recommended that single new legislation replace both the Workplace Relations Act 1997 and the Industrial Organisations Act 1997.

One of our first steps in Government was to introduce urgent amendment legislation, the Workplace Relations Amendment Act 1998. The outcome of the amendment legislation saw the repeal of award stripping. Without this amendment, many workers under State awards could have lost many important safeguards and conditions of employment. We also sought to repeal Queensland workplace agreements. As history has shown, the Government was required to maintain Queensland workplace agreements. However, through negotiations with two Independent members of Parliament, we were successful in making some significant improvements to this type of agreement, including the provision that they can no longer be made with an employee under the age of 18 years and the removal of secrecy provisions. The previous Government was so proud of QWAs that it legislated to ensure that no-one knew what conditions they contained except the signatories and the workers who were bound by law—their law—not to reveal the details because it could have been embarrassing.

However, these amendments were only the first step. The world has changed and our legislative framework has to change with it. In the past, industrial relations legislation was framed against a social background of a standard Monday to Friday, 9 to 5 working week and less demand for flexibility to balance work and family responsibilities. In reality, only 37% of the work force is employed in such a standard working week. Alongside this, there has been an increased level of female employment within the labour market, there are higher levels of casualisation, and there is a real need for workers to be able to balance work and family life.

The Government has sought to respond to these changes on a range of fronts through extending the general conditions of employment to all Queenslanders. Specifically, the Bill includes: a set of minimum employment entitlements including annual leave, sick leave and public holidays; four weeks annual leave, or five weeks for continuous shift workers; at least eight days sick leave per year; an extension of the provisions of unpaid maternity leave to long-term casual employees; and equal pay for male and female employees performing work of equal or comparable value.

Working time arrangements was another area of employment conditions reviewed by the task force. The Bill regulates working hours for award employees while providing flexibility by allowing these hours to be varied. The task force recommended that working time arrangements need to be reviewed. The Government will start research as soon as possible into changes in working time arrangements and standards in the work force. Our changes to the industrial relations system cater for the diversity of employment situations now and in the future.

A significant proportion of Queensland employees are solely reliant on awards to set their wages and conditions, yet awards had become irrelevant and out of date under the Borbidge Government's legislation. This Bill proposes that the role of awards be restored by ensuring that awards set fair and

reasonable wages and conditions of employment, rather than be limited to a minimum safety net of conditions and prescribed 20 allowable matters, and that awards are reviewed on a regular basis, at least every three years.

We have upheld our commitment to protect workers' rights to choose whether or not to join an industrial organisation. I affirm our long-term commitment to trade unions as an integral part of a collective, fair and balanced system. The Bill provides for the removal of current restrictions on the right of a union to enter a workplace and clarifies the purposes for which a union may enter the workplace. A key commitment and feature of the Bill is the establishment of a strong and independent umpire: the Queensland Industrial Relations Commission. It will have enhanced powers to assist all parties to reach bargains, resolve disputes and deliver fair and balanced outcomes for workers, employers and the wider community. It will ensure awards are reviewed every three years, provide a simplified appeal process and, for the first time in 80 years, there will be a full-time president of the commission.

Our commitment has always been to providing a fair and balanced system of industrial relations for the Queensland work force, a system that supports economic prosperity and social justice and puts Queensland in a strong position as we move into the next century. The Labor Government view on industrial relations has always been to bring about jobs growth, job security and enhanced economic performance. Coalition legislation was ideologically driven and had turned industrial relations into a battlefield. There had developed a "survival of the fittest" mentality that, by its very nature, encouraged confrontation. Images of armed security guards wearing balaclavas and accompanied by attack dogs have no place in the dispute resolution process in a modern developed nation such as ours. Those methods used in the US and elsewhere are not compatible with the Australian concept of a fair go for all.

The infamous Patrick dispute was a prime example of abuse of industrial relations legislation by a conservative Government desirous of breaking organised labour in this country. Australians looked into the conservative IR future and they did not like what they saw. The people of Queensland have not forgotten the secret training camp of Peter Reith's industrial goons in Dubai. They have not forgotten the Howard Government's immoral use of its power to side with an unscrupulous and ideologically compliant employer. Reith, Howard, Costello and company were prepared to use millions of dollars of taxpayers' funds in pursuit of their blind obsession with the destruction of the Maritime Workers Union. That ideological obsession obviously blinded them to the fact that they were going about destroying the livelihoods of ordinary Australians and jeopardising their families' standard of living. People across the nation saw that industrial thuggery by the Federal Government as repugnant and made their feelings known by demonstrating and offering financial and other support. The Victorian Supreme Court and the High Court of Australia made rulings that challenged both the legality and the ethics of the activities of a Government hell-bent on destroying one of our proudest unions.

If anyone believes that that watershed issue in industrial relations has no relevance to Queensland or the Bill before the House, they need look no further than the behaviour of former Premier Borbidge and former Industrial Relations Minister Santoro. They applauded Reith and company and offered to use the full force of the Queensland coalition Government to accelerate the repression of the union protest should the dispute take hold in Queensland's ports. It is obvious that members opposite see organised labour as some sort of conspiratorial attack on employers. The truth is quite the opposite. Organised labour and progressive management working within a framework of sound industrial relations legislation can deliver both workplace harmony and increased productivity.

I support the removal of the exemption for small business against unfair dismissal provisions. Surely workers in small enterprises should have the same protection as those in big companies. That is particularly important in our State, where 97% of all business is small business. If an employer cannot determine the suitability of an employee after three months, one would have to question the selection process itself. Employers will welcome the provision of a 21-day peace obligation period that requires parties to negotiate rather than take industrial action as a first step.

Queensland work conditions will be brought up to date by extending for the first time the right to access sick leave, family leave, annual leave and long service leave to all workers. Long-term casual employees will also be entitled to unpaid maternity leave. We will continue to address issues of jobs security, the reform of working time, wages and conditions of employment, the role of the unions and the Industrial Relations

Commission, pay equity, workplace health and safety and workers compensation. Recently we introduced a new workers compensation system which has the lowest premium rates of any State, and is the best and fairest in Australia. We came to office because the Queensland people believed we could deliver on our promise of jobs, jobs and more jobs.

The legislation has sparked long and heated debate. Quite obviously all stakeholders have some reservations about some of its provisions. That suggests that the Government may have it right. This is not a "winner takes all" process for unions or employer groups. A successful industrial relations package must produce fair outcomes for the community as a whole. I will always support a fair and balanced industrial relations system. As a progressive Labor Government, we will keep our commitment to make Queensland an Australian leader, and a State fit for the 21st century.

Mr VEIVERS (Southport—NPA) (12.25 p.m.): The member for Toowoomba South, Mr Horan, suggested yesterday that perhaps a deal would be done with the AWU, and I see today that quite a few AWU members are slipping onto the speaking list. I believe there must be a deal.

Mr Santoro: They are on strike.

Mr VEIVERS: Yes, they were on strike yesterday.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! I hope the honourable member will be relevant to the Bill.

Mr VEIVERS: It thought it was pretty relevant.

Mr Santoro: They still haven't got a deal.

Mr VEIVERS: The member for Clayfield is probably right. The members for Mackay, Mulgrave, Kallangur and Chermside are going to speak, and they were not in sight yesterday. That is quite amazing.

Mr MULHERIN: I rise to a point of order. I am not a member of the AWU.

Mr VEIVERS: The member has changed. I am sorry about that. At least they are putting their hands up.

Today I want to focus on the impact this legislation will have on the operation of the Industrial Relations Commission and the Industrial Court. Firstly, I will touch on a point that my colleague from Callide, Mr Seeney, raised very strongly yesterday, which I thought was very interesting. I refer the Minister to page 48 of the Bill before the House. I agree with the member for Callide, who pointed out that the footnote states—

" 'spouse' of an employee includes—

(a) a former spouse; and

(b) a de facto spouse,"—

and wait for it, Mr Deputy Speaker—

"including a spouse of the same sex as the employee."

I find it totally unacceptable that this Parliament should be considering legislation that puts same sex couples—homosexual couples—on the same legal footing as the traditional family unit. I am only too happy to stand up for that. I consider it to be quite incredible that members opposite will consider that to be a major achievement in their legislation. I believe most Queenslanders find those lifestyles immoral. Also, I believe that we should be trying not to legislate morality. It is another matter altogether to give those lifestyles recognition in this legislation. I do not believe it is acceptable for such lifestyles to be given legitimacy by inclusion in this or any other legislation by placing them on an equal footing with traditional family units.

I believe the Premier recognised that the people of Queensland generally do not believe that that is an appropriate way to go when, earlier this year, he ruled out the recognition of property rights for same sex couples. It seems that the Premier has been rolled by the social engineers from the Socialist Left who seem intent on forcing their political correctness on the majority of Queenslanders. In common with the member for Callide, I point out that, if this Bill is passed in its present form, it will be the first time ever that Queensland law has recognised same sex, or homosexual, couples. If this legislation is passed, it will allow same sex couples the same rights to parental and bereavement leave previously available—and rightly so—only to married and de facto couples. I must also point out very strongly that the Goss Labor Government and, indeed, the Borbidge-led coalition Government both pursued a policy of protecting and respecting traditional family values and excluding recognition of homosexual, or same sex couples, from Queensland law. By recognising same sex, or homosexual, couples, the legislation cheapens and devalues the traditional family unit. This legislation represents a major change to the fabric of Queensland society—a change which must and should be rejected by this House, and I reject it also.

I turn to the issue of legal representation under this legislation. As I said, I wish to focus

on the impact of this legislation on the operation of the Industrial Relations Commission and the Industrial Court. I wish to refer in particular to the implications that this legislation has for the workability of the Industrial Relations Commission and the Industrial Court and the appeal that it will not have in respect of the majority of the parties in the industrial relations system after these changes go through the Parliament sometime in the near future. In fact, it is safe for me to say that the provisions in relation to legal representation are being opposed by the vast majority of the players within the industrial relations field in Queensland.

These provisions are being opposed by the vast majority of the union movement and employer organisations. When small business realises what the implications are for it of the legal representation provisions of this Bill, it will also oppose the provisions relating to legal representation. As has been pointed out today, it will do so by walking away from the Queensland system and perhaps straight into the Federal system. The member for Cunningham pointed out lots of anomalies in the system. Private enterprise will not be able to employ people, because it will become too difficult.

I wish to elaborate on the general point that I have made. For the first time, lawyers will be allowed to undertake representation in the Queensland Industrial Relations Commission where it is not by the consent of all parties. There is a current exception in relation to the rules of an organisation or matters concerning variances to award contracts, but this certainly has not applied to the day-to-day issues of the commission. It has always been a lay person's tribunal, reflecting and honouring the typical arrangements of employers and employees. It is not legal or technical in nature, and the issues that arise are not legal or technical in nature.

This Bill gives lawyers access to the Industrial Relations Commission. The Minister has indicated that that is limited. However, it follows a Federal and New South Wales model, under which it is rare that lawyers are restricted in industrial proceedings. The Minister should take that on board. How the Government came to the conclusion that the system needed lawyers is almost as disturbing. It is probably because the Minister is a lawyer. I say this because the major employer organisations, such as the QCCI and the AIG, have indicated that they do not wish lawyers to have access to the system. The major union groups—the AWU and the ACTU—have also indicated publicly that they do not support this proposal. Furthermore, the independent task force also came to the same conclusion that there should be no alteration in relation to the access of lawyers to the system.

In spite of that background, we now find that access is being given to the lawyers. At a point somewhere along the path from the industry view and the independent task force review, we find an outcome that disagrees with all of them. It begs the question: what did this Government owe to the lawyers and lawyers' lobby groups? During the term of a Government, few issues arise in respect of which the major industry groups, the union groups and even an independent task force find against a proposal that is later supported by the Government. Minister Braddy should state why this has occurred. When one looks at the second-reading speech to the Bill, one sees that the Government's reasoning seems to be that that is what the commission wants. That is a rather novel ground for change.

Unlike the QCCI, the AIG, the ACTU and the AWU, the QIRC is not a user of the system, it is an independent umpire. I remind the House that the commission is made up of nine commissioners, of which only three are legally qualified people. The use of lawyers will only add to the cost of commission matters. A strong example of this is reinstatement matters. Unfortunately, the majority of the commission's matters are reinstatement cases. The introduction of legal representation will add substantially to the cost of reinstatement cases. The Government might argue that it put in reasonable prescriptive measures to ensure that costs do not blow out. However, I believe that the majority of those cases are settled—up to 74%—to avoid further litigation costs. The reality is that they are settled on the basis of ongoing litigation, that is, the cost of such litigation.

Somehow out of all of this, the Beattie Government—with its jobs, jobs, jobs promise—believes that increasing the cost of litigation arising from unfair dismissal will encourage employment. Today we have heard many examples of why that will not be so. The cold hard reality is that we will see the reverse. Unfair dismissal applications will become more costly. There is no other conclusion.

In addition to this area, when one considers the access to common law for workers compensation which the Parliament has also promised the lawyers, one must ask the question: what does this Government owe the lawyers? It is obvious why legal representation has, for the first time in the history of Queensland, been promulgated

within the Industrial Relations Commission and the Industrial Court. Is it so that the Labor Party can pay back its dues to some sections of the legal fraternity, which funded its 1998 State election campaign to the tune of millions? The Labor Party has already paid up very big to these types of lawyers through the amendments it made recently to the WorkCover Act, and now it is again paying them many times over for their contribution to the Labor Party's campaign coffers by enabling lawyers to come into the industrial system, which will add another layer of excessive cost to the process.

Mr Santoro: That's going to scare people out of the commission.

Mr VEIVERS: It will terrify the living daylights out of them.

Mr Santoro: Nobody wants it—not even their union mates want it.

Mr VEIVERS: We have pointed out two examples of that.

Mr Lucas interjected.

Mr VEIVERS: The member for Lytton, the Labor lawyer, will have his nose in the trough.

Mr Lucas interjected.

Mr VEIVERS: You and your mates——

Mr DEPUTY SPEAKER (Mr D'Arcy): Order!

Mr VEIVERS: Through you, Mr Deputy Speaker——

Mr DEPUTY SPEAKER: I am more concerned about the interjections from the member's side of the Chamber.

Mr VEIVERS: Mr Deputy Speaker, I enjoyed that interjection. I was not so happy about the one from the Labor lawyer. I am sorry; I digress.

Mr DEPUTY SPEAKER: Order! The member for Southport will get on with his relevant speech.

Mr VEIVERS: Yes, which is a bit of a change from the member for Nerang. Ray does not mind. He is a good mate. It was very interesting. In fact, it was relevant, but it took a bit of getting through. I think he is right, too.

This Government is looking after its mates and supporters in the most blatant fashion. It will not be too long before the whole system will be in open revolt against this very blatant example of favouritism. In addition to the representation issue, we see the creation of a new industrial relations court, consisting of a full-time president. I note the earlier comments of the shadow Minister, who pointed out the figures for the donations to branches of the Australian Labor Party from trade unions. For example, in 1994-95 the Labor Party received $1,019,900.50; in 1995-96, $1,074,196; and in 1996-97, $969,201.20.

Mr Lucas: All on the public record. How much did you get from the National Bank? How much did the National Bank put into your crowd?

Mr VEIVERS: None, if the member is talking about my election campaign. In 1997-98 it received $1,907,815.87—nearly $2m. I thank the shadow Minister for reminding me about those figures.

Mr Santoro: It's all about money and union power.

Mr VEIVERS: It is about union power. What is the term for holding someone's arm behind their back and——

Mr Littleproud: Half-nelson.

Mr VEIVERS: The member for Western Downs has a great deal of wrestling experience. The unions have the Government in a half-nelson.

Mr Lucas interjected.

Mr VEIVERS: The member gets quite upset about things that should not worry him.

Mr DEPUTY SPEAKER: Order! I find it surprising that the member for Southport needs so much help from the floor to make his speech. He will return to the relevant section of his speech.

Mr VEIVERS: I thank you very much, Mr Deputy Speaker. I thank you for your interjections, too, because it does help me along.

This move that I was just speaking about—and again I am not wishing to make any reflection on any number of existing judges who may be appointed to the position of full-time president—will add another layer of bureaucracy and cost to the operation of the industrial relations system of Queensland. Essentially, Industrial Court provisions have remained unchanged since the creation of the Industrial Court. The position of the Industrial Court has remained unchanged, as I said, for decades.

The Goss Labor Government preserved those provisions in section 7 of the Industrial Relations Act of 1990 and the coalition Government continued these in the current Act, and this Government is going to throw it all away. The House should be aware that the president of the Industrial Court, who is a Supreme Court judge, has been a part-time appointment and sits alone to constitute the court. However, the full Industrial Court

consists of the president and two or more commissioners sitting together. The Industrial Court, constituted under the current Act, hears appeals on matters of law or procedure from the commission, industrial magistrates and the industrial registrar. It also hears cases stated to it, proceedings involving cancellations/suspensions of organisation registrations and proceedings involving offences of certain sections.

Mr Lucas: You did a lot of research for this speech, didn't you?

Mr VEIVERS: Excuse me, I have done my homework. I used to employ 75 people down on the Gold Coast. I can tell the member opposite that when this Bill goes through there would not be any chance of my employing anybody, unless it was on a casual basis. This Government is going to crush employment by bringing this industrial relations legislation in and pushing it through. Private enterprise is going to choke down on what it does.

Mr Lucas: So you had 75 staff under the old legislation, did you?

Mr VEIVERS: How many people has the member opposite employed in his life?

Mr Lucas: I have worked in small business all my life.

Mr VEIVERS: There he is, "I have worked in small business." He was an employee, but he never put his money up where his big mouth is and employed anyone.

I beg your pardon, Mr Deputy Speaker, I digress a little. I have to point out that the Beattie proposals are a significant change to the current structure of the commission and the court. I have even got the interest of the people over in the corner behind the Minister. I am pointing out things that are starting to worry them. I hope that the Minister can answer these questions.

Mr Lucas: They're awe struck.

Mr VEIVERS: So they ought to be. My oratory is terrific.

The court is to have a full-time president who has been a judge of the Supreme or District Court or enrolled as a lawyer for at least five years and has skills and experience in industrial relations. Also, the president of the court is also president of the commission. The position of vice-president of the commission is also being established.

Mr Lucas: I heard you were an expert in small business.

Mr VEIVERS: Mr Deputy Speaker, can you give me some protection from the member for Lytton?

Mr Santoro: You really need it.

Mr VEIVERS: I know. I am a very timid person, and this is upsetting me!

Mr Santoro: The member for Lytton is so dominating.

Mr VEIVERS: Yes. Of course, I went to school with the Minister. He was not a bully, either. He knows how timid I was at school.

Mr Lucas interjected.

Mr VEIVERS: Yes, I boarded with the Honourable Minister over there. He probably does not want to talk about that.

The position of vice-president of the commission is also being established. How can the cost of having a president and a vice-president, which are tenured positions, be justified when there will not be enough work to warrant their full-time employment? The number of cases which would involve a president or a deputy president are very limited. Last year the Industrial Court heard a very limited number of appeals. Also, the State commission heard a number of appeals and perhaps only two or three major matters which would have been likely to involve the two most senior commission members. The new court may hear these matters.

It is worth while noting that the State's wage case, family leave case and the award certification case were just re-runs of matters which had previously been determined by the Australian Industrial Relations Commission. We do not need a new court with two full-time members to adequately deal with these types of matters. The appeals matters heard by the State industrial commission have generally involved either the current president, who is a judge, or the chief commissioner, who is legally qualified. There has been no criticism levelled at the existing appeals system by lawyers, unions or employers—not even by the member opposite. Hello, is he struck dead? He has got lockjaw. He cannot come back at that because it is true. He has to say: yes.

The House should therefore be aware that there is absolutely no justification for—this is the first time I have ever got him—a full-time president and vice-president and that the taxpayers of Queensland are not well served by the changes which are proposed in the Bill to the Industrial Court. I have to say that the honourable member for Clayfield, Mr Santoro, has done a magnificent job in opposing this. What we brought into the House was sensible stuff. I am going to repeat myself a little——

Mr Reeves interjected.

Mr VEIVERS: Don't you talk! What the Government is bringing into this place is going to drive people out of employment.

Mr Lucas interjected.

Mr VEIVERS: I used to be able to hand them out as well as take them. I find that what the Government is going to do to industrial relations in Queensland——

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! The honourable member's time is exhausted.

Mr VEIVERS: I move for an extension of time.

Mr DEPUTY SPEAKER: If the honourable member had not spent a lot of his time taking interjections and having other people make the speech for him, he might have got a little bit more done.

Time expired.

Hon. K. W. HAYWARD (Kallangur—ALP) (12.45 p.m.): The Industrial Relations Bill of 1999 reflects the changing and developing nature of Queensland society. It reflects the changes that are occurring in the way business is done in Queensland, the way people work in Queensland and those changes as we move into the 21st century in our State and, of course, right around the world. This Bill tries to examine the new ways of doing business and the changing nature of work and what that means for our society in general.

Of course, Queensland is the economic powerhouse of Australia. Queensland is uniquely placed to take advantage of the strengths that come to us—I think now we reflect on them through historical advantage, because manufacturing as we know it was centred in other States of Australia and much of that manufacturing is dated. But because we never were a State that was known for manufacturing, we are now able to focus ourselves seriously on the opportunity for new industries—new industries that will develop as we enter the 21st century.

I think the other strength of Queensland—and a number of members in this Parliament have reflected on this—is that Queensland is the small business capital of Australia. The business that has been established in this State in general is run by people in small business. Ninety per cent of all people who are employed in private industries in the State of Queensland work for small businesses.

That is the industrial relations climate and work environment into which the Industrial Relations Bill 1999 is being presented. It ensures economic advancement and social justice for all employees and, I think, for all employers. This Bill is about fairness—fairness for employers and fairness for employees within the context of that changing work environment that is occurring out there, but also within the context of how new business is forming with the technological age and the technological boom that we are engaged in.

There are a couple of matters in relation to this Bill which I would like to focus on, and I would ask the Minister to comment on them in his reply. As I said, this Bill reflects on a modern industrial climate. One of the issues that is important that needs to be addressed and about which I would like some more understanding is the issue of prescribed payments that are made to people. My experience in talking to people—not only employers but also employees—has been that a lot of pressure is now being placed on employers, particularly in the construction industry, to pay people according to prescribed payments. What happens, of course, is that issues in relation to taxation and the rates of tax somehow get mixed up with matters of working conditions. One of the strengths of this Bill is that it sets employment conditions. I would hope that this Bill does not focus itself on destroying or impeding the nature of the way people are getting paid in industries in Queensland.

The Bill specifies minimum employment entitlements. That is important. We are talking here about issues such as annual leave, sick leave and so on. Importantly, the Bill also focuses on the matter of overtime rates. As I said, I do not want to see matters to do with people's taxation getting confused with issues of industrial relations.

This Bill is important because it provides protection for workers. This Bill also provides protection for employers. It is a Bill which recognises the changing and developing nature of the way business and employment occur in our State of Queensland.

Mr LITTLEPROUD (Western Downs—NPA) (12.50 p.m.): It is interesting that I should follow the member for Kallangur in this debate, because he stated that this piece of legislation takes note of the new way business is done today and the changes in the work force. When I studied the Bill and the second-reading speech, I came to the conclusion that the ALP has not totally abandoned the thrust of the legislation introduced by the member for Clayfield in 1997. This Bill amends some of those things and puts a slant on them that suits the Beattie Government, but it has to be

conceded by all in the House that the coalition's legislation of a couple of years ago recognised all the things going on in the workplace that had to be addressed in a different way in industrial legislation.

Very often debates in the House feature hyperbole. In this regard it is interesting to follow the member for Kallangur, because he was on about making sure that we progress the productivity of the State. I think that is the objective of all of us in the House.

It is a fact of life that Governments are approached by lobby groups. Lobbyists represent employers, industry groups and employees. It is well documented that the ALP is also funded by both employee and employer groups. Both groups give money to the ALP, but the political allegiance of the ALP is obviously to the unions. This legislation has to be assessed as leading towards meeting the demands of the unions.

The coalition legislation, implemented in 1997, tried to introduce more flexibility into the workplace. It sought to increase productivity and ensure that we could compete in the global marketplace. It also recognised the changes in the workplace. This Bill also does that in that it recognises that there is a growth in part-time work and a growth in contracting. A lot of speakers from this side of the House have pointed out that employers have gone that way to try to overcome what they see as some of the unfortunate aspects of older industrial relations legislation. I notice from this piece of legislation that there is a hint that the Beattie Government is in fact trying to grab on to some new benefits that have come through from enterprise bargaining and have that pass on to people who are on award wages. That could be detrimental to some of those advances that have been made in terms of working out industrial relations on the work floor.

There are two aspects of this legislation about which I will speak at length, these being the flow-on of certified agreements and the power that this Bill gives to the CFMEU. Prior to the coalition Government coming into power in Queensland, a clause relating to the automatic flow-on of agreements within the Industrial Relations Act 1990 had not been established.

When the coalition Government came into power, the Queensland Workplace Relations Act 1997 was introduced. This Act identifies the commission's powers relating to the automatic flow-on of terms from certain agreements into the award system. The commission cannot include terms in an award that are based on a certified agreement unless the commission is satisfied that including the terms would not be inconsistent with two details. Firstly, the flow-on must not be inconsistent with principles established by a Full Bench that apply for deciding wages and employment conditions. Secondly, the flow-on must not be otherwise contrary to the public interest.

The Beattie Labor Government's industrial relations reforms on the flow-on of certain agreements vary subtly from previous legislation in the following manner. Whereas under the Queensland Workplace Relations Act the commission could not flow on terms from a certified agreement into an award, the Industrial Relations Bill states that the commission may include in an award provision flow-ons that are based on a certified agreement only if it is satisfied that the same two details outlined in the previous Act prevail.

The Beattie Labor Government's reforms as expanded on provide for much apprehension when considering their effects on employers, competitors and the like. As noted, the existing provision has been reworded so that the commission may include flow-ons. This is disadvantageous for employers because the alteration in wording may see applications of this nature made more frequently subsequently succeeding. As a result, employers support the current emphasis towards enterprise bargaining and therefore believe that awards should act only as a safety net. That is, employers support the current legislation, which allows employers to enter into agreements. Those agreements are based on awards subject to the no disadvantage test.

Awards should act only as a safety net above which bargaining can occur. In this respect, once an agreement is approved it displaces the award or the relevant part of that award for the term of the agreement. An award forms the base on which an agreement is built and an agreement is a negotiated and bargained instrument setting wages and conditions.

It is acknowledged by employer groups and unions that many State awards have not been sufficiently updated and do not in some cases even incorporate safety net increases granted by the commission. This failure rests clearly with the union movement, which has neglected its responsibility to update awards under which its members are employed.

Suggesting that awards be automatically updated by having a mechanism which allows the wages and conditions in relevant

agreements to be incorporated by the commission into common rule awards is flawed and strenuously opposed by employer groups for the following reasons. Firstly, it is simply not possible to incorporate wage increases gained by bargaining into awards, as those increases are necessarily linked to productivity and flexibility aspects which are negotiated outcomes specific to the particular enterprise concerned. Secondly, the argument does not explain whether the aspects of bargaining which it is intended to incorporate are wage increases and/or general conditions of employment. How can wage increases be granted in the absence of the latter, and if both are required then how can particular conditions gained or changed in individual enterprises be transposed into a common rule award?

Thirdly, the very nature of common rule awards affects a great variety of workplaces and working conditions. Agreements which have been entered into after bargaining between parties have neither the same character nor the same origins as a common rule award. It is not accepted that the two types of employment arrangements can be related in the way suggested earlier. Fourthly, agreements exist mainly in larger enterprises and small business mainly utilise awards.

The effect of rolling into awards the benefits obtained in agreements would have a disastrous impact on the economic viability of business and does not allow for sufficient tests for these to be transposed into common rule awards. It would result in greater casualisation of the work force and greater unemployment.

I turn now to the issue of union power and the CFMEU. It is quite clear that the Government is using the new legislation to reward the CFMEU over the AWU within the Labor Party factions. Why would this House want to reward the CFMEU for a history of disruption, standover tactics, intimidation, disruption to the Queensland economy and refusal to comply with orders and directions from the Queensland Industrial Relations Commission on a multitude of occasions?

The findings of the full Industrial Relations Court in its decision C11 of 1999, handed down on 31 May 1999, are an indictment and condemnation of the activities of the CFMEU. In that judgment, the full Industrial Court found that both the CFMEUQ and the BLF failed to show cause that the organisations had complied with the orders of the QIRC. The commission, on 19 February 1999, prior to the commencement of the strike at Sun Metals, had issued orders to prevent such action and to prevent officials of the respective unions engaging in or inciting such action. These two unions have now been found by a Full Court to have failed to comply. The CFMEUQ actions did not constitute substantial compliance with the orders, that is, the judgment of the independent umpire. The dispute was continued by irresponsible trade union officials.

I refer the House to passages from the judgment of the Full Court which reflect the behaviour of the CFMEU and its officials on that occasion. The final page of the decision states—

> "We turn to the position of the CFMEU. Michael Ravbar, an industrial officer, employed by the union in Brisbane and particularly the local organiser, Frank Young, had the carriage of the CFMEUQ's compliance with the order.
>
> It will be recalled that the CFMEUQ did not participate in the conference of 19 February at which the order was made. Ravbar made no attempt to obtain a copy of the order or to procure a copy for Young who obtained access to a copy from Hanna of the BLFQ.
>
> Ravbar instructed Young to 'shirt front' the workers and tell them that because of the orders 'there is supposed to be no inciting or taking industrial action at this stage in that—work as normal'.
>
> Although Young attended at the security entrance with Hanna he did not do that."

In any event, paragraphs 3 and 5 of the order required more than that. Young occupied himself with facilitating Hanna's distribution of the pamphlets previously referred to and to that extent associated himself with Hanna's actions and did nothing to comply with paragraphs 3 and 5 of the order of the court.

Sitting suspended from 1 p.m. to 2.30 p.m.

Mr LITTLEPROUD: Before the luncheon adjournment, I was commenting on the actions of two officials of the CFMEU, Mr Ravbar and Mr Young, and the criticism of them by the Industrial Relations Commission. Young's activities on the morning of 22 February fell far short of what was required by paragraphs 3 and 5 of the order, and Ravbar's instruction to Young did not constitute substantial compliance with those terms of the Industrial Relations Commission.

What a disgraceful indictment upon the CFMEU that those people should not carry out the orders of the Industrial Relations

Commission. We have two officials of that union who blatantly disregarded orders of the independent umpire and continued to incite and encourage strike action, which ultimately came close to seeing the closure of a project worth millions of dollars to Queensland and hundreds of the jobs which the Premier says that he wants so badly.

It also came to our attention in this place yesterday that the CFMEU has made significant donations to the ALP in 1996-97 and 1997-98.

A Government member: Of course they did.

Mr LITTLEPROUD: Right. Those documents showed that the CFMEU was, on both occasions, the fourth-largest union donor to the ALP, donating $109,366 in 1996-97 and $79,467 in 1997-98. I heard a Government member interject to say that that is pretty normal. But the accusation coming from members on this side of the House is that this legislation is favouring those people in the union. It is not very healthy to think that after that money was donated we now have legislation that is tending to favour people in those unions. The accusation is that the time for payback to the CFMEU is about to occur with the abolition of greenfield sites and right-of-entry provisions in the new legislation. The Government is allowing the perpetuation of an evil empire created by this union to continue to dominate the business environment of Queensland, and members on this side of the House cannot condone that.

I want to finish by talking about carer's leave. I notice that that is an innovation in the legislation. I understand that, in many cases, the two partners in a home are both working. And when there is a need to look after someone who becomes sick within that family, the need for leave to care for that person is understandable. This legislation is addressing that social responsibility. I will leave it to the commission, to enterprise bargaining or to workplace agreements for the parties to work out whether that will be unpaid leave or whatever. I can understand that progression, because the workplace is changing. The member who spoke before me said that we are trying to make our workplaces more flexible and more productive.

However, when I was reading that section of the Minister's second-reading speech relating to carer's leave, I came across the words "household care". I straightaway thought about social engineering. I was not surprised then to hear other members on this side of the House taking up that issue. I stand here today stating that I believe that the legislation in Queensland should include a definition somewhere of what is a family, and that should have an exclusive right over and above all other sorts of legislation. I believe that a family is a heterosexual marriage. I believe that the accusations coming from members on this side of the House are quite correct.

I have heard other members opposite talking about the need for household care for same sex couples on the grounds of equity. That could have some validity. However, it is my very firm and personal belief that that argument is subservient to the overall belief that, in the definitions of our legislation and all the legislation that applies in Queensland, we should have an exclusive status for the traditional family, and that should override any other arguments about equity. So I put on record my very great concern that this is a case of social engineering which could create a precedent whereby people could say, "You have to alter such and such a law in regard to a family, because it has already been enshrined in the new industrial relations legislation that 'household care' means not only heterosexual marriages but all sorts of other unconventional relationships." I personally do not condone that, and I back the other members on this side of the House who have spoken about that issue.

I am pleased that I have been able to point out two of those special issues relating to this legislation. I also recognise that the legislation introduced in 1997 by Mr Santoro is being amended in some way under this legislation; that it has not been completely thrown away. So those people who put this legislation together recognised the merits of the legislation, how it was befitting the modern workplace, and how things have changed with contract work and many people entering into part-time work. In that regard, I certainly hope that we achieve an outcome that is not too biased towards the employers or the employees. But there certainly is a need to make sure that the industrial laws of the State are conducive to bringing more prosperity to the State. I support the member for Clayfield in his opposition to some aspects of the Bill.

Hon. V. P. LESTER (Keppel—NPA) (2.35 p.m.): In this contribution, I wish to talk about the standard minimum provisions which are provided for in this Bill. They are provisions which tip the balance very strongly against the employer—the small businessperson—who has to employ the people who benefit from the

standard minimum provisions which are included in this Bill.

Prior to the coalition Government coming to power in Queensland, the sick leave provisions under the Industrial Relations Act 1990 were as follows. All employees covered by an industrial instrument—other than casual employees—were entitled to at least one week's sick leave per year, unless employed for less than 12 months, where the entitlement was one day's sick leave per two months. An employee was entitled to receive sick pay if the leave entitlement had been accrued. If the illness exceeded two days, a doctor's certificate had to have been produced for the employee to be eligible for sick leave payment. The doctor's certificate had to have specified the nature of the illness and the approximate period for which the employee would be absent, or the employee had to have supplied to the employer other evidence of the illness to the employer's satisfaction. However, an employer was never bound to pay more than seven weeks' sick leave in any one-year period.

Annual leave applied to those employees under an industrial instrument. Annual leave was exclusive of public holidays and was not to be taken into account on any unpaid period exceeding a three-month period. Annual leave could be taken wholly or partly in advance before an employee became eligible for the entitlement with the employer's consent. An employer and employee had to have agreed as to when an employee would be given and would take annual leave.

An employer could give an employee 14 days' notice of the date from and to which the annual leave would be taken, and the employee had to have complied. Annual leave was to be paid for by the employer in advance. If the employment of an employee was terminated, the amount of any annual leave remaining and all public holidays that would occur in this period had to have been paid for. Pro rata annual leave was paid to those employees whose employment had been terminated prior to working for an employer for one year. Prior to the coalition Government coming to office, the industrial relations system did not incorporate family leave provisions in the Industrial Relations Act 1990. When the coalition Government came into power the Queensland Workplace Relations Act 1997 was introduced. Under Chapter 17 of this Act, the sick leave and annual leave provisions of the Industrial Relations Act 1990 continue to have effect. The Queensland Workplace Relations Act 1997 contains a division specifying provisions for parental leave only. It caters for maternity and paternity leave.

A mother and father become eligible for parental leave when they have worked for their employer for a continuous period of 12 months. The period of leave to be granted is 52 weeks and must begin on the later of either the first day of leave stated in the application or the estimated date of birth and must not extend past the child's first birthday. However, the total of both parents' parental leave must equal 52 weeks. Furthermore, except for one week at the time of the birth of the baby, the employee and the employee's spouse must take their parental leave at different times.

Pre-approved unpaid leave—other than maternity leave—annual or long service leave, or the spouse's leave, reduces the term of maternity leave. A mother must be granted leave if she notifies the employer of the date of birth at least 70 days from the date of confinement and gives 28 days' notice before the first day of leave. The application must state the first and last days of leave and must accompany a medical certificate verifying the pregnancy, the expected date of confinement and a statutory declaration confirming the father's intention to take parental leave. The declaration must further state the child's primary caregiver and that the mother will not engage in any conduct inconsistent with the employment contract.

The Act specifies that certain aspects of these provisions may be altered for the mother and father as a result of a premature birth. Maternity leave must be extended if the employee provides 14 days' notice and states the first and last dates of the extension. The shortening of maternity leave is dependent upon the agreement of the employer. If the child dies, the pregnancy is terminated or the mother is no longer the primary caregiver, the employee must notify the employer of her intention to return work and the employer must give the employee at least four weeks' notice of her first day back at work.

When returning to work after being on maternity leave, an employee must return to the position held immediately before she was either transferred to safer duties, began working part-time or went on maternity leave. If the position no longer exists, the mother should be given either another position and/or compensation.

For an employer to grant paternity leave to a father, the employee must provide the employer with notice of the length of leave required and the dates associated with the leave and a medical certificate specifying the

spouse's name and the expected date of confinement, or that the mother gave birth to a living child on a specified date, if applying for long paternity leave. Furthermore, he must provide a statutory declaration specifying the dates of any unpaid annual, long service or maternity leave for which the mother is intending to apply, as well as information detailing who will be the primary caregiver and that he will not engage in conduct inconsistent with the employment contract. The period of leave and the processes for the lengthening or shortening of paternity leave remain the same as in the case of the mother. When returning to work from paternity leave, the father must resume the position held immediately prior to going on leave unless the position no longer exists, in which case he would receive either another position and/or compensation.

The Beattie Labor Government's industrial relations reforms vary from previous legislation in the following manner. The Industrial Relations Bill conforms with the Queensland Workplace Relations Act 1997 with the exception of some new clauses and subclauses. Differentiating itself from the previous legislation, the Bill offers employees at least eight days' paid sick leave per year, unless employed for less than 12 months, in which case the entitlement is to be one day's sick leave for every completed six-week period of employment. As a result, the Bill does not confer sick leave entitlements on an employee which the employee did not have before the commencement of this clause. The Industrial Relations Bill incorporates three new additions within the annual leave division of the Bill. Firstly, unlike previous Acts, the Bill establishes shift workers as employees entitled to annual leave. A shift worker is defined as an employee who works a rotating roster where shifts are available 24 hours per day, seven days a week. Under this clause, an employee who is not a shift worker is entitled to four weeks' annual leave per year. Employees who are shift workers receive five weeks' annual leave per year.

Secondly, the Bill introduces new arrangements for the time at which annual leave may be taken. For example, if the employer and the employee cannot agree, the employer may decide when the employee is to take leave and, in doing so, give the employee 14 days' notice of when the leave is to begin. Finally, under the previous Acts, an employer had to pay annual leave in advance. The Bill has altered this by stating that, unless an employee and employer otherwise agree, the employer must pay the employee for annual leave in advance.

The Industrial Relations Bill changes the title of "parental leave" in the Queensland Workplace Relations Act to "family leave" in the Bill and now incorporates the following new sections. Firstly, the division applies to long-term casuals only insofar as it relates to maternity leave. Secondly, the Bill introduces adoption leave. An employee can take up to 52 weeks' unpaid adoption leave which will not extend beyond one year after the child was born or adopted. Thirdly, the amount of notice required for maternity leave has been altered to at least 10 weeks' notice of intention to take the leave with at least four weeks' written notice of the dates associated with the leave. The notice for parental leave, other than maternity or adoption leave, is the same, with the exception that the employee must provide a doctor's certificate and a statutory declaration as specified in the Workplace Relations Act. The notice and documents required for adoption leave have been added and are the same as for leave other than maternity leave.

There is a new clause specifying that the employee does not fail to comply with adequate notice if the child was born, or terminated, before the expected date, or the adopted child was placed before the expected date of placement, or for any other reason considered reasonable within the circumstances. The notice of change to the period of leave must be given within two weeks after the birth or placement of the child and a doctor's certificate must be produced stating the date on which the child was born.

A new clause entitled "Notice of change to a situation" has been introduced specifying that the employee must give two days' notice of change to the employer. The Bill provides the conditions under which parental leave is automatically cancelled. This occurs when the employee withdraws the application for leave by written notice, the pregnancy terminates or the child dies, or the placement of the child for adoption does not proceed. Under the Bill, an employee can interrupt parental leave by returning to work on either a full-time, part-time or casual basis, but only if the employer and the employee agree. This Bill states that the period of parental leave can only be extended once.

When returning to work after parental leave, an employer must make available to an employee a position to which he or she is entitled. If a long-term casual employee's hours were reduced because of the pregnancy before starting maternity leave, the employer must restore the employee's hours to the hours equivalent to those worked immediately

before the hours were reduced. Under the Bill, employers are obligated to give prescribed information to the employee at the time when the employer first becomes aware that the employee or the employee's spouse becomes pregnant or that the employee is adopting a child.

The Bill prohibits dismissal based on pregnancy or parental leave. Under the Bill, before employing a replacement employee an employer must give the employee written notice of the temporary nature of the employment and the parent's right to return to work. The Bill provides for the safe transfer of a female employee because of her pregnancy or breastfeeding, a risk to the health or safety of the employee, or of her unborn or newborn child. The clause provides that the assessment of this risk is to be made via the Workplace Health and Safety Act 1995 and a medical certificate.

There has also been the introduction of special maternity, sick and adoption leave, which provides for the unpaid leave of an employee where the pregnancy terminates or the employee suffers illness related to her pregnancy. The period of leave is to be determined by a doctor except in the circumstances surrounding an adoption, which is up to two days' unpaid leave. Carer's leave has been introduced, allowing employees to use up to five days of their sick leave entitlement to provide care and support for members of their immediate family or members of their household when they are ill. An employee cannot take carer's leave if another person has taken leave to care for the same person. An employee may take unpaid carer's leave with their employer's consent. In relation to bereavement leave, the Bill provides that employees, other than casual employees or pieceworkers, may take paid leave on the death of a member of their immediate family or household in Australia. An employee may take unpaid bereavement leave with the employer's consent. Furthermore, the Bill has effect despite another Act or industrial instrument or order to the extent that these provide an employee with a benefit that is less favourable to the employee.

The Beattie Labor Government's reforms, which I have outlined, create apprehension when considering their effects on employers, competitors and the like. Firstly, the definition of "spouse" in relation to family leave needs to be amended to remove the current restrictions in relation to gender. Particular consideration should be given to the discriminatory definition of "spouse" in the current legislation. That may be so, but it fails to accept that, industrially, the provision of family leave is meant to encompass close family members and the recommendation is an expansion of the ordinary meaning of the original expression.

Secondly, minimum entitlements should apply only to award employees. That applies to both the annual and sick leave provisions in the Bill. There should not be a core of minimum conditions that are unable to be altered in awards or agreements as enterprise bargaining is predicated on flexibility and the need to depart from minimum standards where appropriate. Furthermore, workplace relations legislation is not the appropriate place for prescribing certain minimum standards. The Queensland Industrial Relations Commission should undertake that role, after extensive submissions by all interested parties, and any minimum standards arising should apply only to award employees.

Finally, combining the parental, maternity and paternity leave provisions in the Workplace Relations Act under the general family leave provisions in the Bill is highly recommended, because this reflects the principles and standards in the Family Leave Award.

It is ever so important that we make sure that industrial relations in the State of Queensland and, for that matter, Australia are dealt with in a way that is fair to all concerned. Industrial relations should favour neither the employee nor the employer. At the end of the day, we have to make sure that we get a fair day's work for a fair day's pay. The awards should encourage employees to build a good relationship with their employers. At the same time, employers in Australia have a responsibility to make sure that they foster a very good working relationship with their employees. Mr Speaker, you and I have a record of keeping those who work with us for a long time.

Time expired.

Mr SULLIVAN (Chermside—ALP) (2.55 p.m.): I rise to speak to the Bill before the House, which addresses the very heart of Labor policy. I came into the Labor Party through my involvement with QATIS, the independent teachers union. Unacceptable practices in the workplace convinced me of the need for workers to unite if we were to gain fair pay and conditions. It was not just the pay levels and conditions per se that concerned me but also the unfair variations in working conditions, whereby some workers were disadvantaged when carrying out the same work as other, better paid employees. One example is that, although Queensland State

school teachers received portable long service leave after 10 years, teachers in non-Government schools had to work 15 years in the one school before being eligible for such leave. Another example is that in Sydney in the early 1970s, many non-Government school teachers were being paid less than 60% of the State teachers award and pressure was being put on Queensland employers to cut pay rates in this State. That is why, in 1977, I was one of a group of teachers from non-Government schools who ran for elected office for QATIS and who secured 13 of the 14 available positions.

One of the first cases that the new QATIS council tackled was an unjust dismissal case. Two teachers from the State system were invited by one principal to teach at a local convent school. They gave up their long service leave and other accumulated benefits to teach at that school. Three years later a new principal came to the school, found out that the teachers were not Catholics and sacked both of those women. That was a totally unfair, unjust and unreasonable situation that had to be addressed. We won the first reinstatement case in the non-Government school sector in 60 years and sent a clear message to employers that workers had to be treated in a just and reasonable manner.

Over the past two days, the speeches from the Opposition side in relation to this Bill have shown the gulf that exists between the conservative side of politics and Labor. Many of the speeches of the members opposite would have been at home in 19th century industrial England, where workers were considered as merely factory fodder. Good industrial relations legislation treats workers with respect and provides a system wherein differences can be addressed in a reasonable, non-violent, balanced and impartial manner. We do not want the Reith/Howard, Santoro/Borbidge style of industrial law that permits and encourages the Patrick stevedore type of dispute. We do not want dogs and the goons in balaclavas; we want a strong industrial court system that provides a balanced approach to disputes between employers and employees. I support legislation that acknowledges that there is an unequal power relationship between the employer and the employee and addresses that relationship through fair industrial processes.

I belong to the Australian Labor Party, one of the few pure examples of a political workers' movement in the world. Unions are an integral part of our structure, and rightly so. I am proud to be a member of my own independent teachers union; I am proud to be a member of the Australian Labor Party. As a Labor member of Parliament, I will keep working to advance the interests of workers throughout Queensland.

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (2.58 p.m.), in reply: I thank honourable members for their contributions to this debate. This is one of the most important pieces of legislation for the Queensland community to be introduced this century. As such, it warrants serious and informed debate of the issues involved. Over three days, every member of this Parliament has been given an opportunity to make a contribution in this debate. There is not one member of Parliament who cannot say that he or she has not been given such an opportunity.

In introducing this Bill, the Beattie Labor Government is seeking to restore fairness and balance to Queensland's industrial laws. This Bill does this by providing for a modern and progressive system of industrial relations that promotes stability, jobs and job security, economic development and competitiveness while ensuring that the essential elements of social justice and equity are not compromised. The Government believes that those outcomes are best achieved by employers, employees and their representatives working constructively together. Therefore, the Bill removes the excesses of the confrontationist approach promoted by the workplace relations legislation of the coalition Government. In its place is a fair and equitable framework for industrial relations that will assist in improving the economic competitiveness of Queensland workplaces while ensuring fair outcomes for workers and employers.

I turn briefly to address the Opposition's contribution to the debate. The member for Clayfield concluded his speech with these words—

> "I will give Government members one guarantee: we will fix the industrial relations system of this State again, but next time permanently, when the people give us a chance to fix it."

Those are very threatening and ominous words. In stating that he will fix the system permanently, the member for Clayfield is signalling that he wants to hand over the Queensland industrial relations system to the Federal jurisdiction, which at this time means Peter Reith and the coalition Government. He wants to hand over our State system that has

served Queensland well since the beginning of this century and which will continue to serve the interests of the majority of employers and employees in this State. In wanting to hand over the Queensland jurisdiction, the member for Clayfield fails to understand that the majority of Queenslanders, particularly those in rural and regional Queensland, are firmly wedded to maintaining our own home-grown Queensland institution—a Queensland system that is able to meet and respond to the needs of this diverse State.

As that is the only real interpretation of those words—and they are on the public record—it would now appear that it is the wish of the honourable member and the coalition to abolish the Queensland industrial relations jurisdiction and legislation. He will go along with Jeff Kennett, who handed over the Victorian system to Peter Reith. The member for Clayfield, who is the shadow Minister and speaks for the coalition on this matter, is now stating clearly that he intends to take away for the first time the right of the Queensland Parliament and the Queensland people to have their own industrial relations system.

Mr SANTORO: I rise to a point of order. The Minister is misrepresenting me when he says that. I find those comments offensive. I have not made any such statement about handing jurisdiction——

Mr SPEAKER: We do not need a debate on it.

Mr SANTORO: No, but I find the suggestion that I propose to hand jurisdiction to the Federal Government offensive. That is not true. It is not my intention. I ask the Minister to withdraw those words.

Mr BRADDY: I am pleased to hear the remarks of the honourable member. I will withdraw the comments that he finds offensive. However, good public policy tells us that a State Parliament does not have the power to permanently bind a future Parliament in relation to legislation of the Parliament. The future of cooperative federalism would also be severely hampered if States were forced to refer powers on a once and for all basis without the ability to change State policy in new political, social and economic circumstances. When the member for Clayfield said that he would fix the industrial relations system permanently, that was either a bluff and a bluster or it was a very ominous sign of what could occur in the future.

I do not intend to deal at great length with other matters because comment will need to be made in the Committee stage of the debate. The coalition likes to tell the story that under its legislation, which is virtually identical to Peter Reith's, there is industrial peace and harmony. We all know that the reality is quite different. Let us remember such disputes as that which occurred in the Hunter Valley that went for 14 weeks, the Curragh dispute that went for 15 weeks, the Gordonstone dispute that is still continuing and has been going for over two years, the massive Patrick dispute that went for five weeks and the Sun Metals dispute that went for three weeks and was only settled because of the intense involvement and determination of the Beattie Labor Government. All of those disputes, which are of great significance in the recent history of Australia, have occurred under either the Commonwealth or the Queensland Workplace Relations Acts.

The coalition in this Parliament has repeatedly criticised this Government for our so-called inaction during the Sun Metals dispute. There has only been one dispute of significance since we came to Government, which was the Sun Metals dispute. As history will show, it was the active involvement of the Government in Queensland that assisted in this dispute being resolved early. With the Gordonstone dispute, the Federal coalition Government has refused to take any action and the Queensland coalition Opposition refuses to criticise it for not taking any action to ensure that the dispute is settled.

Members of the coalition commented on Des Moore, the Director of the Institute for Private Enterprise, who claimed that the Queensland Government's three month mandated probation laws were not an Australian first. Considering that Des Moore touts himself, and is touted by newspaper editors, as an expert, he said something which is quite remarkable. Des Moore said that Federal legislation already had such a probationary period. The remarkable thing was that his evidence for such a statement did not come from the legislation or the regulations. He says he knew that because he confirmed it with Peter Reith's office. Whoopee for him, the so-called expert! We know that that is untrue. Des Moore does not have the capacity to read the legislation himself. If he did, he would have found that under the Federal and current Queensland Workplace Relations Acts, the ability for an employer to enter a new employee into a probationary period for up to three months at the commencement of the employment contract is optional. If they do not do it, it does not occur. This legislation is the first in the country to go the other way. It is mandatory, unless people enter into a written agreement to take it out or to extend it to a

longer period. This probationary period is a very significant improvement for employers. It is something that the Queensland community should know about. It is something that Des Moore, the so-called expert for the conservative forces in this country, should take the trouble to read for himself instead of taking Peter Reith's word for it.

I now address some of the matters that the honourable member for Gladstone has raised. The member for Gladstone has indicated her intention to seek an amendment to retain the existing exclusion for dismissal laws for employers employing less than 15 employees. The Government's clear intention has been to abolish this provision in line with our pre-election commitment. Instead, as I have said, we are introducing, for the first time in Australia, a three month mandatory probation period that will apply to all employers and new employees except in the circumstances that I have indicated.

The next issue raised relates to the conscientious objector provisions, which have existed since the 1940s to enable those workers who do not wish to join a union or participate as a union member, but want a certificate that exempts them from normal participation in union activities, to do so. Those members of our community often belong to exclusive religious organisations and have continued to express their desire for the inclusion of conscientious objection provisions in the industrial relations legislation. Therefore, our provisions are appropriate.

The member for Gladstone also sought clarification of the system of appointment of commissioners with respect to an appropriate balance. I assure her that our Government's intention is to remove any potential, as far as it is possible, for political interference in the process of appointment of commissioners through all industrial commissioners being appointed on tenure. The idea is that, when the existing commissioners come up for reappointment, they will be reappointed on tenure. According to Crown Law, that is the appropriate way to go. We believe that the integrity of a strong and independent commission has to be preserved through the maintenance of a balanced make-up of commissioners representing the trade union movement, employers, business and Government. I assure honourable members that our Government strongly supports and will continue to maintain the continuation of this tripartite system of balanced and fair representation from the union, employer, business and Government sides.

This is being done in the context of appointing a president who is a lawyer, as is the current part-time president, and so there will be no change. The vice-president is really taking over the role of the chief commissioner. The current chief commissioner is also a lawyer. We are changing things as little as possible through transferring to a full-time system. The Government and I believe primarily in a lay system and we will continue to appoint from the three traditional sectors of the community.

The member for Gladstone and other members raised matters in respect of legal representation. Specifically, the concerns expressed related to ensuring that there would be strict controls on the right of lawyers to be heard. This is now substantially in the hands of the commission itself. We have given it guidelines in this legislation whereby it can appoint lawyers. Much has been said about lawyers. The fact is that lawyers now appear frequently in the commission. That is one of the reasons for the change. It was becoming a sham and was reaching the stage of being shonky.

What has not been said and must be said is this: many of the unions and employer organisations were employing people who were qualified lawyers. However, because they were not admitted as solicitors or barristers, they could argue that they were not lawyers. That is a nonsense. It is the old question from the Middle Ages: how many angels can dance on the head of a pin? All of the organisations were doing that. One union boss told me that in future all of his young organisers and advocates who were coming on stream would be taken on only if they studied law. Unions and employer organisations are employing their own in-house lawyers. We have to face the reality that lawyers are in the system. This is an evolutionary change. There is not, as one or two members opposite claimed, unfettered access to lawyers at all. Lawyers have no right of appearance. Importantly, they have to get in there either with the consent of all parties to a matter or by leave of the commission. The commission itself will determine to what extent and at what pace lawyers will appear before it.

The member for Gladstone and others raised the issue of the right of entry of a union to particular workplaces. The Industrial Relations Task Force recommended that right of entry provisions should allow access to either members of a union or employees who are eligible to become members of a union.

I will deal with the issue of the rights given in relation to carer's leave and maternity leave

to same sex couples at the Committee stage, because I think that matter will arise fairly soon into the Committee stage.

A number of Government members spoke of the importance of the consultative and review process in shaping this legislation. I thank all members of the Industrial Relations Task Force for the time, effort and expertise that they put into the process. In particular, I thank the chair of the task force, Professor Margaret Gardner, for her dedication and professionalism, and also my personal thanks go to Professor Ron McCallum for his truly independent advice. I thank my personal staff and the members of the department who have worked long hours very intelligently and professionally over the past 12 months in order to produce this legislation in such a timely fashion.

This Bill is the product of the most comprehensive review of the industrial relations legislation ever undertaken in Queensland. I regret that the member for Clayfield saw it as his duty to attack the director-general of my department. It is insulting and untrue to suggest that Mr Marshman, in undertaking his responsibilities as the head of the department, acted in any way other than in an impartial and principled manner. He is a senior officer within the Queensland Public Service with a long, proud and distinguished record of service within the public sector under a variety of Governments of different political situations throughout this country. The director-general operates with the highest of ethical principles, is a person of great integrity and did not have any immoderate or undue influence in the preparation of this legislation.

This will be the last significant piece of industrial relations legislation to go before the Queensland Parliament this century. It is vitally important that Queensland takes into the next century—indeed into the next millennium—a forward-looking perspective on industrial relations. This Bill provides a new and positive direction forward to make this a reality. I commend the Bill to the House.

Question—That the Bill be now read a second time—put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: D'Arcy, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Remaining Stages; Allocation of Time Limit Order

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (3.21 p.m.), by leave, without notice: I move—

> "That under the provisions of Standing Order 273, the Industrial Relations Bill be declared an urgent Bill and the following time limits apply to enable the Bill to be passed through its remaining stages at this day's sitting—
>
> (a) Report from the Committee of the Whole by 4.45 p.m.
>
> (b) Third Reading by 5 p.m.
>
> (c) Title by 5.05 p.m.
>
> At the times so specified, Mr Speaker or the Chairman, as the case may be, shall put all remaining questions necessary to pass the Bill including clauses and Schedules en bloc and any amendments to be moved by the Minister in charge of the Bill, without further amendment or debate."

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (3.22 p.m.): I second the motion.

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (3.22 p.m.): The Opposition opposes the motion moved by the Leader of the House. There are 747 clauses in this Bill and the vast majority of those clauses can change the way that most Queensland businesses operate until such time as there is a return to conservative Government in this State.

What we see in this place today is a travesty of the democratic process, a betrayal of the commitments given by the member for Brisbane Central to the member for Nicklin when the member for Nicklin was conned into providing his support and his vote for the Labor minority Government after the last State

election. What we see in this place today is government by the mates of the mates for the mates. What we see is not public policy being dictated by what is in the best interests of the people of Queensland; what we see is public policy and legislation being dictated by the Premier, dependent on the sleazy backroom deals that he can do with the various union leaders that slink into his office in the dark hours of the night in the days preceding the Labor Party State conference.

Every member of this place should remember that, when the coalition Government dramatically changed the workplace relations laws of this State following the Mundingburra by-election, the gag was not applied. We called a special session of the Parliament—a special meeting of the Parliament—so that each and every Labor member could debate to their heart's content the changes that the then coalition Government was proposing.

Mr BRADDY: I rise to a point of order. The former Premier has a very poor memory and is misleading the Parliament. The arrangement that was made at that time was that the debate would have to take place over three days and, in fact, it did. There was not unlimited time and, in fact, I had not finished all that I had to say on that particular matter. We accepted——

Mr BORBIDGE: There is no point of order, Mr Speaker. The gag was not applied—

Mr SPEAKER: Order!

Mr BORBIDGE:—and the then Opposition agreed to those arrangements.

Mr BRADDY: I rise to a point of order.

Mr BORBIDGE: It was a gentlemen's arrangement and the difference is that this Minister is not a gentleman.

Mr SPEAKER: Order!

Mr BRADDY: The point of order that I was still making before I was rudely interrupted by the Leader of the Opposition——

Mr BORBIDGE: What point of order, Mr Speaker? Under what Standing Order is the Minister rising? Under what Standing Order is he taking a point of order?

Mr SPEAKER: Order! I ask members to resume their seats.

Mr BRADDY: The point of order is that——

Mr BORBIDGE: I rise to a point of order. What Standing Order is the Minister——

Mr SPEAKER: Order! I ask the Leader of the Opposition to resume his seat. I warn him now. He will cease his frivolous interjecting.

Mr BRADDY: The point of order is that the Leader of the Opposition has misled the Parliament, because there was a special time arranged—three days—and I ask that the misleading comment that he made be withdrawn.

Mr BEANLAND: I rise to a point of order. This is part of a debate. That is not a point of order. The Minister is debating the issue.

Mr SPEAKER: Order! I will make that ruling, not the honourable member. The Minister has asked that it be withdrawn.

Mrs LIZ CUNNINGHAM: I rise to a point of order. I was involved in the negotiations for the debate on the coalition's Bill. Quite justifiably, the debate on the coalition's Workplace Relations Bill was withheld for six weeks over the Christmas period to enable the Labor Party to have time to understand the Bill. The request was justifiable, but the agreement that was voluntarily made was that the debate would be finalised in that week. There was no coercion. There was no gagging of the debate. It was a mutually agreed process.

Mr SANTORO: I rise to a point of order.

Mr SPEAKER: Order! We can go on all day. I will just rule on this. There is no point of order. Now we will continue with the debate.

Mr BORBIDGE: As the member for Gladstone quite rightly points out, there was an agreement—a gentlemen's agreement—between the Government and the Opposition in respect of the conduct of that particular debate. The guillotine and the gag were not applied. The Opposition agreed. It signed off. It was an agreement by both sides of the House in respect of the time allocated to that debate. We did not seek to impose a guillotine or a gag, as this sleazy servant of the trade unions now seeks to do.

Mr SPEAKER: Order! Those words are unparliamentary.

Mr BRADDY: I rise to a point of order. I find those remarks untrue and offensive, particularly in the context in which the guillotine was applied in advance by the debate being restricted to three days. I find the remarks untrue and offensive, and I ask that they be withdrawn.

Mr SPEAKER: The words are also unparliamentary, so I will ask the Opposition Leader to withdraw them.

Mr BORBIDGE: If the Honourable Minister, who stifles parliamentary debate in

this place, is so sensitive after being caught out lying by the honourable member for Gladstone—

Mr SPEAKER: Order! I have asked the member to withdraw.

Mr BORBIDGE:—I will withdraw the remark.

Mr BRADDY: I rise to a point of order. Again, I find those remarks untrue and offensive. The guillotine was effectively applied in advance by allowing only three days for the debate.

Mr BORBIDGE: That is not true.

Mr BRADDY: I ask that the remarks be withdrawn.

Mr SPEAKER: Order! The Minister has asked that those remarks be withdrawn.

Mr BORBIDGE: Which remarks, Mr Speaker?

Mr SPEAKER: Order! Are we going to get pedantic about this?

Mr BORBIDGE: Which remarks? I withdraw the remarks that the honourable member finds offensive, although I note for the Hansard record that the member for Gladstone has confirmed in this place the accuracy of what I have said and the inaccuracy of what the Minister has said in this place today.

What we have seen in this Parliament over the past few days has been an absolute disgrace. We have seen the Premier accusing doctors who save lives at the Gold Coast Hospital of being Nazis. We see the imposition in this place of restrictions on the Opposition day in, day out. We are seeing insults against the Jewish people. We have seen a Minister of the Crown today—

Mr SPEAKER: Order! There is a point of order.

Mr BORBIDGE:—threatening one of my members with physical assault.

Mr SPEAKER: Order! I warn the member.

Mr SCHWARTEN: Mr Speaker, I rise to a point of order. I find those remarks untrue and offensive and I ask that they be withdrawn. I made no such aspersions against the Jewish community, which can be attested to.

Mr SPEAKER: Order! The honourable member has asked the Leader of the Opposition to withdraw.

Mr BORBIDGE: I did not refer to the honourable member by name. I do recall the Honourable Minister apologising in this House. If the cap fits, he should wear it.

What we are seeing today is the total abdication of accountability in this State by the Labor Party, which is so concerned about the factional rat fight this weekend that it is prepared to destroy the proper processes of accountability. This industrial relations legislation is all about doing deals for mates. It is all about the subversion of the proper democratic process in this State to unions such as the CFMEU and the BLF, who are now certified law-breakers in the State of Queensland.

We have before us 747 clauses in legislation in relation to which we will not have the opportunity to apply to the Minister the proper scrutiny that he demanded and received when the coalition introduced its version of workplace reform in this State. We are now seeing the excesses of Labor since it won Mulgrave. It is a fair bet that Labor would not have played out this trick if the honourable member for Nicklin still had the balance of power.

We have a trade union Government in this State. The legislative program is determined by the trade unions. The legislative program is determined by the State Labor Party conference. The legislative program and the laws of this State are now determined by people who represent less than 30% of the work force in Queensland. We have from this Minister legislation that will plunge Queensland back into the industrial dark ages—legislation that will reverse the laws that gave Queensland a declining level of trade union membership and the lowest level of industrial disputation in this State since 1913.

This motion is a disgrace. I challenge the member for Brisbane Central—I challenge the plastic lackey of the trade union movement—to come into the Chamber, to enter this debate and to justify to the small businesses of Queensland and the 70% of Queensland employees who will not have a bar of the trade union movement why he has initiated and is overseeing this travesty of the democratic process in Queensland today.

This Government is on the nose. This Government deserves to be on the nose. Today the Government of the member for Brisbane Central is betraying one of the basic principles and one of the basic commitments it gave to the honourable member for Nicklin in exchange for his vote to form a commission to form Government in Queensland. The member for Brisbane Central has defrauded the member for Nicklin. He has defrauded the Queensland people. He has shown that he is not a leader or a Premier for all

Queenslanders. He is the leader of a pack of Labor mates.

As the Leader of the House moves this motion, let it be on the public record that the Premier does not have the guts to enter the Chamber and to defend this travesty of the democratic process so that consideration of this legislation can fit in with the timetable and the schedule of the ALP State conference.

We know the tensions that are going on over on the Government side. We have seen the comings and goings. We have seen the BLF——

Opposition members interjected.

Mr BORBIDGE: Come on in, Peter. Come on in. We have seen the BLF, the CFMEU and all the unions come into this place, doing their sleazy backroom deals with the member for Brisbane Central as he prepares to embark on a course of action that will make Queensland the laughing stock of the Commonwealth of Australia.

I say to the member for Brisbane Central: today he sows the seeds of his own undoing. Today he is perpetuating in legislation the sort of mentality that means that we will not see Stage 2 of Sun Metals under this Labor Government, under this industrial relations legislation. We are seeing a pay-off, a political bribe, an act of corruption to those unions that, by a decision of the Industrial Court of Queensland, are law-breakers. They have broken the law: they have engaged in sexual harassment against women workers and have stopped law-abiding Queenslanders going to and from their places of work. Let it be on the public record: these are the people whose cause the member for Brisbane Central has championed.

The Premier has turned his back on the productive wealth of this State, on small business in this State, by the reintroduction of unfair dismissal laws, by the reintroduction of all that is bad in this legislation. For the member for Brisbane Central to ever again claim to be a Premier for all Queenslanders, someone who has the best interests of this State at heart, would be one of the greatest prostitutions of the English language that could ever be claimed, because this man is a Premier for the BLF. He is a Premier for the Left Wing unions. He is a Premier for the law-breakers at Gordonstone. He is a Premier for the law-breakers at Sun Metals. He is a Premier of the mates, by the mates, for the mates—and for no-one else.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (3.36 p.m.): Under Standing Order 142, I move—

"That the question be now put."

Question put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Mr SPEAKER: Order! For any further divisions, the bells will be rung for two minutes' duration.

Question—That Mr Mackenroth's motion be agreed to—put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Committee

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) in charge of the Bill.

Clause 1—

Mr SANTORO (3.47 p.m.): I was going to make quite a substantial contribution on this clause, but I believe that it is probably important to reflect at this stage on what the change in the title of the Bill represents. Honourable members may recall that, when the coalition came to Government, we actually changed the name of the industrial relations legislation of this State from the Industrial Relations Act to the Workplace Relations Act—or at least that was one of the two Acts that we introduced. That title was not picked out of the blue for a capricious or trivial reason. It was picked out because we clearly wanted to signal, even through the change in the title of the Act, a very significant change of direction in terms of industrial relations or—dare I say it now—workplace relations in this State.

Under the Labor Party, there was a very strong emphasis on process. There was a very strong emphasis on procedure. There was a very strong emphasis on matters that did not relate to the most fundamental aspects of behaviour within industrial workplaces. Those two matters were—and should always be—merit and, of course, relations between employers and employees.

By changing the name to the Workplace Relations Act, the coalition wanted to clearly signal an emphasis on the workplace. It wanted to signal an emphasis on the productive units within the workplace, that is, the employer and the employee—the workplace where the units of production, who were the employers and the employees, interacted; where agreements were able to be struck; where obligations were fulfilled; and where relations were able to be developed. So it was for that reason that we changed the title of the legislation to the Workplace Relations Act. We thought that that was a better representation of what industrial relations in the 20th century was all about.

This title represents precisely what is happening within the Bill here today. It represents a retreat to the past. That is what this legislation, unfortunately, is all about. The title also abolishes another title, that is, the Industrial Organisations Act, which deals with workplace relations and the role of industrial organisations. The coalition sought to introduce a separate Act for industrial organisations so that they could be made even more accountable by the rules governing industrial organisations standing on their own and within quite a separate Act; so that if ever the rules, as they affected industrial organisations, were to be changed, transparency and accountability could be maximised through the debate of a separate Act within this place.

Obviously, time today will not enable members on this side of the House to detail the litany of retreats in terms of accountability of industrial organisations, particularly organisations of employees. For example, honourable members might be interested to know—even though I suspect that all those members opposite already know it—that, under the legislation that we have before us today, unions will not even be required to call an annual general meeting to be accountable to their members. That is the sort of thing that Marshall Cooke, in his now-famous inquiry, found. Those are the sorts of things that we remedied. Those are the sorts of provisions that we put in the Industrial Organisations Act. That is why we called it that, and that is why we had it as a separate Act.

But what this Government and members opposite are all about is making industrial organisations, particularly those industrial organisations that are their allies—those being unions of employees—less accountable, because they know that, if they make them less accountable, they will get more favour from those unions of employees. By "more favour" I mean what has already been detailed in this place: more money and more members, which means more power to the unions. That is what this particular change of title is all about. It is a retreat to the past. It is a retreat to an emphasis that is going to include process—often process which will stifle small-business initiative; process which, in fact, will kill job creation potential and the job creation ability of small businesses.

At the end of the day, and as I have said previously in debates such as this, particularly during the debate on the WorkCover Act—and I know that there are a lot of representatives of unions of employees in the public gallery—from a purely political point of view, we do not mind this legislation going through, because people are voting with their feet. They are walking away from the unions. The union membership base is declining. And as unions go about enforcing their encouragement awards, union membership may increase just a little, but it will be a resentful increase in membership. It will be an increase in membership that will be resented not just by the people who are encouraged to join a union, but by the people who know that that not-too-subtle encouragement will take place. I have to say that, politically, that suits the coalition. We will be able to sell that very well within a general election context. Eventually

the people will give us the mandate that we richly deserve, particularly when it comes to accountability within an industrial relations context.

The tragedy of all this is that the people that the unions and this Government seek to represent will have fewer jobs to move into because new jobs will not be created at as great a rate as they have been created, even now, under the Beattie Labor Government, because of the application of these industrial relations laws. As employers get sick and tired of being bludgeoned, intimidated and trampled upon by these laws, they will simply let go of employees. That is why the union movement these days is similar to dinosaurs. The movement has this death wish which will eventually see it become extinct, as it has become extinct in other countries where the laws have been liberalised and where people have been given a genuine choice.

Mr Borbidge: Unless people are forced to join unions—that is the intent of this Government and this Premier.

Mr SANTORO: That is precisely the intention of this Government in this Bill that we are considering today. It is all about building up the membership base, and the power and the money that flows to the Australian Labor Party as a result. Unfortunately, the end result will not see growth in the union movement—a movement which should be pursuing honourable industrial relations purposes in terms of representing employees. It is going to mean bad news for people who are in jobs because, make no mistake, employers will let employees go as it becomes more and more difficult to keep them on. That is not to suggest that employers want to keep employees on and abuse them.

We have been gagged in this debate. The honourable member for Gladstone was correct when she said that an agreement was made between herself, myself and the Labor Party that the Bill would lie on the table of the Parliament for a couple of months and that we would come back for an historic sitting. It was not an agreement to gag. When this debate was allowed to take place, there was no agreement that there would be a gag. There was no agreement on a time limit.

The decision to terminate the debate at this point was made unilaterally by the Government. At the encouragement of the honourable member for Gladstone, we had a special sitting. Months before the special sitting we agreed that the amount of time allocated was sufficient. We did not agree to terminate the debate at this stage. The debate has been terminated by unilateral decision.

I will tell honourable members one of the reasons why the debate has been terminated. It has not been terminated simply for the administrative convenience of the Australian Labor Party and the union movement who will have a brawl—perhaps not too public a brawl, but they will certainly be brawling—behind the scenes. The debate has been terminated to protect the Minister. I do not believe that the Minister would be able to answer what amounts to the first instalment. There are about four piles of questions and speeches. Because the Minister does not know his legislation, and because his people wish to protect him—

Mr Braddy: Look what I have here.

Mr SANTORO: Yes, you may have it there. I had one of those, too. However, I was able to stand up and, as the parliamentary record shows, speak for 20, 30, 40 minutes after the member for Kedron and the people opposite interjected and asked inane questions. I did not need the crutch of a Bills book, just as I do not need it now to keep this going until about 9 o'clock tomorrow morning—just before the Australian Labor Party conference starts.

We will get the Minister. We will expose him as the lazy, incompetent person that he is. When that happens, the Minister will stand condemned as the person who does not know what is in his legislation.

Mr BRADDY: I rise to a point of order. The honourable member is using totally unparliamentary language. He is reverting to type. You heard it, Mr Chairman, and you know exactly what I am saying. It was untrue and obnoxious and I ask that it be withdrawn.

Mr SANTORO: In deference to you, Mr Chairman, of course I will withdraw unreservedly, but the words "lazy" and "incompetent" have been used so often in this place, particularly in relation to the Honourable the Minister——

Mr BRADDY: I rise to a point of order. The honourable member said that he would withdraw unreservedly. He is not doing so. I again take my point of order.

The CHAIRMAN: The member for Clayfield will withdraw.

Mr SANTORO: Of course I will withdraw, in deference to the Chair.

The CHAIRMAN: The honourable member's time is exhausted.

Mr BRADDY: I will speak very briefly. The Government has changed the title of the Bill because we are about relationships in the workplace, not just about individual workplaces. In terms of what the honourable the shadow Minister said in relation to the agreement, the record should show my side of what occurred.

Yes, we did agree that there would be a set time, but when that set time expired I had at least 200 further amendments that I wished to make. I could not get any further time.

Mr BORBIDGE: I rise to a point of order. It is not the fault of the Opposition if the honourable member was so lazy and incompetent as to not be able to honour the agreement that he entered into.

Mr BRADDY: I rise to a point of order. The so-called Honourable Leader of the Opposition is using language which you just ruled, Mr Chairman, was offensive when it was used by the shadow Minister. I again object to it on the basis that it is offensive, unparliamentary and untrue. I ask that it be withdrawn.

The CHAIRMAN: The Minister has asked that the remark be withdrawn.

Mr BORBIDGE: If you are so touchy, Precious, I will withdraw.

The CHAIRMAN: I ask the Leader of the Opposition to withdraw unequivocally.

Mr BRADDY: If Petal over there continues to make remarks of that sort, I will continue to object to them. What I was saying was that we ran out of time in relation to that particular Bill. It is not always that we in this place get as much time as we need. In relation to that Bill, I certainly did not get enough time, even though the agreement was made. I want that on the record. I have nothing further to add.

Mr BORBIDGE: I want to respond to some of the blatant dishonesty that we have just heard from the Minister. I would have thought that the honourable member, after having been caught out by the member for Gladstone——

Mr BRADDY: I rise to a point of order. I object to the phrase "blatant dishonesty". It is a continuation of the personal abuse that the so-called Honourable Leader of the Opposition has given in this Parliament. For as long as I have been here, he has been the master of the half-truth and the master of offence——

Mr Johnson: Make your point.

Mr BRADDY: I take objection to it. I ask that it be withdrawn.

The CHAIRMAN: The Minister asks for it to be withdrawn.

Mr BORBIDGE: I will not be so precious as the Minister and object to all the terms that he has just called me. I just want to say that the Minister is wrong, he is factually incorrect, and he knows it. "Factually incorrect" is a nice polite way of saying "lie". The reality is that——

Mr BRADDY: I will continue to object. I rise to a point of order.

Mr BORBIDGE: If the Minister is upset, I will withdraw it. The fact is that, in the Minister's latest attempt to rewrite history, he was caught out by the member for Gladstone, who was the third party in respect of the negotiations for the special——

Mr Santoro: I think there is official correspondence in relation to that.

Mr BORBIDGE: There was a special one-week sitting that the coalition Government called in late January 1997 for the specific purpose and the only purpose of passing the Workplace Relations Bill. As the honourable for Clayfield reminds me, it appears that there was an official exchange in respect of the arrangements for the conduct of the Parliament that week. If the honourable member opposite, who now nods, is saying that did he not get his way after his leader—who is now the Premier—as Leader of the Opposition entered into a signed agreement with the then Premier and the then Government, I am sorry but that is not our fault. We did not resort to the gag or the guillotine. We honoured to the letter the arrangements that were entered into. The Labor Party had a whole week—Tuesday, Wednesday and Thursday—to debate the legislation after, as the honourable member for Gladstone said, it had been tabled for six weeks.

Tonight, the Minister is asking us not only to approve 747 amendments but also, apparently, to accept certain amendments or debate certain amendments that were circulated only last night. The facts speak for themselves. They are not in accordance with the pitiful and pathetic attempt by the Minister to rewrite the historical record of this place.

The CHAIRMAN: Order! Before I call the member for Gladstone, I am going to warn members on both sides of the Chamber that I will stop the colourful language being used in this debate. Let us get the debate over with in a sane, sensible way. The schoolyard tactics being used by some members at the present moment on both sides of the Chamber are unacceptable to the Chair.

Mrs LIZ CUNNINGHAM: I rise to take the time of this Chamber with some concern,

because we have had the time to debate these clauses guillotined to a quarter to five and there are some very important clauses to deal with. The Minister skated around answering concerns about the same sex couples definition by saying that he would deal with it during the Committee stage, knowing full well that it was going to be guillotined. That in itself is a hypocrisy.

In relation to the history, I want to get my side on the record. In 1996, the then Minister for Industrial Relations tabled two Bills, WorkCover, a copious document, and the industrial relations legislation, an equally copious document. I think that he had it in his mind that after seven days he was going to pass the two Bills in the one week sitting, which I would not agree to for two reasons: firstly, it was a lot of material to digest; and, secondly, the then shadow Minister approached me and said that he was concerned, because the word was around that the two Bills were going to be passed and they had had insufficient time to consider the matter.

The shadow Minister had a point, because the industrial relations legislation included significant changes to the status quo, as did the WorkCover legislation, and they affected people intrinsically. He asked me if I would support holding over the industrial relations Bill for the Christmas break. I believed that his argument had merit. I went to the then Premier and suggested to him that there would be wisdom and justice in holding over that Bill. He said, "Look, if we do that, the debate will go on forever; there will be no end to it", and that had merit as well, because I had watched the place perform. So I went back to the then shadow Minister and said to him that that was the concern. He said, "No, it will not." I said, "Well, we are going to have to put some meat around this", and there was a written undertaking that the exchange—the give and the take—was that the Bill would be held over for the Christmas period, there would be a special January sitting and the Bill would be passed in that sitting. Both parties agreed to that. There was no coercion: both parties agreed. It was not a guillotine, as the Minister has obviously told his side. It was in no way intended to cauterise debate.

When the industrial relations Bill came up in the January sitting, the current Minister produced amendments. We had already started the debate. There were 80 amendments circulated to me one night and 70 amendments the subsequent night—or the other way around—copious amendments in the body of the debate, not before. So to stand here and say that the debate on the IR Bill then was guillotined is a lie——

Mr BRADDY: I take offence. Mr Chairman, as you have already indicated in relation to these matters, I take offence at that. It is untrue and offensive. I rise to a point of order. It is untrue and offensive.

Interruption.

PRIVILEGE

Comments by Minister for Employment, Training and Industrial Relations

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (4.06 p.m.): I rise on a matter of privilege suddenly arising. Mr Chairman, from the comments made by the honourable member for Gladstone, it is now fairly clear that there has been a deliberate attempt by the Minister for Industrial Relations to mislead this Parliament and I formally request that you bring this matter to the attention of Mr Speaker to determine that, on the information and the evidence provided by the honourable member for Gladstone, there is a prima facie case for the Minister for Industrial Relations to be referred to the Members' Ethics and Parliamentary Privileges Committee.

The CHAIRMAN: My advice is that I will talk to the Speaker about the matter and bring it to his attention.

INDUSTRIAL RELATIONS BILL

Resumption of Committee

Resumed.

Mr BRADDY: Has the member for Gladstone completed her remarks?

Mrs LIZ CUNNINGHAM: I withdraw the word that the Minister found offensive. As far as I am concerned, it was a misrepresentation of the facts, but the Minister will not find that term acceptable, either. I am not sure what point there is in referring the matter to the Speaker; the status quo will remain.

This place has become a joke to the community. We do not present honesty; we do not present truth. People get in here and say that Parliament is a theatre. However, this theatre deals with people's lives. We sit here and we abuse one another across the Chamber and then we leave the Chamber and slap one another on the back and say, "That was a lot of fun, wasn't it", yet all the time we are dealing with people's lives.

This Bill deals with people's quality of life and important issues such as the qualification

of what is a family gets relegated from an explanation after the second-reading debate to the Committee stage, knowing that we are not going to get there. It is disappointing, but it appears that that it is a fact of life.

Mr BRADDY: In response, I will say it just one more time: I never said that I was guillotined. I want that on the record. What I did say was that, because of the arrangements that were entered into—and I accept what the member for Gladstone says and I accept that the arrangements were entered into in good faith—the debate had not been completed and I was required to cease debating because the time expired. There was no unlimited time allowed to——

Mrs Sheldon: Because of the arrangement.

Mr BRADDY: I agree: because of the arrangement for the debate, which we agreed to. That was the only price I could get for the adjournment. The member for Gladstone was wrong when she said that there were two Bills; there were three Bills. There was the Industrial Organisations Bill as well. The only price I could get for an adjournment after one week for these three massive Bills was to do that deal, and we kept the deal. The point that I am making is that the debate was nowhere near completed when the time ran out. That is the comparison that I am drawing in relation to this Bill. I wish to make no other comparison.

I am quite anxious to deal with that same sex matter in terms of the coherence of these objectives. The same sex material that is placed in this Bill is about humanity. We are not talking about marriage; we are talking about the most important part of people's lives. These provisions are going to apply to everybody at the time of birth, at the time of extreme sickness, at the time of children needing care and at the time of death. If people cannot see that it is important to assist others, irrespective of their sexual preference, at the time of birth, sickness, childhood problems and death, there is something wrong with them.

Of the members of the task force who considered this matter, everybody bar one person agreed with the recommendations. These recommendations came to me and the Government not from the Labor Party or the trade union movement, but from the community, because they believe that when people are giving birth they need extra help, when family members are dying they need extra help, when family members are sick they need extra help and when children are in trouble they need extra help. That is what these matters are about. Out in the real world, people are concerned about families and humanity—something that has been lost from too many members opposite.

Mr SANTORO: I wish to follow up briefly on what the member for Gladstone and the Minister have said. The Minister said that we ran out of time to debate the coalition's legislation. The Minister needs to understand, if he does not already understand—I think that he does—that there was a set time for the debate. The shadow Minister at the time was able to control his side of the Chamber and control the time that the then Opposition dedicated to the second-reading debate and then to the Committee stage of the debate. If this Opposition had been told that the debate was going to be gagged at 4 o'clock this afternoon, we would have structured the debate accordingly.

It is important that there is a comprehensive debate on the clauses of the legislation. As we all know, there are a lot of provisions within this legislation, as is demonstrated by the number of amendments that the Minister foreshadowed he would move. We were going to draw to the Minister's attention plenty more technical and clarity inadequacies. We would not have expected the Minister—and I say this in a genuine sense—to know all the answers, but he could have made use of Parliamentary Counsel and his officers. In fact, he could have done what I did, which was to take advice or simply answer questions from my own knowledge or from what was in my notes. Such a debate would have been of assistance to the practitioners, including the Industrial Relations Commission and the president of the court and all the other people who rely on detailed clause-by-clause debate. That is one of the major reasons why we should be debating the clauses of this Bill.

The Minister is absolutely wrong if he thinks that we are trying to frustrate Government members by making them late for their conference. So many people spoke to this legislation because they believed that, first, they had the time to speak and, second, they wanted to represent the interests of their constituents. The Minister could have told us that we were going to finish the debate at 4 o'clock because he was going to apply the gag. If he had said, "Look, Santo, arrange your speakers and determine the type of debate that you want to have as you wish", I would have suggested, with respect and deference to other members, that maybe they curtail their contributions so that we could spend time discussing the detail of the clauses. I am sure that honourable members

opposite would have said, "Yes, we will do that so that we can have a fair dinkum, detailed debate."

The big difference between the arrangements that we entered into with the Labor Party at that time and what has happened today is that the then Labor Opposition knew what was happening, but we did not know what was happening today. The Government came in here like thieves in the night and cut our throats. As I said, that does not really matter to us in a political sense, because this is retrograde legislation. This is bad legislation. Politically, this is good for us and we will benefit from it.

However, members on this side of the Chamber are not interested only in politics, union numbers, donations to the Labor Party, union power and union influence. Last night the honourable member for Crows Nest, and I acknowledge that he was very kind to me, said that we should come in here and have a balanced debate. The way that this debate is concluding is not balanced. It is not in the best interests of the people, because they cannot get the most out of the legislation—even this bad legislation.

I have the last three pages of the debate on the Workplace Relations Bill and the Industrial Organisations Bill, pages 293, 294 and 295. There are no objections recorded there by the honourable member for Kedron that he wanted the debate to go longer. We did not hear from Mr Braddy, "Would you please, despite the agreement, let it go longer?" There was no self-flagellation from the honourable member for Kedron. There is no objection, no nothing. He knew that we had an agreement and what is recorded is a peaceful, tranquil, sensible conclusion to the debate. I cannot see strenuous objection.

An honourable member interjected.

Mr SANTORO: The honourable member says that there was not, and the reason that there was not objection is that the then Opposition members knew what was happening and were able to structure the debate as they wanted because they had agreed to the parameters. By its actions this afternoon, the Government has lowered the standards.

THE CHAIRMAN: Order! I have made a ruling on colourful language. In his contribution, the honourable member for Clayfield used the simile "thieves in the night and cut our throats". That is perilously close to what I will start to disallow.

Mr NELSON: I am a new member to this Chamber and was not here at the time that many of these events occurred. I am deeply disturbed. This is my first experience of this sort of activity. I wanted to speak to many of the clauses that were to be put before the Parliament tonight. I certainly would have used my time in this debate differently had I known that it was to end today at 4.45 p.m.. On many occasions I have heard the hypocrites opposite talk about having their time stifled or——

Mr REEVES: I rise to a point of order. I find the word "hypocrites" offensive towards all.

The CHAIRMAN: Order! There is no point of order.

Mr NELSON: I have often heard Labor Party members call themselves the stalwarts of the working man, but this reeks. I concede that it may have happened to the ALP in past times when it was only a cricket team sitting in the corner—praise be! However, the simple fact remains that two wrongs do not make a right. Just because it was done to them does not mean that they should do it to somebody else. If that attitude was taken by every Parliament in the world, can honourable members imagine what would be happening overseas currently? Can honourable members imagine what would happen if the Kosovo people returned to Yugoslavia and decided to slug the Serbians? That attitude does not work. It is counter-productive.

I see the smirks on the faces of members opposite and I have seen the type of behaviour that they have displayed. I am not a member of the National Party, I am not a member of the Liberal Party and I am not a member of One Nation. I am an Independent member of this Parliament and the people of the Tablelands will decide whether or not I stay here, not those opposite. The simple fact remains that I have a duty and responsibility to the people who elected me, just as members opposite have to the people who elected them. I remind the members opposite that I received a larger primary vote than many of them and, in some cases, more people voted for me and the party that I represented at the time than voted for them. I have often heard the members opposite say that 75% of Queenslanders did not vote for One Nation. If that is the case, then 63% to 64% of Queenslanders did not vote for the ALP. Any claims of a mandate to carry on with this sort of activity in the Parliament of Queensland are taking us back to the days that members opposite say they abhor and that were wrong.

When I came to this Parliament I believed that I would be able to speak on legislation. I believed that I would be able to discuss legislation in an intelligent atmosphere with people who supposedly are intelligent and have the best interests of their electorates and all Queenslanders at heart. That is obviously not true. Time and time again I have said in this House that, if we restrict freedom of speech and take away the ability of people to protest peacefully, we only beg for violent protests in the future. We make it inevitable. The people of Queensland are railing under oppressive Government. This sort of legislation being forced through the Parliament of Queensland and being rammed down the throat of Queenslanders does nothing for the Labor Party's cause in this State. It does nothing to improve the lot of trade unions in this State. It does everything to guarantee my re-election and that of other members in this Chamber—the people whom the Government so vehemently opposes.

The time of two-party politics and this sort of attitude in the Parliament of Queensland is over. The time of the smirks and the carrying on that I have seen from some Government members today is over. Their attitude betrays them to the people Queensland. Their arrogant right-to-rule attitude and dictatorial rule over this State will end. That may not end soon, but it will end one day. The people cannot be fooled forever. Government members will not continue to hinder my speech in this Parliament. Even if they do, I will go back to my electorate and tell tablelanders what it is doing. One by one, bit by bit they will eventually let the Government go.

Mr Chairman, you have been in this place since before I was born. I hope that in 25 to 30 years' time I will be able to stand in this Chamber and tell the "ALP cricket team" that it has only the today's Labor Party members to blame. They have signed their own death warrant in rural Queensland and on the tablelands. They should wake up to themselves. This sort of behaviour is wrong. Two wrongs do not make a right. That should have been taught to them from birth.

Mr FELDMAN: As the member for Tablelands has already indicated, I too am new to this Parliament, as is One Nation. We met as a committee to address how we were going to debate this Bill. We did not attempt to stifle the debate. In order to try to get this Bill through, only two of our members spoke. We indicated in our speeches that our intention was to debate this matter at the Committee stage. That intention was indicated in speeches by the member for Whitsunday and me.

Never have I witnessed anything like I have seen today. If ever there has been an argument for the return of the Legislative Council, we have seen it in what has happened today. Queenslanders have been denied a voice. The Government should remember that in this Parliament we now have seven Independents, One Nation, the National Party, the Liberal Party and the Labor Party. Everybody in this place has the fundamental freedom to speak on the clauses that they so vehemently wish to speak to. We did not wish to speak to every clause in this Bill. However, we wished to exercise our freedom of speech to debate some clauses in this Bill with members opposite. We are being denied that right. That is a right that this Parliament is supposed to uphold.

At the start of the day we say a prayer that these principles will be upheld. That is not what is happening today. This is not right. The people of Queensland will see that and judge Government members accordingly. We have asked for the right to be able to debate these clauses at the Committee stage. We were led—perhaps misled—to believe that we would be able to debate these clauses freely in Committee. It is not proper that we have been denied this right.

For example, we wished to debate the provisions in relation to same sex couples. We wished to call a division on that issue in the debate on the clauses so that the people of Queensland could judge who was thinking about the family in this instance. They are being denied that right to see how members were going to vote on the clauses.

This is not right and will never be right. As the member for Tablelands so clearly indicated, this will win votes for every Independent and minority party that wishes to stand for election. The people of Queensland want to see, hear and feel honest Government—a Government with the integrity to debate any legislation clause by clause.

This will never be right. There is no way the Government can justify this to anybody. This is so terrible that I am lost for words. That is how bad it is. I am never usually that way. It has shocked me to the core that this sort of thing can happen; that a debate can be stifled. I am appalled. This should never, ever happen in a place where people so vehemently fight for democracy and the right to freedom of speech. This is a shocking example of what can go on, and the people of

Queensland will judge this Government today for what it has done.

This Government is basically a dictatorship. That is what is wrong with the two-party preferred system—we see the same two jockeys. The people can see that happening. Government turns into a dictatorship. That is not what the public of Queensland want to see. They want to see an honest Government with the integrity to stand up and defend its own legislation clause by clause, if it has to. This is a shocking example of a dictatorship.

Mr SANTORO: The honourable member for Caboolture has prompted me to remember some of the things that the Minister said in his summing-up——

Mr Littleproud: Just an hour ago.

Mr SANTORO: As the honourable member for Western Downs said, that was less than an hour ago. The record will show that the Minister made ample references to the debate during the Committee stage. Honourable members would recall that he said, "I'll address issues during the debate on the clauses." Obviously, something happened between the time that the Minister spoke——

Mr Horan: Six seconds per clause.

Mr SANTORO: Yes, six seconds per clause. Obviously, something happened.

The honourable member for Caboolture said that a lot of honourable members asked questions. The honourable member for Toowoomba South put to the Minister a whole series of questions about the definition of "employee". He asked about couriers and other various forms of subcontractors. I listened carefully to that very good speech by the honourable member for Toowoomba South. I did not hear the Minister give the honourable member for Toowoomba South the detailed explanation that I think he deserved. This morning, when the honourable member for Toowoomba South spoke to me about this matter, I said, "I'm sure we'll have an opportunity to debate it during the Committee stage."

The honourable member for Caboolture mentioned that we need an Upper House. We have an Upper House. Literally, the union heavies were sitting at the table of the old Legislative Council. One of the honourable members in this Chamber informed me that the Upper House——

Mr Borbidge: I wonder who gave them permission to use the upper House?

Mr SANTORO: I do not know. Normally, that Chamber is reserved for meetings of charitable institutions, Premiers Conferences and ministerial council meetings. Schoolchildren——

Dr Watson: Remember where they found the Black Rod?

Mr SANTORO: Where did they find it?

Mr Borbidge: Trades Hall.

Mr SANTORO: That is right.

Although constitutionally an Upper House does not exist, it does exist in a figurative sense. We have seen the sad and passing parade of union heavies, as deals have had to be done before the conference. The point that has escaped most honourable members—and perhaps this is a point that we should remember in the dying moments of this debate—is that the CFMEU had a big win. In the media this morning, honourable members would have seen that the CFMEU is going to support the privatisation of the TAB.

Let me remind honourable members that, never in the history of Queensland has the CFMEU supported privatisation. A Left Wing, extreme, radical union such as the CFMEU has done the deal. When honourable members look at the amendments that were circulated by the Minister—12 or 13 pages of amendments—they will see that they were amendments that meant nothing. We were all waiting for Bill Ludwig to come through this place and get his way, which would have meant substantial amendments to the legislation. I can tell honourable members that because, at about 2.30 to 3 o'clock this morning, I was sitting down with some advisers after honourable members went to bed and we went through the amendments one by one. They are basically of a technical nature, cleaning up some of the botched legislative process of the Minister. There is no deal for the AWU, as the CFMEU this morning confirmed when it said that it is going to support the privatisation of the TAB.

Honourable members know that I do not normally concern myself with the affairs of unions, but I will tell them why I am concerned about this one. I am concerned because it means, as I said in my second-reading speech, open warfare between the CFMEU and the AWU. I do not particularly care who wins it and I do not particularly care if the Premier eventually is going to be deposed by the Deputy Premier as Bill Ludwig and Mr Elder join together to destroy Peter Beattie. To be a good Premier, you need the substance to, for example, front up to the Chamber at a time such as this and participate in debate.

But because he has not got the substance, they are going to get him.

I do not care about that. What I care about are the jobs and the livelihoods that are going to be destroyed as that battle between unions and the Premier and between Ministers and the Premier takes place. That is the real tragedy of this legislation. It is anti-jobs. The Government is going to hang itself purely on that. The Premier's 5% commitment is going to disappear.

Mr Johnson: Anti-progress.

Mr SANTORO: It is anti-progress, anti-development and anti-jobs. It is politically good for us but bad for Queensland. As I said earlier in the debate, we will have to clean it up again when we get back into Government.

Mr BRADDY: I said that in the debate on the clauses I would deal with one specific thing, that is the matter of leave benefits as they relate to same sex couples. I have already done that. I wanted it on the record. I particularly did not read one part of my prepared notes. What we are doing now, of course, is continuing the debate on a matter that the Parliament has already decided. The gag has been applied and, because the Opposition has wasted time, it will now not have an opportunity to deal with the clauses.

Mr BORBIDGE: I just want to respond to a couple of matters raised by the Minister. There are 747 clauses and one hour in which to debate them, which equates to six seconds per clause. It is a disgrace. What we are seeing in this Parliament today under this Premier, who has not got the guts to front the Parliament and say why he is insisting that the sleazy deals he has negotiated be rushed through the Parliament today, is the political equivalent of the tactics that we saw from the CFMEU at Gordonstone and the political equivalent of the BLF at Sun Metals, which has probably cost Queensland Stage 2 of the Korea Zinc project. What we have seen is a total capitulation of the oath of office of the Premier and his Ministers. The union heavies sit in a figurative sense in the Legislative Council Chamber today; that is where the real power now rests.

The tragedy for Queensland is that we now have a Premier who is captive—captive to the trade union thugs and the law-breakers who have been condemned by the Industrial Court for their actions at Sun Metals and Gordonstone. We have a Premier and a Government who have sided with law-breakers, and a Premier and a Government who refuse to enforce the law of the land against their Labor mates. Let there be no mistake, this is a sad, sorry and dirty day in the history of the Parliament of Queensland.

Question—That clause 1, as read, stand part of the Bill—put; and the Committee divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, the Chairman cast his vote with the Ayes.

Resolved in the **affirmative**.

Clause 2—

Mr SANTORO (4.39 p.m.): The Opposition will be opposing clause 2, which relates to the commencement of the Bill. In beginning to speak to this particular clause, I am reminded of the terms of the gag motion in which the Honourable Leader of the House said that the reason we should have a gag motion is that members opposite regard it as urgent that we pass this Bill. Honourable members can see why they regard it as urgent, because they want a section of it to commence on 1 July 1999. There is not another sitting between now and that date; therefore, they need to get this legislation through. Of course, that is apart from the fact that they also want to get it through before 9 o'clock tomorrow morning, when the ALP conference starts.

We on this side of the Chamber do not accept that this particular Bill should be regarded as an urgent one. As all of us on this side of the Chamber have reflected, we have record employment, according to the Premier. We have massive employment creation. We have the lowest level of disputation for a long time. We have one of the highest participation rates—in fact, the second highest participation rate—in the work force of any State, with the exception of Western Australia. We have the Premier telling us that there is a massive amount of projects on the drawing board and in place, even though we contend, I think in an

intellectually honest way, that the bulk of those projects are projects that the coalition put in place. What is the urgency? If Queensland is doing so well under the coalition's workplace relations legislation, what is the urgency? Why can this Parliament not be respected as the sovereign Parliament that it should be? Why can all honourable members in this place not be allowed to debate the various clauses?

Mr Grice: They got their instructions from upstairs in the gallery.

Mr SANTORO: I think the honourable member for Broadwater again hits the mark. I think there is a considerable amount of influence sitting in the public gallery in relation to the current Government.

We just do not see why the commencement date of this legislation should be 1 July 1999. We come in here and constantly hear people on the Government side claim, in an intellectually dishonest manner, credit for things which are going well in Queensland. Things will continue to go well if this piece of legislation is not put in place. As I said, the sooner this Bill becomes law, the better it will be for us. In a political sense, the quicker this legislation starts operating the better. I am not trying to be cynical. To use one of the Premier's——

Mrs Sheldon: Where is the Premier?

Mr SANTORO: Where is the Premier—the great champion of the sovereignty of Parliament?

Mr Borbidge: Tiberius on the telephone.

Mr SANTORO: He is probably trying to make sure that the CFMEU, which is almost certain that this Bill has passed through the Parliament, does not doublecross him. He is probably still negotiating. I see the honourable members of the Government who belong to the AWU. They are a pretty worried lot. Honourable members could see the way they were intimidated out of the debate on this pro-union legislation which they think is their crowning glory and the reason they exist as a party. One would think that the mob opposite could have at least gotten up and spoken for 20 minutes—particularly those belonging to the AWU, which was being screwed. But no. They were sat upon. They have the numbers in the Cabinet and they have the numbers in the caucus, but Mr Beattie said, "Look, I am the only thing going for you. If you roll me on this, you are gone."

Mr Borbidge: Do you know what he said? He said, "Roll me on this and you are stuck with Jim Elder."

Mr SANTORO: That is right. At least when Wayne Goss was leader there was some real substance. Eventually the glow will fade and members opposite will have to go to Jim Elder. That will also be good for us. Government members should be ashamed of themselves for making only five or 10-minute contributions to this legislation which they have lived and breathed. The honourable member for Chermside said, "I belong to the Labor Party. I support this." He spoke for five minutes and then sat down! What a joke! Obviously somebody did not write his speech.

The CHAIRMAN: Under the provisions of the resolution agreed to earlier today, I shall now put all the remaining questions, including the Committee stage of the Bill. The question is that clauses 2 to 747, Schedules 1 to 5 and the Minister's amendments be agreed to.

Question—That clauses 2 to 747, Schedules 1 to 5 and the Minister's amendments be agreed to—put; and the Committee divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, the Chairman cast his vote with the Ayes.

Resolved in the **affirmative**.

Reporting of Bill

Mr BRADDY (4.50 p.m.): Mr Chairman, I move—

> "That you do now leave the Chair and report the Bill with amendments to the House."

Question put; and the Committee divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr,

Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, the Chairman cast his vote with the Ayes.

Resolved in the **affirmative**.

Bill Taken into Consideration

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (4.57 p.m.): I move—

"That the Bill as amended be now taken into consideration."

Question put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Third Reading

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (5 p.m.): I move—

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

Question put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Title

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (5.02 p.m.): I move—

"That the title of the Bill be agreed to."

Question—That the title of the Bill be agreed to—put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

SPECIAL ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (5.07 p.m.): I move—

"That the House, at its rising, do adjourn to a date and at a time to be fixed by Mr Speaker in consultation with the Government of the State."

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and

Industrial Relations) (5.07 p.m.): I rise to second the motion.

Mr BEANLAND (Indooroopilly—LP) (5.08 p.m.): I rise to oppose the motion. Today we have witnessed the end of those parliamentary performance standards about which we have heard so much from the Premier. He likes to parade himself before the public and go on radio and television and appear in the print media and talk about his parliamentary standards.

Today, we have seen the gag applied in its true form—the way in which the Labor Party has traditionally applied the gag, or the guillotine, in this place. This is part of a long Labor tradition. Today, Labor has returned to that tradition. It is obvious that when it comes to a choice between the Labor Party sitting in Parliament and attending a Labor Party conference, the Labor Party conference comes first because that is why we are adjourning the House at this particular time. The House is being adjourned at 10 minutes past 5 on this Friday afternoon at a time when members expected to sit very late into the night, and perhaps into the early hours of tomorrow morning—perhaps even into the daylight hours of tomorrow morning—to debate the clauses of the Industrial Relations Bill.

Instead of that, we have seen the guillotine applied. Currently, the Government has a large number of Bills set down on the Notice Paper. Some 14 of those Bills are past their allotted 13 days and they are ready to be debated. I think that it is worth while noting something that the member for Brisbane Central said in this place some time ago. Of course, he would not like it repeated, but I think that it is most appropriate that we remind the Premier of those words. He said, "If you can't run the Parliament, you can't run Queensland." This evening, those words have come home to roost.

This adjournment motion moved by the Leader of Government Business highlights the failure of this Government. There is plenty of time to debate this Bill. As I say, members expected to be in this House to debate the Bill for quite some time. I think that the shame and the scandal is that some two weeks ago the Leader of the House warned members that this Friday would be a sitting day. It was obvious that the Government wanted to pass the Bill. Today, we expected to sit not only throughout the day but also tonight and into Saturday if need be, because members wanted to debate the Bill—members of the National/Liberal coalition, the Independent members and the members of One Nation. I am sure that even some Government members belonging to the AWU faction, from whom we have heard very little, wanted to debate the Industrial Relations Bill. So a large number of members have wanted to debate the Bill, but instead the gag was applied so that the Government members could rush off to have cocktails prior to the Labor Party conference, which starts tomorrow.

Now that he has his Bill passed, the Premier can strut the stage, even though he used the guillotine—I am sure that he will not tell his conference delegates that because in their hearts they probably want to believe that democracy has run its course. Mr Speaker, to get the Bill passed, the Premier has had to rely on your vote. Mr Speaker, in this case I think that it is unfortunate for you that he has had to do that, because the Speaker's role is to preserve the rights of the members of Parliament. Of course, Mr Speaker, you are very much aware of that long tradition. I recollect that some Speakers have actually gone to a place of execution—not quite the guillotine but something very similar to that—and lost their heads because they tried to ensure that there was debate. Mr Speaker, I notice that your head is intact and that probably over the weekend your colleagues will hail you as a hero. However, the historical record will speak for itself.

So although there is plenty of time for the Government to allow the debate to continue, for reasons best known to itself the guillotine has been used to bring about the adjournment of this Parliament at this particular time when all members would have expected that it would be quite some time yet—maybe another 12 hours or 20 hours—before the Committee stage of this debate would have concluded and the House adjourned, because a lot of members had indicated already that they wished to have a great deal of input during the Committee stage. I do not want to keep Parliament unduly, but I wanted to make that point. The Opposition is strenuously opposed to the adjournment motion that has been moved by the Leader of the House.

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (5.13 p.m.): I support the comments made by the honourable member for Indooroopilly. We have seen a great deal of hypocrisy and a great deal of the double standards of this Government. Just over 12 months ago, certain commitments were given by the member for Brisbane Central. Now, almost to the letter, those commitments have been betrayed by virtue of the power of one following the Labor

Party's narrow victory in the Mulgrave by-election last year.

I think that it is pretty clear from the unity on the non-Government side of the House—the member for Nicklin, the member for Gladstone, the other Independent members, the members of One Nation and the coalition members—that in many respects today's events may represent a turning point in the life of this Government. I say to the member for Brisbane Central, who I think in a pique of arrogance decided not to justify the actions of his Government in the formal debate, that he does himself a grave disservice. When Governments for various reasons, even for good reasons, embark on action that is controversial, on action that requires justification to the community, there is a moral obligation on the Premier of the day to front up and be accountable—not to run and hide in the Cabinet room and not to come back in so that on his vote, indirectly, he can get through this travesty of the democratic process today. The honourable member for Brisbane Central has not been prepared to defend and support the actions of his Government as he proceeds to breach a number of the very clear undertakings that he gave the honourable member for Nicklin in exchange for the honourable member's support to form a Government just after the last State election.

In my view, the member for Brisbane Central is now the emperor without any clothes. He has been revealed as a sham, as a hypocrite, as a political fraud—as someone who will say and do anything in terms of his public stance but then turn around and be manipulated like a little puppet by his trade union masters. I would have hoped that if the Government was committed to going ahead with this legislation following the deals that were done with the trade union movement, at least it would have respected the spirit of this place.

Honourable members on this side of the House expected to be here tonight. The coalition's country members cancelled flights home and some others cancelled commitments that they had tomorrow morning because they did not mind the principle of having a good old fashioned parliamentary debate. We did not mind arguing our point of view in this place. However, we had a legitimate expectation that the Government of Premier Beattie would not dingo out of the process as it has done on this occasion. Today, we have seen a sell-out of accountability and a sell-out of proper and appropriate parliamentary debate. Today, we have seen motions passed by this Parliament that were not passed in the previous Parliament.

Since the 1995 election, we have had some very welcome reforms and a fair bit of goodwill in terms of making the Parliament work better by my Government and, up until recently, the Government of Premier Beattie. Today, that has all changed and, I suspect, it has changed for the remainder of this Parliament now that the member for Brisbane Central has taken it upon himself to use the extra seat that he has to do the things that he was not game to do or try when the member for Nicklin held the balance of power. I would have liked to have thought that over recent times there had been some maturing in the political process. We on both sides of the House may not have agreed with each other's philosophical positions, but at least in the spirit of the democratic process we would have argued them, we would have debated them and we would have had a bit of banter back and forth across the Chamber. At least members would have been able to put their particular point of view. The Industrial Relations Bill was pushed through this place as a result of deals done with various unions, and I have spoken of that, the union law-breakers—not my words but the union law-breakers as determined by the Industrial Court—the CFMEU and the BLF.

Let us look at the Notice Paper. It is interesting that we had to look after the mates prior to the Labor Party conference. Never mind the miners, who will not get their leases granted because the Native Title (Queensland) State Provisions Amendment Bill is No. 14 on the Notice Paper and will not be dealt with in this place for another five weeks. This Premier is the same man who two years ago criticised my Government over delays in respect of mining leases, mining permits and mining approvals. Native title legislation is back in the House with 200 amendments because he made such a mighty botch-up of it after the Senate and the Federal Government gave him the wherewithal to fix it, and we will see the delays continue. We will see the uncertainty continue with respect to mining permits and land tenure. The new Land and Resources Court cannot be established until those amendments—which again relate to legislation that is No. 14 on the Notice Paper—are dealt with. Was that important to the jobs, jobs, jobs Premier or was some sleazy backroom deal with his union mates more important?

Is it not ironic that on the first anniversary of the election, 400 more Queenslanders are unemployed than when the coalition left office? Is it not a tragedy that this industrial

relations legislation will do enormous damage to the process of job creation in this State? I refer to the QCCI survey on the cost of unfair dismissal laws that was released on 3 March. The figures show that an alarming 35% of businesses have employed fewer staff as a result of the unfair dismissal laws. The figures are even more disturbing for small business, with 50% of all enterprises employing up to 15 staff reporting that they had hired fewer staff as a result of the laws and 45.5% of businesses employing up to 99 staff returning the same comment.

Even in cases of extreme misconduct or incompetence, employers have been unable to dismiss employees or have incurred enormous expense in pursuing dismissals through the relevant tribunals. The consequence has been that many employers are not employing more staff to avoid those problems. Despite that occurring, earlier today this Labor Government used its numbers to reintroduce the unfair dismissal laws that were done away with by the coalition Government by way of regulation which gave small businesses employing up to 15 people an exemption for the first 12 months of someone's employment.

It is appropriate to reiterate that in the 12 months of this Beattie Labor Government, Premier Peter "Do-little" cannot put his hands on one major economic development project. The only projects that are effectively under way in Queensland today are those projects that were generated during the life of the previous Borbidge Government and, to a certain extent, the life of the former Goss Government. To be fair to former Premier Goss I am prepared to give credit where credit is due, which is more than this Government will do. It has shown blatant dishonesty in taking credit for projects such as Briztram and the Pacific Motorway. Good heavens! In 1995 that project was the issue. It was the reason that Labor lost six seats. The work of the honourable member for Gregory brought about that magnificent project, which this Government now has a jobs meter on. This is despite the fact that it cannot tell us what the jobs meter reads in regard to its Capital Works Program after an appalling and disgraceful admission that seven months into the financial year it has spent only one-third of its capital works budget.

Other projects include Phosphate Hill, which the Deputy Premier referred to this morning. In the Premier's reception room just down the corridor I signed off with Hugh Morgan on a $25m State assistance package that made that project viable. The Century project was the work of the previous coalition Government. There was the Cairns Convention Centre, and the list goes on and on and on.

An Opposition member interjected.

Mr BORBIDGE: Members can ask Geoff Lockwood and Cazaly's. The honourable member reminds me of projects such as the Esplanade at Cairns, the Strand at Townsville and the Townsville Entertainment Centre.

Mr Fouras interjected.

Mr BORBIDGE: I would have thought that a previous Speaker of this House would have known that it is in breach of the Standing Orders for someone who has never served as a Minister of the Crown to interject from the Government front bench, but then again he was Speaker for six years and he did not know much at all.

Mr MACKENROTH: I rise to a point of order. During the Estimates debate on the Legislative Assembly, it would be appropriate for the Speaker to interject from the Government front bench.

Mr BORBIDGE: The simple fact is that the Standing Orders of the Parliament are very specific on that issue and the Leader of the House knows it. This is not the Estimates process.

Mr Fouras interjected.

Mr BORBIDGE: The member is back where he belongs—right down the back. He should go back a bit further.

Yesterday, the Premier even took the credit for the review of National Competition Policy that was announced by the Prime Minister. He has taken credit for initiatives not only of the Goss Government and the Borbidge Government but also the Howard Government. Earlier in the week in relation to his dodgy circular regarding the 22,000 petitioners seeking a resolution to the crisis at the Gold Coast Hospital, the Premier took credit for an initiative that was taken 10 years ago.

The fact is that this is a do nothing Government. Indeed, it is worse than a can't do Government. This Government does not know where to start. All that this Government can do and legislate for are favours for mates. Is it not significant that in the mates' rates regime of Premier Peter "Do-little", very significant issues of consequence that we have debated over the last week in particular have had to be passed through this place on the casting vote of the Speaker. That is significant, because it shows that increasingly Labor is on its own.

If the Premier was fair dinkum about jobs, we would have debated the Native Title (Queensland) State Provisions Amendment Bill so that the backlog of permits in the Department of Mines and Energy, which the Labor Party was criticising two years ago, could have been dealt with. We did not do that.

Mr MACKENROTH: I rise to a point of order. When I set the program, I set the program. The Native Title (Queensland) State Provisions Amendment Bill cannot be debated because the Federal Government cannot decide how many more amendments it wants.

Mr BORBIDGE: Yesterday the Premier stood in this place and said that he would fix native title. He has just been contradicted by the Leader of the House. That is another example of the incredible dishonesty and fibbing that we have seen from members opposite.

Mr Johnson: The Premier told me that the exploration permits were fixed up by his Government, but the opal mining industry in Queensland has closed down because of lies told to the Federal Government by this Government.

Mr BORBIDGE: The honourable member for Gregory highlights some more of the inadequacies of this Labor Government.

Mr SPEAKER: Order! The honourable member is not in his correct seat.

Mr BORBIDGE: Mr Speaker, I take your point. I seem to hear an interjection from the honourable member for Gregory coming on.

Mr Johnson: The Premier told the Leader of the Opposition that the exploration permits were fixed up by his Government. But the opal mining industry in Queensland is closed down because of lies and deceit told to the Federal Government by this Government.

Mr BORBIDGE: The comments made by the honourable member for Gregory are accurate and truthful.

Mr Johnson: Eighty per cent of the industry stopped.

Mr BORBIDGE: Yes, 80% of the opal industry in the State of Queensland has ground to a halt. I would have thought that, if this Government was fair dinkum about jobs, jobs, jobs, we would have seen those elements of the legislative program getting some precedence over seedy backroom deals with trade union mates.

The Opposition opposes the adjournment of the House. Today has been a travesty of the democratic process. I know that over the years Governments on both sides have applied the gag. My Government did not do that. I would have hoped that Mr Beattie would have matched that. I think that today is a very sad and sorry day for the Parliament. The business of Queenslanders has been placed second to the business of trade unions. The unemployment figures released yesterday show that there are now 400 more Queenslanders unemployed than when the coalition came to office.

This morning the Premier made a great fuss about the number of jobs created in the first 12 months of the Beattie Government—43,100. He said the fact that 43,100 jobs had been created was a magnificent effort and testimony to his achievements and what he had been able to do in Government. He was right; those figures are accurate. However, do honourable members know how many jobs were created in the last 12 months of the coalition Government? Was it 43,100, 45,000, 48,000 or perhaps 50,000 jobs? Some 51,500 new jobs were created in the last 12 months of the coalition Government, as compared with 43,100 jobs in the first 12 months of the Beattie Government. Therefore, the coalition created 8,400 more jobs in our last 12 months than have been created in the first 12 months of the Premiership of jobs, jobs, jobs Beattie. This equates to 20% more jobs under the coalition than under Labor over the same period. Today we have seen legislation that will do enormous damage to job creation in the State of Queensland.

This Parliament should not be going home. This Parliament should not be adjusting its legislative program to the backroom deals of Mr Beattie. This Parliament should have been sitting today and dealing with some of the other substantial business before the House, particularly that relating to the horrendous problems of land tenure and tenure for the mining industry, which are strangling economic development and jobs in Queensland today.

Mrs SHELDON (Caloundra—LP) (5.33 p.m.): Mr Speaker, I would like to make a contribution to the debate——

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (5.33 p.m.): I move—

"That the question be put."

Question put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Question—That Mr Mackenroth's motion be agreed to—put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (5.42 p.m.): I move—

"That the House do now adjourn."

Question put; and the House divided—

AYES, 43—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 43—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pair: Robertson, Goss

The numbers being equal, Mr Speaker cast his vote with the Ayes.

Resolved in the **affirmative**.

The House adjourned at 5.46 p.m.

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