Mr SPEAKER (Hon. L. W. Powell, Isis) read prayers and took the chair at 2.30 p.m.

**PETITION**

The Clerk announced the receipt of the following petition—

**Death Penalty for Brutal Premeditated Murder**

From Mr Simpson (1163 signatories) praying that the Parliament of Queensland will reintroduce the death penalty for brutal premeditated murder.

Petition received.

**PAPERS**

The following papers were laid on the table—

- Proclamation under the Public Service Act 1922-1978
- Orders in Council under—
  - Health Act 1937-1987
  - Primary Producers' Organisation Marketing Act 1926-1987
- Regulations under—
  - Health Act 1937-1987
  - Fisheries Act 1976-1984
  - Fishing Industry Organization and Marketing Act 1982-1987
- Reports—
  - Queensland Government Development Authority for the year ended 30 June 1987
  - Queensland Ambulance Services Board for the year ended 30 June 1987
  - Queensland Pork Producers' Organisation for the years ended 31 December 1985 and 1986
- Proposal—
  (A) A proposal by the Governor in Council to include within the Brisbane Forest Park, pursuant to the Brisbane Forest Park Act 1977-1981:
    (a) all that parcel of land, being 891.167 hectares of State Forest 1355 and about 177 hectares of State Forest 809, as shown on Plan FP12, parish of Dundas, prepared by the Department of Geographic Information.
    (b) all that parcel of land, described as Reserve for Environmental Purposes R.3479, parish of Sahl, being Lot 17, parish of Sahl, as shown on Plan SL.11108, prepared by the Department of Geographic Information and containing about 430 hectares.
  (B) A brief explanation of the proposal.
Ministerial Statement

Proposed World Heritage Listing of North Queensland Rainforest Areas

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for the Arts) (2.33 p.m.), by leave: Honourable members will be aware of the so-called compensation package relating to that social and economic disaster known as the World Heritage listing of northern rainforests.

The sum that has been offered by the Federal Environment Minister, Senator Graham Richardson, by way of compensation is paltry—insufficient to meet even the shut-down costs of those timber industries that will be forced out of business by that gross example of Federal Government dictatorship. It is a mere $75.3m; an amount that falls well short of the $951.9m that has been estimated by reputable independent consultants Cameron McNamara. That firm is prepared to stand by its report, which is soon to be made public, and to allow its findings to be subjected to any scrutiny. The same cannot be said for Senator Richardson’s compensation figure. It seems that no-one is to be allowed to know how he arrived at that sum. He refuses steadfastly to reveal the data on which he based his miserable offer.

Indeed, in its own interests and those of various industries that are affected by the listing proposal, the Queensland Government has been compelled to lodge an application with the Administrative Appeals Tribunal in an effort to force the Federal Government to reveal details of the recommendations of socio-economic studies that we know it has had commissioned. Clearly, the Federal Government and Senator Richardson have something to hide.

The timber industry will be immediately affected and the Commonwealth Government has only indicated its intention to partially compensate milling interests and introduce meagre and short-term assistance to affected workers. Future long-term employment prospects do not appear secure and those which are vaguely identified are only supported for a three-year period, anyway. The Federal Government has not recognised any loss of revenue to the Queensland Government nor sought to compensate it for its assets and its current activities to protect the region in line with Government policies.

Honourable members should take note that, as a result of the World Heritage nomination, powers under the World Heritage Properties Conservation Act and, in particular, the extraordinary broad-ranging powers stemming from the regulations to ban logging, we now have a situation in which Senator Richardson is able to apply a clamp or embargo on any activity that requires the removal of even one single tree. His ministerial permission is required in each and every case. The senator has indicated his intention of releasing a discussion paper on area management. Let me make this clear: as no decision has been taken to list the area, the Queensland Government does not recognise the need to participate in his unilateral, university-designed, multigovernmental planning authority to manage what is State Government property.

Furthermore, as any future developmental activities must now be referred to Senator Richardson in Canberra for his permission, as stated, the State Government serves notice that it will protect its rights in this regard by taking whatever legal action is required to obtain a fair deal should Senator Richardson impose politically unacceptable restrictions in spite of supportable scientific evidence.

Finally, let me say this: whilst the compensation offered was insulting, the method by which Senator Richardson chose to make it was grossly insulting. One would have thought that even Senator Richardson would have by now acquired some inkling of how intergovernmental business is conducted; gained some slight understanding of the courtesies afforded even political enemies, certainly to elected Governments; the basic decency expected of a Minister of a national Government, albeit an ALP Government, to ordinary citizens and tax-payers; the fundamental protocol traditionally afforded to industry and local government instrumentalities. Apparently not. Diplomacy appears to be alien to the senator. He chose to decide the fate of north Queensland as though he were a sixteenth century slave-trader.
He chose not to meet and consult with those affected. Instead, with the appalling arrogance that has been his hallmark since this fiasco began, Senator Richardson announced his so-called compensation from a hotel in Cairns—not to those affected but to the media. Clearly, the World Heritage listing proposal has always been viewed by the Federal Government as a media exercise aimed at the hearts and minds of southern-based, armchair conservationists.

MINISTERIAL STATEMENT

Distribution by Commonwealth to Queensland of Medicare Compensation Grants

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (2.39 p.m.), by leave: On many previous occasions, I have drawn attention to the way in which the Commonwealth has discriminated against Queensland in the distribution of Medicare compensation grants. Indeed, since 1983-84, when the grants were first introduced by the Hawke Labor Government, Queensland has been short-changed to the extent of $400m.

In this regard, I seek leave of the House to table a statement showing the underfunding which Queensland has suffered over the period from 1983-84 to 1987-88.

Mr SPEAKER: Order! Does the Minister also seek leave to incorporate that statement in Hansard?

Mr AUSTIN: Yes.

Leave granted.

Whereupon the honourable member laid on the table the following document—

UNDERFUNDING OF MEDICARE COMPENSATION GRANTS TO QUEENSLAND,
1983-84 TO 1987-88

<table>
<thead>
<tr>
<th>Year</th>
<th>Average per capita grant to Queensland</th>
<th>Average per capita grant to other States (a)</th>
<th>Difference</th>
<th>Additional funding if Queensland had received the average per capita funding of other States</th>
</tr>
</thead>
<tbody>
<tr>
<td>1983-84 (b)</td>
<td>$11.72</td>
<td>$19.39</td>
<td>$7.67</td>
<td>$19.0</td>
</tr>
<tr>
<td>1984-85</td>
<td>$29.94</td>
<td>$66.26</td>
<td>$36.32</td>
<td>$91.7</td>
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<td>1985-86</td>
<td>$31.92</td>
<td>$71.28</td>
<td>$39.36</td>
<td>$101.2</td>
</tr>
<tr>
<td>1986-87</td>
<td>$29.94</td>
<td>$71.52</td>
<td>$41.58</td>
<td>$109.1</td>
</tr>
<tr>
<td>1987-88</td>
<td>$31.22</td>
<td>$74.69</td>
<td>$43.47</td>
<td>$115.9</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td>$436.9</td>
<td></td>
</tr>
</tbody>
</table>

(a) Includes Northern Territory.
(b) Medicare grants paid only for five months from 1 February, 1984.

Mr AUSTIN: Over this entire period, the Commonwealth has sought to ignore, to deny and to disparage the logic of Queensland's case. It has been aided and abetted in its actions by the Labor Opposition in this House, which has sought to undermine Queensland's position in order to score cheap political points from the issue, rather than to support the genuine interests of all Queenslanders.

Opposition members interjected.

Mr AUSTIN: It is interesting to hear the members of the Opposition. So that they are all aware of what appears in the tabled document, I will refer to last year's figures.
In 1987-88 the average per capita grant for Queensland under the Medicare funding was $31.22 per person. The average for the whole of Australia was $74.69. Honourable members opposite have continued to support a Government in Canberra that has blatantly discriminated against this State and the people of this State. It is now possible to set the record straight on this issue once and for all. This is because, finally, a full and unbiased review of the situation has been undertaken by the Commonwealth Grants Commission.

Mr Wells: What about the other columns?

Mr AUSTIN: The honourable member for Murrumbia is one of the members who bleated in the Commonwealth Parliament that Queensland was well treated. He paid for those comments; he lost the seat of Petrie. The people did not believe him.

The honourable member made statements in the Federal Parliament that were very disparaging of me, too. He was very aggressive in the House of Representatives towards me. He made some dreadful statements about me. Now all the honourable member's chickens have come home to roost.

The Commonwealth Grants Commission's report—presented to the Commonwealth Minister for Administrative Services on 30 March 1988—vindicates the consistent and strident opposition which has been voiced by the Queensland Government on this issue. Queensland's legitimate and long-standing claim has finally been recognised by an objective body of experts.

Mr De Lacy: It does nothing of the sort.

Mr AUSTIN: Did the honourable member for Cairns not hear what I said? I am afraid that he has misunderstood the document, because it does exactly what I have said. I have had discussions with the chairman in that vein.

It is no longer possible for the Commonwealth Government to run or hide from this issue. The blatant political discrimination engaged in by the Commonwealth Government has been fully exposed.

The Leader of the Opposition is telling his members not to interject; that they should protect their political hides. During the last three years when this matter was an issue, where was the Leader of the Opposition? He was strangely silent. I have not heard him say one word about the blatant discrimination against the people of this State in relation to Medicare. What has the Leader of the Opposition said about the Commonwealth Grants Commission's report? Not one word! It is now the responsibility of the Commonwealth Government and the Leader of the Opposition to make sure that the recommendations made by the commission are implemented in full and without variation from the beginning of the 1988-89 financial year.

Mr McPhie interjected.

Mr SPEAKER: Order! The honourable member for Toowoomba North!

Mr AUSTIN: All honourable members know that that action will not compensate Queensland for the $400m that has been robbed from the people of Queensland over the last five years. That robbery has been supported by those members on the opposite side of the House who publicly supported the Federal Government's stance on Medicare.

Unfortunately, the money is lost for ever. However, the Queensland Government will ensure that such discrimination is not perpetrated in the future. In this regard, it would be enlightening for honourable members opposite to adopt a bipartisan approach—one would hope—to this matter to support the Queensland Government's approach to the Commonwealth Government on the implementation of the grants commission's report. I do not think that any member of the Opposition has said that the Commonwealth Grants Commission's recommendations ought to be implemented. Not one of them has said that. The reason is that Queensland would be advantaged and some of their mates in the Labor States would be disadvantaged as a result of that support. Opposition
members have not had the courage to come out and say that the people of Queensland are entitled to the amount that is recommended in that report.

The Medicare decision in Queensland’s favour means a benefit to Queensland of about $100m extra per annum in the commission’s assessments. Overall, as a result of the new relativities, Queensland should receive about $40m extra per annum after allowance is made for the improvement in Queensland’s financial position relative to that of other States.

I table for the information of honourable members a letter which the Premier has forwarded to the Prime Minister seeking full implementation of the commission’s recommendations at next month’s Premiers Conference.

Whereupon the honourable member laid the document on the table.

Mr AUSTIN: The Premier’s letter also draws attention to another area in which Queensland has been seriously underfunded in recent years. It is another area on which the ALP in Queensland is strangely silent. As a result of the consistent underestimation of Queensland’s population by the Australian Bureau of Statistics, Queensland has received up to $80m less than it should have received from basic general revenue grants since 1981-82. Where has the Leader of the Opposition been since that issue arose? Not one word was said by him in this House to support the people of Queensland. Obviously, he is trying to ignore me because he has a guilty conscience. He knows that he has not said anything in support of the people of Queensland—not one word. This matter will also be pursued further with the Commonwealth Government at the Premiers Conference in order that justice is done for Queensland.

I hope that the Leader of the Opposition, who has had so much to say on so many matters but not one thing to say about what should be done for the good of the people of this State, is bipartisan enough to now come out and support the Queensland Government’s efforts at the Premiers Conference to have the recommendations made by the Commonwealth Grants Commission implemented so that the people of this State receive their just and fair entitlement from the Commonwealth Government.

MINISTERIAL STATEMENT

Queensland Law Society; Legal Practitioners’ Fidelity Guarantee Fund

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (2.47 p.m.), by leave: It is appropriate for me as Attorney-General to bring certain matters to the attention of this House following the allegations of impropriety against the Queensland Law Society made here yesterday by the member for Wolston. Such allegations were to the effect that the society is misusing money for the day-to-day running costs of its own office taken from the Legal Practitioners’ Fidelity Guarantee Fund established under the Queensland Law Society Act. The honourable member believes this to be to the financial disadvantage of those seeking legal aid from the Legal Aid Commission.

The extent of funds provided to the commission under the provisions of the Legal Assistance Act from that source is dependent, inter alia, upon the interest received from practitioners’ deposits. The greater the amount of money taken out of the fidelity guarantee fund, the greater the amount of such interest which is utilised to keep it at the required level, thus effectively reducing the overall amount available for the Legal Assistance Fund under the Legal Assistance Act. The question of the extent of the Law Society’s authority to pay moneys out of the fund for the purposes of the administration of the fund, and for other sums properly payable for the purpose of giving effect to the Act, was considered as far back as 1954 and 1955, when opinions were obtained from Mr Harry Gibbs, QC—as he then was—which included matters raised by the Labor Attorney-General of the day.

Following such advice, the legislation, which has in recent times been the subject of differing legal advice, was introduced in 1956 by the Labor Government of the day.
In clarifying concerns raised at that time, the following rule was brought in in accordance with the provisions of the Queensland Law Society Act. Rule 101 (3) states—

“There shall be paid out of the fund:

(a) The fees of any public accountant appointed by the society to examine the accounts of a practitioner;

(b) Any audit fee payable out of the fund in connection with the examination by an auditor appointed by the Attorney-General pursuant to the provisions of the Trust Accounts Acts;

(c) The costs of proceedings before the statutory committee and appeals in connection therewith;

(d) The remuneration of the clerk to the statutory committee;

(e) Such other sums properly payable for the purpose of giving effect to the Act as the council may by resolution from time to time determine.”

The provision which is presently under debate is Rule 101 (3) (e). The issue is whether this provision allows the Law Society to properly charge against the fund those sums which, by resolution, are determined by the council from time to time. The extent of payments which may be made under this head has been the subject of differing opinions obtained by both the Queensland Law Society and the Legal Aid Commission. As honourable members would appreciate, the significant issue is whether Rule 101 (3) (e) is ultra vires or intra vires the Act. In other words, is it within power to make such a provision or is it not? It is on this precise point which the opinions vary. I might further add that it is my understanding that the Law Society has acted consistently on this matter within the advice that has been provided by counsel.

Recent joint opinions obtained by the Queensland Law Society from Mr Gleeson, QC and Mr Heydon support that of Mr Gibbs, QC—as he then was—although, because of the variance of such joint opinions with those obtained by the Legal Aid Commission from Mr Fitzgerald, QC, the matter has been the subject of ongoing discussions and correspondence between me and representatives of both the Queensland Law Society and the Legal Aid Commission. Because of such differing legal opinions, I have requested submissions from both organisations with a view to have the matter clarified to resolve this issue by amending legislation if necessary.

The matter is within my knowledge and, as I believe I have provided this House with sufficient information in response to the matters raised by the member for Wolston, I do not believe it is necessary to commence any inquiry into the affairs of the Queensland Law Society in relation to the administration of the fund at this time.

MINISTERIAL STATEMENT

Aboriginal Health Services

Hon. L. T. HARVEY (Greenslopes—Minister for Health) (2.51 p.m.), by leave: Honourable members will appreciate that I have some grave concerns regarding Commonwealth funding for the Aboriginal Health Program arising as a result of a recent meeting of Aboriginal medical services held in Sydney. This meeting called for the redirection of all funding currently provided to State Governments for Aboriginal health to Federal appointee controlled Community Health Services.

I call upon the Commonwealth not to yield to pressure to divert funds provided in grants to the State from the Queensland Health Department's Aboriginal Health Program, especially if that diversion of funds is to pseudo-independent Aboriginal health services.

Should funding be withdrawn from the State-administered Aboriginal Health Program in favour of other health services, whether appointee controlled or private general practitioner services, Aborigines and Torres Strait Islanders in Queensland would lose an efficient service offering a very effective preventive health program. In turn, they
would receive services which, in the main, are curative only and tend to duplicate services currently available through private medical practitioners and State hospitals. The Queensland Health Department Aboriginal Health Program is the only co-ordinated preventive health program for Aborigines and Torres Strait Islanders operating in Queensland. It has assisted significantly in improving the health of Queensland's Aboriginal and Torres Strait Islander population during the last 15 years.

Whilst accurate data concerning morbidity amongst Aborigines and Torres Strait Islanders in different parts of Australia are rare, I supply the following information, which is available.

Infant mortality for Aborigines remains higher than for non-Aboriginal infants. This rate has fallen more rapidly and is at a lower level in Queensland than in most other States. In 1980 the rate for Queensland was 26.5 per 1000 births; for the Northern Territory it was 36.3 and 29.4 for Western Australian Aborigines. During the 30 years of National Party Government in Queensland, the rate has been reduced from 112 per 1000 births in the late 1960s to an estimated level of 22 in 1984. That is a significant reduction.

In similar fashion, still birth rates for Aborigines in Queensland have declined from 39.8 per 1000 live births in 1977 to 22.2 in 1980. The still birth rate for Aborigines in the Northern Territory in 1980 was 29.9; in Western Australia, 14.4 per 1000 births; and in New South Wales, 23 per 1000.

Epidemics of severe gastro-enteritis, bronchitis and pneumonia in Aboriginal children have been curtailed. Hookworm and ascaris infestations have been reduced to very low levels. Severe protein calorie malnutrition has been largely eradicated. However, moderate levels of malnutrition and ear and skin diseases still exist as well as various infectious illnesses and other enteric and ecto parasites, which must continue to be addressed by effective preventive health programs. Just as much has been achieved, there remains much more to do not only for children but also for Aboriginal adults, who have significant health problems.

A study of morbidity in the Carpentaria Shire has been undertaken for the North West Telemedicine Project and is in the process of being analysed. A similar study of morbidity in Aborigines has been undertaken in Western Australia within the last five years.

I lay upon the table of the House a document which demonstrates that Queensland's Aboriginal morbidity is lower in four out of the six commonest conditions requiring medical consultation. Further, I seek leave to have this document incorporated into Hansard.

Leave granted.

*Whereupon the honourable member laid on the table the following document—*

**TABLE ONE**

<table>
<thead>
<tr>
<th>Reason for Consultation</th>
<th>Rate/1000 W.A.</th>
<th>Rate/1000 QLD.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Skin infections</td>
<td>1,200</td>
<td>1,013</td>
</tr>
<tr>
<td>2. Diabetes</td>
<td>986</td>
<td>1,239</td>
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<tr>
<td>3. Lacerations and open wounds</td>
<td>900</td>
<td>930</td>
</tr>
<tr>
<td>4. Upper respiratory tract infections</td>
<td>630</td>
<td>615</td>
</tr>
<tr>
<td>5. Hypertension</td>
<td>615</td>
<td>604</td>
</tr>
<tr>
<td>6. Ear disease</td>
<td>600</td>
<td>550</td>
</tr>
</tbody>
</table>

Mrs HARVEY: Honourable members can see that the Queensland Aboriginal Health Program has been effective in its efforts to redress the imbalance in health between Aborigines and non-Aborigines living in this State. I appeal to the Commonwealth to give it the resources it needs to continue this work.
PRIVILEGE

Alleged Interference by Former Premier and Treasurer, Sir Joh Bjelke-Petersen, in Fitzgerald Commission of Inquiry; Conflict between Statements by the Premier and the Deputy Premier

Mr GOSS (Logan—Leader of the Opposition) (2.55 p.m.): Mr Speaker, I rise on a matter of privilege. It relates not only to the privilege of this Parliament as it affects all members, but also to a point of privilege that affects me and my entitlement to raise matters of public concern.

As a result of recent events, members now have an obligation to resolve a serious conflict which has arisen in the way in which privilege is used in this House and the claim that certain allegations should be raised not in this place but in the Fitzgerald commission of inquiry.

It is a matter of concern to the Opposition that any person, whether a former Premier or otherwise, could be accused in this House of serious misconduct which is potentially criminal in nature. However, what should be of greater concern to all fair-minded members who are worried about the responsible use of privilege is that the details of such misconduct are withheld from members by a claim that such allegations should not be raised outside the inquiry in the first place.

Of further concern in this particular case is that conflicting allegations made under privilege on the same matter have been made by the Premier and the Deputy Premier, and they refuse to answer questions from me on the point.

I propose, by way of an attempt to resolve this conflict, that a request or direction be given by the House to the Premier and/or the Deputy Premier to make a full and final statement on the issue in dispute and that the former Premier be given an opportunity to come before the bar of the Parliament to answer such allegations so that the conflict in relation to privilege and this matter of grave public concern might be finally resolved.

LEAVE TO MOVE MOTION WITHOUT NOTICE

Mr GOSS (Logan—Leader of the Opposition) (2.58 p.m.): In requesting such action, I seek leave to move a motion without notice.

Question—That leave be granted—put; and the House divided—

AYES, 29

<table>
<thead>
<tr>
<th>Ardlil</th>
<th>Braddy</th>
<th>Burns</th>
<th>Campbell</th>
<th>Casey</th>
<th>Comben</th>
<th>D'Arcy</th>
<th>De Lacy</th>
<th>Eaton</th>
<th>Gibbs, R. J.</th>
<th>Goss</th>
<th>Hamill</th>
<th>Hayward</th>
<th>McE'lligott</th>
<th>Mackenroth</th>
<th>McLean</th>
<th>Milliner</th>
<th>Palaszczuk</th>
<th>Shaw</th>
<th>Smith</th>
<th>Smyth</th>
<th>Underwood</th>
<th>Vaughan</th>
<th>Warburton</th>
<th>Warner</th>
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NOES, 56

|-------|------|-------|-----|--------|--------|----------|--------|-------|--------|---------|-----------|--------|---------|--------|-----------|--------|--------|----------|------|-------|-------|---------|--------|-----------|-------|------|--------|--------|--------|-------|--------|-------|------|-------|--------|--------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|------|-------|--------|--------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|

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<tr>
<th>Davis</th>
<th>Katter</th>
<th>FitzGerald</th>
<th>Knox</th>
<th>Stephan</th>
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</thead>
</table>

Tellers:
PRIVILEGE

Fitzgerald Commission of Inquiry; Application of Sub Judice Rule

Mr INNES (Sherwood—Leader of the Liberal Party) (3.07 p.m.): I rise on a matter of privilege that relates to the same subject-matter as that referred to by the Leader of the Opposition. So far, by not commenting on or referring to the facts of any contentious issue put before the Fitzgerald inquiry, the Liberal Party has acted according to an understanding of the sub judice rule applied in this matter.

I refer to the statements made by the Premier and the Deputy Premier in relation to what they claim to be serious allegations about the conduct of the Fitzgerald inquiry and an attempt to close it down. I ask: what is the proper and responsible course that members of this Parliament are to follow in relation to serious allegations that they make in respect to the Fitzgerald inquiry, and what is left of the sub judice rule in relation to those matters? Mr Speaker, I would be grateful for your earliest consideration and a considered reply.

SELECT COMMITTEE OF PRIVILEGES

Interim Report on Electronic Service of Legal Process on Members and Transmission of Hansard

Mr FITZGERALD (Lockyer) (3.08 p.m.): I lay on the table of the House the interim report of the Select Committee of Privileges in relation to the matters raised by the member for Moggill in his letter to the Honourable the Speaker on 4 September 1987, which were referred to the committee by the House on 6 October 1987 for consideration and report, and I move that the report be printed.

Whereupon the document was laid on the table, and ordered to be printed.

QUESTIONS UPON NOTICE

1. Ministerial Rezoning of Land Owned by Firt Pty Ltd at Orchid Beach, Fraser Island

Mr FITZGERALD asked the Minister for Local Government and Racing—

"With reference to the uncertainty created in the minds of the public because of recent media coverage of the approval given by the Government for the initiation of ministerial rezoning procedures in respect of land owned by Firt Pty Ltd at Orchid Beach on Fraser Island—

Will he provide full details surrounding the decision made in this matter?"

Mr RANDELL: Because of the length of my reply to the honourable member, I seek leave of the House to table my answer and have it incorporated in Hansard.

Leave granted.

Whereupon the honourable member laid on the table the following document—

The current owner of the property in question at Orchid Beach on Fraser Island—an area of 32 hectares—is Firt Pty. Ltd. This company purchased the subject leasehold land as a Trustee for the Orchid Beach Fraser Island Unit Trust from the previous owners, Orchid Beach (Fraser Island) Pty. Ltd. in 1983 for $325,000.

This previous owner had been granted leasehold tenure for 'Airstrip Purposes' for thirty years on the first of January, 1966. Subsequent to their purchase of the lease, Firt Pty. Ltd.
applied to the Land Administration Commission for two separate leases to be issued over the land.

The Company's proposal to the Land Administration Commission at that time was that one lease be for 'Airstrip Purposes' and cover an area of 13 hectares and the balance be for Tourist-Related purposes. On this 19 hectare site the company proposed a project costing not less than $5 million and comprising a 4 wheel drive centre, cabin units, a resort and staff quarters.

In July, 1987, Cabinet agreed in principle to this proposal subject to certain conditions. They were that the 13 hectare Airstrip Uase remain leasehold with no right of freehold, that the term of the lease be 75 years with a lease rent of $500 per year for the first five years and then at the Minister's discretion, that the area was to be used for Airstrip purposes only, that the Lessee maintain Federal Department of Aviation requirements and that the Lessee make the Airstrip available to other users at all times and on reasonable terms and conditions. Conditions applying to the 19 hectare balance of the total original lease stated that a resort facility lease would be granted for a three year term with the right to freehold over that area only existing upon completion of the proposed $5 million project.

Cabinet also, at that time, determined that the lease rental over those 19 hectares should be $2,000 per year for each of the proposed three years with a freeholding cost of $500,000 plus Consumer Price Index additions over that period. I remind Honourable Members again that Firt Pty. Ltd. paid only $325,000 for the leasehold for the entire 32 hectares in 1983. Cabinet at that time determined that these proposed arrangements reflected anticipated improvements in property values over the period.

Cabinet also determined in July, 1987, that should the proposal proceed it would do so by Ministerial Rezoning.

By letter dated 30 November, 1987, the Hervey Bay City Council advised that it had no objection to the land being rezoned by the Minister for Local Government.

By letter dated 18 December, 1987, the Regional Director of the Federal Department of Aviation advised approval of the revised Airstrip layout subject to certain conditions.

As the House is aware, I became Minister last December and I had the entire project reviewed prior to taking a recommendation to Cabinet. Given the views of the Hervey Bay City Council and the Federal Department of Aviation, I was prepared to recommend that the Ministerial rezoning initiative proceed. Cabinet agreed to my recommendation in this respect on 15 February last.

The proposal was advertised on 24 February with the last day for the lodgement of objections being 30 March. By that date 32 Pro-Forma objections and 2 individual objections were lodged and these are currently being assessed by Senior Officers of my Department prior to my taking the matter back to Cabinet for final consideration.

It should be noted that all objections lodged are from people who have an interest in land on Fraser island which was rezoned by similar means in June, 1983.

That land at that time was excluded from the Rural A Zone and included partly in the Special Facilities (Tourist Resort Complex Zone) and partly in the Park Residential Zone. It is freehold and has a total area of some 70 hectares.

Some of that land has been subdivided and sold and the subsequent owners are the principal objectors.

The part of the land that was zoned in 1983 for Tourist Resort Complex purposes was offered for sale very recently by its owners Avoncastle Pty. Ltd. This Company purchased the land from the Receivers for Island Air Pty. Ltd.

The rezoning in this 1983 case had to be undertaken to accommodate obligations by the Government to the owner. This obligation concerned a land exchange to allow an expansion of the National Park on the Island.

The land surrendered to the Crown at that time had an existing approval which allowed it to be developed for 350 quarter acre blocks and, had it been developed, it is reasonable to assume it would have had a population of at least 1,000 people.

Given that the relevant Local Authority—the Hervey Bay City Council—had no objection and that the Federal Department of Aviation had given its approval to the revised Airstrip layout subject to certain conditions which Firt Pty. Ltd. is prepared to meet. I could see no reason not to recommend to Cabinet that procedures to initiate a Ministerial rezoning should not proceed.
As I said earlier, my Department is now considering the total of 32 Pro-Forma and 2 individual objections lodged and I will review them at the appropriate time before determining my final recommendation to Cabinet.

2. **Ministerial Rezonings**

Mr BURNS asked the Minister for Local Government and Racing—

"With reference to ministerial rezonings—

(1) How many ministerial rezonings have occurred in each of the last five years?

(2) How many ministerial rezonings has he approved as Minister and in each case who or what company was the beneficiary and what was the reason for his ministerial intervention on their behalf?

(3) How many rezonings involved alienation of Crown land?

(4) How many ministerial rezonings approved by his predecessor has he overturned and what was the reason for his decision in each case?

(5) How many rezonings by his predecessor has he upheld?

(6) With regard to No. (3) above, what circumstances had changed to cause him to overturn previous ministerial rezonings and, if nothing had changed, can he explain how a National Party Cabinet Minister could have approved rezonings that he now rejects?

(7) As it has been reported that Cabinet acted on the Maroochydore North Shore proposals 14 days after they were handled by the local Maroochy Shire Council and a North Shore kindergarten request for Crown land took 18 months, what time constraints are placed on these fast track proposals?"

Mr RANDELL: (1 to 7) The question that has been asked by the honourable member for Lytton requires a considerable amount of research to be carried out by officers of the Department of Local Government before the information sought by him can be supplied. I shall forward the information to the honourable member as soon as it becomes available.

3. **Discussions between Premier and Commissioner Fitzgerald; Allegations by Premier about Sir Joh Bjelke-Petersen and Fitzgerald Commission of Inquiry**

Mr BURNS asked the Premier and Treasurer and Minister for the Arts—

"With reference to the Fitzgerald Commission of Inquiry—

(1) How many times has he spoken to Commissioner Fitzgerald since the inquiry started?

(2) How many times has he visited Fitzgerald or has Fitzgerald visited him at his home?

(3) What were the dates and what was discussed?

(4) When did he first raise, with Mr Fitzgerald, his original allegations about the former Premier's meeting with the senior counsel and with whom did he first raise his claim that Bjelke-Petersen attempted to sack Ministers and close down the inquiry?

(5) Did Mr Fitzgerald advise him that Bjelke-Petersen was under investigation by the commission and, if not, how can he keep making such a claim?"

Mr AHERN: (1 to 5) Any and all conversations that have taken place between myself and Mr Tony Fitzgerald, QC, are strictly confidential and, as is right and proper, will remain so.
4. Under-age Drinking; Teenage Alcoholism

Mr LANE asked the Minister for Justice and Attorney-General—

"With reference to increased concern in the Queensland community about the instances of the supply of liquor by persons licensed under the Liquor Acts to young people under the age of 18 years—

(1) Is he aware that children as young as 14 and 15 years are being supplied with liquor at trendy hotel beer gardens and late-night discos which is resulting in an early commitment to alcohol leading to alcoholism before some complete their school years?

(2) Who is responsible for policing these aspects of the Liquor Acts—is it the Police Licensing Branch or is it officers of the Licensing Commission?

(3) What action is being taken by the relevant Government organisations against the licensed suppliers of liquor in these cases and what action is being taken by Government in conjunction with parents or otherwise to counsel young people against the dangers of teenage alcoholism which has become a serious social problem?"

Mr CLAUSON: (1) No. But if a complaint relating to that illegal and socially undesirable behaviour were received, it would be referred to the Police Department for attention with a view to prosecution being commenced.

(2) The Police Department is responsible for policing under-age drinking on licensed premises.

(3) Provision exists under the Liquor Act for action to be taken against licensees when breaches are found to be committed by licensees of licensed premises. The Government, both on its own initiative through the Departments of Health and Education and as part of the Commonwealth/State national campaign on dmg abuse, seeks to discourage the abuse of alcohol by young people.

5. Success of Brisbane Broncos Rugby League Team

Mr LANE asked the Minister for Education, Youth and Sport—

“(1) Is he aware of the outstanding success of the Brisbane Broncos rugby league team in their first year in the Sydney rugby league competition, and that the Broncos have won six out of their first seven matches?

(2) Is he also aware that the Broncos team has been established, funded and operated by a Brisbane consortium including some of the city's leading and most respected businessmen, such as Barry Maranta, Paul Morgan and Gary Balkin?

(3) Does he agree that the success of the Broncos is a tremendous advertisement for Queensland sport, and an inspiration for young Queenslanders, no matter what sports they participate in?

(4) As Minister for Sport, will he associate himself, and the Government, with the team, its outstanding coach, a former policeman, Wayne Bennett, its captain, Wally Lewis, a sporting hero to tens of thousands of Queenslanders, young and old, and a group of players who are a credit to themselves, and their State, both on and off the field, and give to the Broncos every possible assistance?

(5) In particular, will he call on all other responsible groups, in particular the Lang Park Trust, to put aside petty jealousy and bitterness, and adopt a positive and helpful attitude to the Broncos consortium, and the team?”

Mr LITTLEPROUD: (1 to 5) The honourable member is quite correct in his statement that the Broncos are a great example to our young people. The team's outstanding performance to date is a result of a talented team making a high level of commitment. Quite obviously, coach Wayne Bennett has the expertise that is necessary to mould individual skills into a cohesive team.
I noticed in a press article attributed to Mr Bennett that he spoke of discipline. He obviously means self-discipline. It is that basic human quality that goes a long way towards attaining success in any walk of life.

If our young Queenslanders can appreciate that self-discipline and commitment are the major reasons for the success of the Broncos, they will hopefully learn to impose self-discipline upon themselves. The consortium of businessmen who have made that possible can feel justly proud. It was their foresight and entrepreneurial flair that made the Broncos possible.

I have spoken with members of the consortium and I am sure that they have a great desire to see top-level Rugby League played in Brisbane for the benefit of the public and Rugby League. Judging from the following that the Broncos have, it is obvious that their dream is now a reality.

I have also spoken with the members of the Lang Park Trust and visited Rugby League headquarters at Lang Park. The trust is to be commended on the excellent facility it has developed, which is the premier Rugby League ground in Australia.

As Minister for Sport, I have a duty to promote sport in general. The Division of Sport provides 10 different schemes which promote sport in Queensland. It is not, however, the policy of my Government to interfere in the internal operations of sporting organisations. Nevertheless, the honourable member can be assured that I am supportive of the Broncos and will continue to do all in my jurisdiction to promote them.

The Premier has indicated his keenness to attend those matches that the Broncos play at Lang Park during this year.

QUESTIONS WITHOUT NOTICE

Fitzgerald Commission of Inquiry; Alleged Interference by Former Premier and Treasurer, Sir Joh Bjelke-Petersen

Mr GOSS: In directing a question to the Minister for Transport, I refer to the ministerial statement that was made in this House yesterday by the Deputy Premier, in which he claimed that in late August last year he received information that the former Premier, Sir Joh Bjelke-Petersen, had summoned a senior legal counsel to inquire about ways in which the Fitzgerald inquiry might be shortened or expedited in some way.

Yesterday in that ministerial statement, the Deputy Premier then went on to tell this House—

"I made arrangements for the Minister acting for me, Mr Ivan Gibbs, to ensure that Sir Joh did not attempt to influence Cabinet to make any decision in my absence."

I ask the Minister two simple questions—when he has finished getting his riding instructions from Mr Austin——

Mr Austin: Don't be nasty. I was merely asking him——

Mr GOSS: It was merely an observation.

I ask: can the Minister confirm that those arrangements were made by the Deputy Premier? Was he aware, at the time in question, whether the former Premier made any representations or attempts to expedite or terminate the Fitzgerald inquiry?

Mr I. J. GIBBS: I was honoured to be acting Minister for Police for one week. What happened in Cabinet is of a confidential nature and that is the way it will stay.

Mr GOSS: What a refreshing change!
Mr GOSS: I direct my second question to the Deputy Premier and I refer to the *Sunday Mail* of 29 November 1987, a copy of which I will table, which carried a story claiming Mr Gunn's Cabinet post had been under threat because the former Premier wanted to take over the Police portfolio and end the Fitzgerald inquiry, and that after being rung by the *Sunday Sun* newspaper the Deputy Premier's last word on the issue at that time was a categorical denial of the story, saying that he had only "heard rumours" to that effect. I will table the article containing that statement by the Minister as well. Given that the Opposition has spoken to the journalist from the *Sunday Sun* who confirms that he rang the Deputy Premier and the Deputy Premier personally denied the *Sunday Mail* report, I ask: does he stand by his statements of last November, or does he support the claim by the present Premier that the attempted and successful sackings of Ministers last year were a result of "machinations in respect of the outcome of the Fitzgerald inquiry"?

*Whereupon the honourable member laid on the table the documents referred to.*

Mr GUNN: The answer to that question will require a good deal of detail. I would like to have another look at all those stories that the honourable member has spoken of, and tomorrow I will give him a detailed answer on that matter.

Mr SPEAKER: Order! The question will appear on the Notices of Questions.

**Norman Creek Flood Mitigation**

Mr FITZGERALD: In asking a question of the Minister for Water Resources and Maritime Services, I direct his attention to an article that appeared in yesterday's *Courier-Mail* in which it was claimed that the State Government considered the Norman Creek flood mitigation project a low priority and would not be allocating any funds to it. I ask: would he inform the House whether there is any truth in those allegations, and if not, what is the current situation with regard to funding?

Mr NEAL: I thank the honourable member for the question. I saw the article in the paper and I took the trouble to get detailed information in relation to it.

I can assure all honourable members that the Norman Creek flood mitigation project has been given top priority in the flood plain management section by the Queensland Government. Overall it has the second-highest priority for new projects. Essentially, the proposed works have been estimated to cost a total of $5.9m. It has been proposed by the Brisbane City Council that $3m be expended in the 1988-89 financial year, with the balance in the 1989-90 financial year.

The scheme was included in Queensland's recent submission to the Federal Water Resources Assistance Program. The State had previously submitted the Norman Creek flood mitigation project to the Commonwealth Government for funding as part of the 1987-88 Federal Water Resources Assistance Program.

To date, around $29m has already been spent on flood mitigation works in the Brisbane area since 1975. Eighty per cent of this has been funded equally by the State and Federal Governments, with the Brisbane City Council providing the remaining 20 per cent. The Queensland Government has accorded the project the highest priority possible, given the ongoing commitments to projects already under way such as the Burdekin Falls Dam, the Bundaberg irrigation project, the COWSIP program—the Country Towns Water Supply Improvement Program—and the Townsville/Thuringowa water supply project.

**Fitzgerald Commission of Inquiry: Alleged Interference by Former Premier and Treasurer, Sir Joh Bjelke-Petersen**

Mr BURNS: I ask the Premier: without canvassing any of the facts or allegations that he claims to have presented to counsel assisting the Fitzgerald commission of inquiry, will he tell the House whether, within the last two weeks, he requested and
obtained from Mr Ian Callinan, QC, a statement of his dealings with the former Premier in relation to the inquiry? If so, what was the purpose of requesting such a statement? Has the Premier given a copy of it to the Fitzgerald inquiry, and will he table a copy in this House to clarify the position for members and the public?

Mr AHERN: The consultations between me and the commissioner, Mr Fitzgerald, and senior counsel representing the State Government are confidential.

Removal of Former Premier's Entitlements

Mr BURNS: In directing a question to the Premier, I refer him to reports that at a meeting during the last couple of days, State Cabinet considered removing the former Premier's publicly funded entitlements to discipline him for recent outbursts against the National Party. I also refer to the fact that the present Premier originally claimed that those entitlements, including an office, staff, telephone, telex, car, driver and bodyguard, were given to Sir Joh as a means of formalising the retirement benefits of Premiers of Queensland. I ask: will the Premier now admit, in the light of his Government's threat to take back those entitlements, that they were not granted as a right to the former Premier but were in fact a publicly funded political bribe to prise his predecessor from office?

Mr AHERN: No such discussions took place. The honourable member should not believe everything that he reads in the media.

Commonwealth Government Funding for Higher Education

Mr STEPHAN: In directing a question to the Minister for Education, Youth and Sport, I refer to an article that appeared in the *Courier-Mail* yesterday in which the Federal Education Minister, Mr Dawkins, said, among other things, that Queensland this year will receive 22 per cent of all Commonwealth funding for higher education. I ask: what is the correct allocation that the Queensland Government is receiving?

Mr LITTLEPROUD: I am aware also that in the *Courier-Mail* a comment is attributed to the Federal Education Minister, Mr Dawkins, in regard to tertiary education funding. He seemed to imply that there was an increase in the percentage. In both instances, the reports that appeared in the *Courier-Mail* are not totally accurate.

Let me go back to the claim that 22 per cent of tertiary funding came to Queensland. The accurate statement is that 22 per cent of the additional funding came to Queensland and the additional funding is only a small part of the overall total higher-education funding. The articles misrepresent the situation and do not reflect what really happens. Queensland has been short-changed in tertiary funding. For a long, long time, the Queensland Government has been addressing this problem. It has been taking steps in an effort to overcome the shortage of approximately 5,000 places.

In relation to the second part of the question—Queensland gained an increase in its percentage of the total funding for tertiary education. Honourable members would understand that the population of Queensland is of the order of 16.6 per cent of the total Australian population, yet last year Queensland received only 14.5 per cent of total tertiary funding, 15.7 per cent of CAE funding and 14.3 per cent of TAFE funding. Honourable members will note that from those figures that Queensland is well and truly underfunded although it picked up the 22 per cent increase that I spoke about earlier. However, Queensland cannot overcome its shortage of places.

Additional information that I have highlights the fact that Queensland is in fact being underfunded. Since 1974, enrolments for higher education in Queensland have been well above the national average. It is also interesting to note that the population in Queensland since 1974 has increased by 80 per cent above the national average and that a greater increase has occurred when reference is made to the 15-to-29 age group, which is the traditional catchment group or users of tertiary education. Queensland's population in that category has increased by 94 per cent above the national average.
If Queensland is to obtain equity and fairness in education—and they are wonderful sentiments—it must obtain its fair share of Commonwealth funding that takes into account the increasing rate at which the young people in Queensland require education.

First Home Owners Scheme

Mr STEPHAN: In directing a question to the Minister for Family Services and Welfare Housing, I refer to the proposals of the Federal Government to dispose of the First Home Owners Scheme and to the Federal Government’s proposals to require people who have received Government grants in respect of their first home to repay the money that they have received when they become more financially secure. I ask: how can the Federal Government honestly claim to help people to own their own home if it is engaging in this sort of conduct and, by giving money one day and taking it back the next, doing its utmost to actually discourage people from seeking assistance to buy their own home?

Mr McKECHNIE: I think that the honourable member finished off his question by asking, “Do they take it with one hand and give it back with the other?” That is dead right. In my dealings with the Federal Government in regard to funds for Queensland, I have to be careful when I am shaking one of its members by his right hand that he does not steal my wallet with the other.

The first thing I heard about this matter came from the Federal Finance Department a few weeks ago. That was the first time it hit the press. The Federal Finance Department was to make a recommendation for the May economic statement, but what has now happened is that others have jumped on the bandwagon. The Master Builders Association is talking about it and I have a newspaper clipping here in which the Business Council of Australia is talking about it. Part of the article——

Mr Mackenroth: All the Left Wing organisations.

Mr McKECHNIE: I am pleased that the honourable member has mentioned that. I do not think that they are Left Wing organisations at all, but it is about time that the Business Council of Australia woke up to itself, because the clipping contains phrases such as, “What sort of life-time equity is that?” The council is condemning the fact that people in private enterprise believe that all young people should be treated in the same way.

This Government should do everything that it can to encourage young people to save to buy their own home, regardless of their means. As Minister I am trying to work out how even better suggestions can be made—and it will take some time—as to how young people can be encouraged to buy their own homes. It is very frustrating to deal with the Federal Government in regard to housing, and perhaps that is why the Finance Department has been able to fool the present Federal Minister. He is the third Federal Minister whom I have dealt with—and I have only held this portfolio since 1 December 1987. I do not know how to deal with that department.

In regard to housing problems in the Expo area, in early April the Honourable Ben Humphreys, the local Federal member, agreed to act as an intermediary between the Federal Housing Minister and me. He said he would get the Minister up here to Brisbane quick smart in order to look at some of the housing problems. On 11 April I telexed Ben Humphreys to remind him and said, “For goodness’ sake, get him up here.” The Minister will not come, even though he says that he will. He has never contacted me.

The people of this country have to try to find new and innovative methods to encourage young people to buy their own home. We must get away from the nonsense about watering down the existing scheme that the Business Council of Australia and the Federal Finance Department are referring to. If there is a financial problem for either the State or Federal Government, and it is difficult to implement new schemes, that should be faced and a way around it should be found. Let us not water down what we already have. It is time that the Federal Government came out with a clear statement.
Mr Hawke should not wait for the May economic statement but should state that the First Home Owners Scheme is sacrosanct and should not be touched.

State Tax Revenue

Mr INNES: I have a question without notice for the Premier and Treasurer. The recently gazetted financial returns for the half year ended 31 December show that in terms of State-based taxes, other than stamp duty, the aggregate is slightly ahead of the budgeted revenue for the half year. In relation to stamp duty, in the first six months Queensland received some 73 per cent of the estimate for the year. As that amount clearly comes from conveyancing duties and property transactions which have continued unabated, I ask: is this State not heading for a $190m to $200m excess of budgeted State tax revenue for the forthcoming financial year? What are the implications of that excess? Can it be used to reduce pay-roll tax, extra police or extra teachers? Or is it going to hide some hidden losses that cannot be seen in the gazetted figures?

Mr AHERN: It is true that all around Australia this year there has been an increase in stamp duty payments to State Governments, mainly as a result of heightened increase in real estate activity. In fact this is the case all over Australia. I do not have immediate access to the exact figures to which the honourable member referred.

What has to be understood is that this issue has to be kept in an overall Budget context. At the present time we have a three-year rolling program that was brought forward by the Commonwealth Government at the last Premiers Conference. At that time the Federal Government dispensed a stiff remedy to the States in terms of a three-year program. This year the State received $150m less than it would otherwise have expected. That had to be accommodated in the Budget this year. Next year it will be a further reduction of $150m and the following year there will be a deficit of about $210m in the overall forward-planning program.

It would be highly irresponsible for us as a State Government to say that, because this year there is a small windfall gain in stamp duty receipts that is over the Estimates, it can be suddenly splurged in the recurrent account, which will increase our commitments next year and the following year. The responsible course is that the three-year program be developed, particularly in relation to the recurrent account.

What has happened with other State Governments, and what finally brought the Unsworth Government undone in New South Wales, is that they have got, amongst other things, the capital account mixed up with the recurrent account and they have pulled moneys out of the capital account and spent them willy-nilly in the recurrent account. That has given New South Wales an ongoing commitment that will be very difficult to service in four or five years' time; it will be able to be met only by increased taxation. That is why there is a complete commitment there now to an independent audit to make certain that these issues are addressed.

All State Governments have this slight increase in stamp duty collection this year, which, in the overall Budget context in a three-year program, is not much. Who is to say that those increased figures will spread across the three-year program? It would be very irresponsible for the Government to assume that they will. When police, teachers and hospital staff are taken on, they are not just available for three weeks. Those appointments become a permanent addition to the Government's commitments.

So the answer is that there is an increase, which is being managed as part of a three-year program. That is the responsible course. I point out that the Commonwealth Government also has a big increase in its receipts. That Government is not in the business of going out and splurging the money, either. At this time that Government has declared that the responsible course across Australia—Treasurer Keating has said this—is for there to be a tight rein on State and Commonwealth Government expenditure and that Governments should not succumb to temptation and say, "We have a small increase here—for how long we do not know—and it should be picked up and splurged in the recurrent account." That sort of action would create further problems in the second and third years of the rolling program.
Education for Intellectually Handicapped Children in State High Schools.

Mr INNES: In asking a question of the Minister for Education, I refer to one of those areas of suggested expenditure that I just mentioned to the Premier. I now ask the Minister: is he aware that, because of a lack of resources, the provision of adequate education for mildly intellectually handicapped children in State high schools is virtually non-existent? What plans does the Government have to remedy this serious problem, which causes parents to keep their children in special units in primary schools because the children cannot face the prospect of going into a more complicated level of education that does not have sufficient support facilities. Specifically, will the Government provide at State high schools special education units—they were promised years ago—similar to those attached to primary schools, to facilitate genuine integration for as many of these children as possible?

Mr LITTLEPROUD: I am aware that within my own electorate developmental work is going on in this respect. Special-education people are going to the local high schools to deliver that sort of service.

I ask the honourable member to put on notice the part of his question about the exact amount of money that has been spent in this area and I will bring back more detail on that.

If the honourable member had listened a few moments ago to the answer given by the Premier, he would understand that Education is just one of the departments of this Government, which had its expenditure cut by the Federal Government's budgetary constraints. Obviously that restricts the sorts of services that I can deliver. I can personally deliver to the honourable member more details on the development of the scheme. It is well worth while.

Fitzgerald Commission of Inquiry; Alleged Interference by Former Premier and Treasurer, Sir Joh Bjelke-Petersen

Mr HAMILL: In directing a question to the Minister for Justice and Attorney-General, I refer him to the Deputy Premier's statement in this House yesterday in which he claimed that the Minister was also present at Roma on 17 May last year during a conversation with the former Premier allegedly regarding the future of the corruption inquiry that the Government had decided at that time to establish. I ask: does he agree with the Deputy Premier's version of events? Did he threaten to resign along with the Deputy Premier? If not, why not?

Mr CLAUSON: In relation to the event that occurred at Roma—I have seen a statement of the Honourable the Deputy Premier. My recollection of that event on that evening is in accord with that statement. The Honourable the Deputy Premier did in fact, to my recollection, threaten to resign if anything did occur to halt the commission.

Mr Hamill: Did you threaten to resign as well?

Mr CLAUSON: I cannot add anything to the answer.

National Training Fund Levy

Mr GATELY: I ask the Minister for Employment, Training and Industrial Affairs: is he aware of the Federal Government's plan to levy employers substantial sums of money for the establishment of a national training fund? Can he advise what effects such a move will have on employers? Is this not another Federal taxation measure levied against Australian business under the name of a levy?

Mr LESTER: The Federal Cabinet adjustment committee is considering this matter in consultation with the ACTU. I do not believe that such a scheme is fair, because it levies employers industry by industry and it moves to lessen the impact on those who do employ apprentices. As such, it affects very much the smaller businesses that cannot afford to employ apprentices at all.
Honourable members can see that it is quite a discriminatory measure which works against the ethic of encouraging employers to train apprentices. I believe that the scheme is wrong in its foundations. If the Federal Government accepts what the committee, in consultation with the ACTU, has suggested, employers will be stood over and made to pay the levy. I do not believe that is fair. Queensland does not support the scheme. We will work along the incentive system rather than the bully system.

**Housing Crisis during Expo**

Mr GATELY: I ask the Minister for Family Services and Welfare Housing: is he aware that some bogus inquiries for emergency housing—

Mr Wells interjected.

Mr SPEAKER: Order!

Mr GATELY: If I need the honourable member to tell me what to do, I will ask him. In the meantime, he should turn round and listen.

Is the Minister aware of some bogus inquiries for emergency housing on the Sunshine Coast supposedly because of Expo? Can he advise whether the Hawke Commonwealth Government—

Mr Davis interjected.

Mr SPEAKER: Order!

Mr GATELY: If I were the honourable member, I would listen, too. This refers to the Australian Labor Party.

Can the Minister advise whether the Hawke Commonwealth Government has made any contribution towards solving the housing crisis in Brisbane because of the pressures of Expo on rental accommodation? Is he aware that the Hawke Federal Labor Government has called for expressions of interest in the sale of Defence Department houses at Wacol which have stood vacant for many months? Does he believe that the Federal Labor Government should show some meaningful and real goodwill towards Brisbane residents who may be disadvantaged, because of the unusual pressures upon rental accommodation in Brisbane owing to Expo, by making the Defence Department houses at Wacol available for emergency use for the duration of Expo, particularly in view of the continual unfounded outbursts and claims by members of the Opposition in this Parliament suggesting that the Queensland Government is not doing enough to assist residents?

Mr McKECHNIE: I have been told of bogus or incorrect claims for crisis accommodation on the Sunshine Coast—

An Opposition member interjected.

Mr McKECHNIE: I will look the honourable member right between the eyes any time. I suggest that he keep looking back.

As I was saying, I am aware of some bogus claims for crisis accommodation on the Sunshine Coast—

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order. Honourable members will listen to the Minister in silence.

Mr Palaszczuk interjected.

Mr SPEAKER: Order! The member for Archerfield! I call the Minister for Family Services.

Mr McKECHNIE: Sometimes it is difficult to work out which crisis situations are related to Expo and which ones are not related to Expo. That causes quite a difficulty, which I am sure all honourable members understand.
The honourable member also raised the matter of the Defence Department houses at Wacol. What honourable members have to understand is that——

Mr Palaszczuk interjected.

Mr SPEAKER: Order! The member for Archerfield!

Mr McKECHNIE: There are two lots of Commonwealth houses out at Wacol, one of which has been sold and one in relation to which expressions of interest have been called.

What annoys me is that members of the Opposition continually condemn the Queensland Government for not doing enough in regard to Expo housing, but the Federal Government has not done a thing. It could have deferred the expressions of interest. It could have written into the documents calling for expressions of interest that the housing would not be available until after Expo. It could have offered some of those buildings to crisis organisations, just as the Queensland Government has done. This Government has provided 79 crisis homes. Another 15 organisations have been approved on the State Government's books, if homes can be found.

The Queensland Government is trying to do something positive, but there is nothing that members of the Opposition can point to that the Federal Government has done to try to solve the Expo housing problem. As the honourable member mentioned in his question, the Federal Government had an ideal opportunity to do something out at Wacol, and it did not do it.

I have mentioned before that I carry around with me some notes, which I do not have to read, which give the history of this matter. The Honourable Ben Humphreys, the Federal member for that area, did agree to act as an intermediary to try to get the Federal Housing Minister to come up to Queensland to do something about the problem. However, the Federal Minister will not even reply to his correspondence.

It is about time the people of Queensland woke up to the fact that it is a Federal Expo; it is an Australian Expo. Members of the Opposition talk about the housing problems in the Expo area. I point out to them that I want to work co-operatively with the Federal Government to solve those problems. However, it is awfully hard to work with that Government when it sells off its own housing in the Brisbane area without considering Expo at all. It is very difficult to work with the Federal Government when a Federal Minister says that he will get Staples to come up to Queensland and still Staples will not——

Mr Palaszczuk: You are wrong.

Mr McKECHNIE: I was about to sit down, but the honourable member has provoked me. He says that I am wrong. In a telex dated 11 April, addressed to the Honourable Ben Humphreys, I stated——

"I refer to our discussions... when you indicated you would approach your colleague, Peter Staples and request him to visit Brisbane and discuss the Expo housing situation."

I have heard nothing since 11 April.

It is about time that the Federal Housing Minister got out of the glass castles in Canberra—out of the glorious isolation of Canberra—and walked around South Brisbane, as I have done, and tried to be more humane in his attitude to the problem.

**Cycle Tracks on Highways and Freeways**

Mr SIMPSON: I ask the Deputy Premier and Minister for Main Roads: will he give consideration to changing the present criteria to provide for a cycle track on Queensland's freeways to cater for the ever-increasing number of tourists and sports cyclists, who at present are discriminated against? I point out that their lives are put at risk if they try to cycle on them. Could the lanes on existing highways and freeways be
realigned to provide, as has been done recently on the South East Freeway, an emergency lane, which might be used by cyclists as well as the ambulance, the fire brigade and the police, thereby assisting to make the public more fit and providing a facility for overseas tourists?

Mr GUNN: The honourable member has asked a very good question. Many local authorities have already provided bicycle tracks and, as the honourable member said, provision has been made for them on the freeway. That certainly has a lot of merit. It is something that should be examined. Of course, it is a matter of resources. The honourable member mentioned the matter to me on a previous occasion. I have already taken up the matter with the commissioner. The honourable member will be given an answer in due course.

Mr T. Perrett, Membership of League of Rights

Mr CAMPBELL: In directing a question to the Premier, I refer to his comments about the Independent candidate for the Barambah by-election, Mr Trevor Perrett, and in particular to the Premier’s claim that Mr Perrett had policies of the League of Rights type, and I ask: does the Premier believe Mr Perrett to be a member of the League of Rights and, if not, what prompted the Premier’s claim? I also ask: in the light of Sir Joh Bjelke-Petersen’s enthusiasm at Mr Perrett’s win last Saturday, does the Premier believe his predecessor to be influenced by the League of Rights, a group Sir Robert Sparkes claims he is trying to expel from the National Party?

Mr AHERN: I do not think that there is any great matter on which I need to comment and occupy the time of the Parliament at this stage. The honourable member is obviously operating from some informal agenda of which I am not aware. I do not resile from any of the statements that I have made on the matter. As we are into political rhetoric at the moment, the question on everybody’s lips on the Government side of the Chamber is: when is the next ALP conference going to occur?

Mr GOSS: I rise to a point of order. The Premier has asked a question; I am prepared to answer it.

Mr SPEAKER: Order! There is no point of order.

Mr AHERN: There has been a lot of conjecture in that regard.

Opposition members interjected.

Mr AHERN: The ALP has not had a conference for four years. I do not think that any political party can sensibly call itself an Opposition or a Government unless it is prepared to meet the grassroots of the party. The National Party has always done that. The Australian Labor Party has not been prepared or game to do that for four years. If it is happening in May or it is happening in October—well, then soon enough! Four years—it is a public disgrace!

Mr CAMPBELL: Mr Speaker, the next conference is on 7 and 8 May.

Mr SPEAKER: Order!

State Government Funding of Irrigation Schemes

Mr CAMPBELL: In directing a question to the Minister for Water Resources, I refer to the 1987-88 State Budget and the State’s expenditure on irrigation projects. From its own funds, the State Government plans to spend $25.58m on the Burdekin River irrigation project, $11.5m on the Barker-Barambah irrigation project and only $6.2m on the Bundaberg irrigation scheme. Why did this Government make the Bundaberg irrigation scheme the third priority of State Government funding for irrigation schemes? Will this Government make that scheme the top priority in this year’s State Budget?

Mr NEAL: It is clear that the honourable member for Bundaberg does not understand the way in which the system works. Because they were already being funded by the State
and Federal Governments, the Burdekin and the Bundaberg irrigation schemes were the two priorities.

Under the agreement that was reached, the Federal Government agreed to contribute $4 for every $6 that was contributed by the State Government. It is interesting to note that, during the period that that agreement has been in operation, the State Government has contributed far in excess of the amount that it agreed to contribute.

I hope that the honourable member for Bundaberg and the Federal member for Hinkler are in touch with their Federal colleague responsible for water resources in an endeavour to encourage the Federal Government to continue that funding past the 1988-89 year so that Queensland will receive future funding that will provide irrigation projects for those people who are suffering from drought in that particular area. Instead of playing politics, the honourable member should get himself into gear and do something about getting his Federal colleagues to continue with that funding program.

The State Government has already given a commitment that it will see that program through, which is more than this Government can get out of the honourable member's Federal colleagues.

Brisbane River Heritage

Mrs NELSON: I ask a question of the Minister for Community Services. Last week, the State Government's Brisbane River Committee launched a special tourist booklet entitled Beautiful Brisbane River, which outlined, amongst other river assets, the significant heritage that lines the river. Can the Minister advise the House whether or not it is the State Government's intention to continue to promote an appreciation of that heritage and, if so, what form will that promotion take?

Mr KATTER: I must bring to the attention of the House the really excellent work done by the honourable member herself as chairman of the Brisbane River Committee and also pay tribute to her predecessor, now the Minister for Health. Because of the actions—and, I might add, dynamic actions—taken by those two ladies and their respective committees, we have been able not only to preserve a certain number of these buildings but also to access them for the public of Brisbane and particularly the public of Queensland, Australia and, for that matter, the world, during Expo.

Approaches have been made to the owner of Shafston House, Mr Gary Balkin. River trips have been organised for boats to leave from Expo and pull up at a jetty adjacent to old Government House, allowing people to visit that building and Parliament House.

Mr Burns: They will be up to their necks in mud.

Mr SPEAKER: Order!

Mr KATTER: It is some time since the Labor Party has had control of the State Government or the Brisbane City Council. Consequently no mud problems exist on the river. Instead, very lovely jetties have been built that access the various spots along the river.

On the left-hand side of the river is the city and on the right-hand side is the old naval chapel and naval base of Queensland. Further along the river is Yungaba, built in 1870. Further along is Shafston House which, as a result of initiatives taken by this Government, has been preserved and is now available to the public of Queensland.

In conclusion, I must thank very sincerely, particularly, the present chairman of the committee for organising what has been a magnificent initiative in the State of Queensland.
Installation of Cameras at Intersections

Mr ARDILL: I direct a question to the Minister for Transport.

Honourable members interjected.

Mr SPEAKER: Order! Would the House please come to order? I am having difficulty hearing the honourable member.

An honourable member: He doesn’t speak up enough.

Mr SPEAKER: Order!

Mr Gunn interjected.

Mr SPEAKER: Order! The Deputy Premier!

Mr ARDILL: In directing my question to the Minister for Transport, I refer to the widespread practice of blatant red light running, which is increasing at an alarming rate in Queensland, resulting in intersection congestion, loss of confidence, serious accidents, personal injury and even death, and I ask: will the Minister give urgent consideration to installing cameras at a sufficient number of intersections that are controlled by traffic lights to effectively curb this murderous practice? Will he confer with the Main Roads Minister with a view to giving urgent attention to intersections such as Mains and Kessels Roads, Macgregor, on Routes 20 and 36, and those on the Gateway subarterial road, at all of which truck-drivers persistently ignore red lights, even after cross traffic has already entered the intersection?

Mr Elliott: You don’t like truck-drivers, do you?

Mr SPEAKER: Order! The member for Cunningham!

Mr I. J. GIBBS: I am quite happy to take on board the comments made in the honourable member’s question and I will take the matter up with my colleague the Minister for Main Roads and, no doubt, the Lord Mayor of the city to see if that problem can be studied and cured in some way.

Resumption of Land for Sunnybank District Police Station

Mr ARDILL: In directing a question to the Minister for Police, I ask: in view of the continuing unlawful acts and violence being perpetrated in the southern suburbs of Brisbane and the continuing population explosion in that area, will he give urgent attention to the need to resume land for a Sunnybank district police station before all options are closed off?

Mr GUNN: The Government has a priority program for capital works. I am not quite certain when the Sunnybank area will have a priority. In order to allow me to give the honourable member the detail that he requires, I suggest that he put the question on notice and I will answer him tomorrow.

Mr SPEAKER: Order! Will the honourable member put the question on notice?

Mr ARDILL: I do so accordingly.

Mr SPEAKER: The question will appear on the Notices of Questions.

Proposed World Heritage Listing of North Queensland Rainforest Areas

Mr GILMORE: In directing a question to the Minister for Environment, Conservation and Tourism, I refer to the continuing assault on the economy and workers of far-north Queensland by the Federal Government and the fact that Senator Richardson has made a paltry and insulting offer of $75m compensation. I ask: could the Minister please inform the House about the real compensation needed if this listing proceeds and would he also inform the House about the substance of an even more paltry recommendation on compensation which was made by the Leader of the Opposition in this place and his two stooges, the member for Cairns and the member for Mourilyan?
Mr SPEAKER: Order! The honourable member will withdraw those remarks.

Mr GILMORE: I withdraw, Mr Speaker.

As I was saying—a recommendation made by the members for Cairns and Mourilyan that was published in the Cairns Post on Friday, 11 April 1988?

Mr MUNTZ: It is quite obvious that the Federal Labor counterparts of Opposition members have again demonstrated the contempt in which they hold Queensland, especially north Queensland. A paltry and totally inadequate amount of $75m has been offered, as the Premier said earlier, in respect of those affected by World Heritage listing in north Queensland.

The Queensland Government has carried out a totally independent and professional approach by engaging the well-respected firm of Cameron McNamara. The members of that firm are people who are recognised throughout Australia as experts in their field. The firm has come up with a report stating that in the vicinity of $950m is required—in other words, nearly $1 billion—to compensate the people in north Queensland, the people who are resident in other parts of Queensland and the members of this State Government—all of whom are tax-payers in this State. The amount is to be shared by local authorities also affected by World Heritage proposals in north Queensland.

The Federal Government has made a paltry offer of $75m that does not even come anywhere near the requirements of the timber industry alone. Approximately $110m is required for fixed assets and closing-down costs of the timber industry.

The honourable member for Cairns, Mr De Lacy, is indicating that I should wind up, but I will speak as long as I like. The honourable member for Cairns may not have any feeling for the people of north Queensland—particularly those involved in the timber industry—but I will take as much time as is necessary to represent the people of north Queensland.

The honourable member, who represents the Cairns electorate, and Mr Eaton, who represents the Mourilyan electorate, have shown the contempt in which they hold the people of north Queensland. The people will react to them at the next State election, as voters reacted to Labor in New South Wales. The facts speak for themselves. If the honourable member for Cairns wishes to analyse the figures in the New South Wales State election, he will see that the electorates that were targeted by the timber industry were devastated. Labor representation in those electorates was totally devastated because swings of the order of 10 to 30 per cent were recorded against the Government. If that were to occur at the next State election in Queensland—and I predict that it will happen because the timber industry will target Mr Eaton and Mr De Lacy—Labor will be annihilated at the end of next year.

The honourable member for Cairns can shrug his shoulders as much as he wants to. If that New South Wales election result is transposed to Queensland, there will not be a cricket team on the Opposition side of the House; there will not even be a basketball team.

Mr McElligott interjected.

Mr MUNTZ: The honourable member for Thuringowa will not be here to see it.

Mr Hamill: What about Barambah?

Mr MUNTZ: The results of the by-election at Barambah indicate that the Labor Party lost more than 5 per cent, whereas it would have expected to gain at least 1 or 2 per cent.

The Federal Government is being represented by Senator Richardson—who is really the numbers man for Mr Hawke—who has been sent up from Canberra to do a job on north Queensland. He is not interested in listening to representations made by me and the Premier. Senator Richardson has gone to north Queensland to do a job on the timber industry; to close down the timber industry.
I point out that in all other areas of the world, and in Australia, when World Heritage listings are nominated or declared, selective logging is allowed to continue. At present, delegates from UNESCO are visiting north Queensland and are assessing the situation for themselves. They are trying to sort out the wheat from the chaff. The greens have been sent by the Federal Government to accompany that delegation and put their case to the UNESCO representatives. The UNESCO delegation will see for itself that the timber industry in north Queensland has been managed to a standard that has been second to none in the world for the last 100 years, and that it provides an example for the rest of the world on how to manage rainforests. I challenge any member of this House to take the time to go to north Queensland and see the rainforest area for himself.

Mr Comben: We have.

Mr MUNTZ: $75m over three years is a joke. It shows the contempt in which the honourable member for Windsor holds the people of Queensland.

This matter will not be taken lightly by this Government. This Government will prove to the rest of the world and Australia, by its representation to UNESCO, that the Federal Government must sit down, rethink the issue and reconsider the nomination. Consultation should take place with this Government so that a fair and equitable scheme can be worked out to ensure that the timber industry is maintained in this State. That has occurred in many other areas. This Government is determined.

The suggestion by the Leader of the Opposition that a sum of approximately $60m be offered proves how much he cares and how much thought he has put into the matter. I doubt that the Leader of the Opposition has even been to north Queensland. I challenge him to go. I do not believe that he has been to north Queensland to look at what selective logging is. His statement that $60m is adequate has been proved to be totally false by his Federal colleague Senator Richardson. $75m represents one-thirteenth of the requirements of the local authorities in north Queensland. I challenge any member in this House to go to north Queensland and see for himself what is happening there. I believe that members opposite would change their attitude completely and support this Government's representation to UNESCO. This will ensure that the Federal Government sees sense and shows some feelings for the people in north Queensland. At least 2,000 workers, not 800, and their wives and children will be affected and devastated, but the Opposition could not care less for the feelings of those people. This Government does.

Atherton Hospital Maternity Wing

Mr GILMORE: My second question without notice is to the Minister for Health. The Minister was reported in the Tablelander on 23 February 1988 as stating that the maternity wing of the Atherton Hospital would be replaced within two years. Could I have the Minister's assurance that the report was indeed correct?

Mrs HARVEY: I am well aware of the fact that the honourable member for Tablelands has some very specific requirements in the Atherton area and I have been made very much aware of his very strong representations, which I appreciate.

Having toured the area with the member, I understand the needs of the Atherton Hospital as they have been itemised by the Atherton Hospitals Board on its list of priorities. It is pleasing to note that many of the needs of the hospital have been more than adequately addressed and, thus far, $6m has been spent. I believe that the former Minister for Health was involved in the opening at that hospital of a new ward block and the provision of fire alarm systems, evacuation lighting, emergency lighting and power, air-conditioning, redevelopment, alterations and extensions. These developments have provided upgraded out-patient/casualty facilities, a dental clinic, a pharmacy, medical records and administration.

Although the board originally included the maternity section as one of its priorities, the fact had to be faced that the building is of substantial size and is usable for at least another 10 years. The board has actually dropped the maternity wing from its list of
high priorities. However, taking into account the representations made by the honourable member, I have had another look at the matter and I believe that quite a lot of money could be spent on refurbishing and renovating that section in order to bring that old building up to the standard required by the honourable member. This would be a very successful exercise and I have instructed my departmental officers to approach the board and negotiate the position in order to establish deadlines for the provision of a newly renovated and refurbished maternity ward.

I believe that the honourable member will be pleased with the end result and I am happy to be able to give him the assurance that he asks for; that the maternity wing, although it will not be a new building—because the building is not of an age to warrant its being pulled down—will, in the end, be what the honourable member wants. I am sure that the people in the community that he represents will be pleased with the result.

I take this opportunity to say that it is worthy of mention that the former hospital at Herberton, which is under the control of the Atherton Hospitals Board, has also been replaced, at a cost of approximately $2.2m, to provide 40 nursing-home beds, an outpatient department and two holding beds for acute patients.

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

QUEENSLAND TREASURY CORPORATION BILL

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (4.10 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to provide for the constitution, objectives, functions and powers of the Queensland Treasury Corporation."

Motion agreed to.

First Reading

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

Second Reading

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (4.12 p.m.): I move—

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

Australian capital markets have undergone major changes and deregulation in recent years. To ensure that Queensland is able to compete in this market-place, it is proposed to establish a vehicle with the flexibility and sophistication to match the requirements of modern markets.

This Bill establishes the Queensland Treasury Corporation as such a body. The corporation will replace the Queensland Government Development Authority constituted pursuant to the Statutory Bodies Financial Arrangements Act 1982-1984 and will have enhanced powers to operate in modern markets.

The corporation will be a market-orientated financial organisation aimed at maximising the financial benefits to participating authorities. To this end, it will work to enhance the already high reputation attained by its predecessor, the Queensland Government Development Authority.

The major features of the corporation are—

- The corporation will have full borrowing and investment powers.
- The corporation will provide integrated financial services for the Queensland Electricity Commission, Government departments and other statutory bodies close to the Government.
- For local authorities and other statutory bodies, participation in the corporation will be voluntary.
Substantial savings are expected to be achieved and are estimated to be—

- up to a 0.5 per cent reduction in borrowing costs providing savings of $15m to $35m per annum after five years;
- enhanced return on superannuation funds and other long-term investment funds, with the potential to save the Consolidated Revenue Fund $30m per annum or higher through lower Government superannuation contribution; and
- savings to the Consolidated Revenue Fund of around $1m per annum as a result of the corporation operating on a user-pays basis.

The Queensland Treasury Corporation will have as its statutory objectives—

- to act as a financial institution for the benefit of and the provision of financial resources and services to statutory bodies in Queensland;
- to enhance the financial position of the corporation and the State; and
- to enter into and perform financial and other arrangements that in the opinion of the corporation have as their objective either—
  (i) the advancement of the financial interests of the State;
  (ii) the development of the State or any part thereof; or
  (iii) the benefit of persons or classes of persons resident in, or likely to have an association with, Queensland.

To enable this, the corporation will have broad powers to enter into a range of financial arrangements including—

- borrowing money or obtaining financial accommodation either in Australia or overseas;
- lending money or otherwise making financial accommodation available;
- acting as a central borrowing authority for State statutory authorities; and
- investing the funds of the Treasurer, Queensland statutory authorities and other persons.

The corporation will also have the power to enter into any arrangement, including entering into partnerships, and to give undertakings, indemnities, etc. that is necessary to carry out a financial arrangement and perform its functions. In this regard, the corporation will be able to establish charges over assets, execute mortgages, enter into partnerships, joint ventures or other associations as it sees appropriate.

The Government will, of course, have the power to place limitations on the activities of the corporation.

The Bill also provides for financial arrangements by the corporation to be guaranteed by the Treasurer. Inscribed stock is to be guaranteed by statute but other arrangements may be guaranteed in a variety of ways including by instrument of guarantee, Orders in Council or such other form as the Treasurer thinks appropriate.

Details of the principal amendments contained in the Bill are provided in the attachment, which, under Standing Orders, I seek leave to have incorporated in Hansard.

Leave granted.

ATTACHMENT

MAJOR PROVISIONS OF THE QUEENSLAND TREASURY CORPORATION BILL

<table>
<thead>
<tr>
<th>Section</th>
<th>Provision</th>
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<tr>
<td>2</td>
<td>Commencement. The operation of the Queensland Treasury Corporation is to come into effect on 1st July, 1988.</td>
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<td>4</td>
<td>Interpretation. This section includes definitions, the principal ones comprising: (i) Advisory boards, to be established to provide advice to assist in the development of strategies for the operation of the Corporation.</td>
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(ii) Financial arrangements—

This definition sets out in broad terms the range of activities which the Corporation can enter into.

(iii) "Treasurer" is defined to include a Minister Assisting the Treasurer if so authorised.

5 Constitution of the Corporation.

The Under Treasurer is established as a corporation sole to be the Queensland Treasury Corporation. The Queensland Treasury Corporation is in fact The Queensland Government Development Authority and has been created by changing the name of the Authority (and expanding its role).

7 Corporation represents the Crown.

This Section provides for the Corporation to represent the Crown. This is highly regarded by lenders as it creates a close link between the Corporation and the Government.

10 Appointment of advisory boards.

Provides the capacity for the Government to establish advisory boards to aid the Corporation in its operations.

The basis on which the advisory boards will be appointed by the Government and how they will operate on a day to day basis is to be prescribed by regulation.

14 Delegation

The Corporation may delegate powers to officers, employees, and Advisory Board or any member of and Advisory Board and, in specific instances, to any person.

Such delegation may be either general or specific to a particular financial arrangement and in certain cases can be irrevocable.

15 Profits and losses of the Corporation.

Provides for any profit or loss of the Corporation to accrue to or be the responsibility of the Consolidated Revenue Fund.

16 Objectives of the Corporation.

It is intended that the Corporation act as a broadly based financial institution providing a full range of financial services to Government and statutory bodies including borrowing, lending and investments.

17 Functions of the Corporation.

In achieving its objectives, certain broad functions have been defined for the Corporation covering—

• borrowing;
• lending;
• investment;
• acting as a central borrowing authority;
• acting as agent; and
• management of financial risks.

18 Borrowing powers of the Corporation.

Provides the Corporation the specific power to borrow by way of financial arrangement. S. 18 (3) provides for the Government, if it so wishes, to limit the power of the Corporation to borrow.

19 Lending powers of the Corporation.

Provides the Corporation the specific power to lend by way of financial arrangement. S. 19 (3) provides for the Government, if it so wishes, to limit the power of the Corporation to lend.

S. 19 (4) provides for the Corporation to lend to other statutory bodies without that statutory body having to unnecessarily obtain approvals to borrow. Such a statutory body, however, would still have to obtain approval of its own Board, etc. but would not have to duplicate this by seeking Governor in Council approval when being advanced funds by the Corporation.
20 Investment powers of the Corporation.

Empowers the Corporation to invest in:
- real property;
- deposits with a bank or other person;
- in a business;
- securities;
- development projects;
- any partnership or joint venture; and
- any other investment.

S. 20 (2) provides for the Government, if it so wishes to limit the power of the Corporation to invest.

S. 20 (3) provides that where the Corporation invests money on behalf of any statutory body or person it should take account of any guidelines or directions given by that statutory body or person.

21 Powers of the Corporation to enter into other financial arrangements.

Empowers the Corporation to enter into financial arrangements other than those that have been previously defined as borrowing, lending or investing.

S. 21 (3) provides for the Government, if it so wishes, to limit the power of the Corporation to enter into such other financial arrangements.

22 Other powers of the Corporation.

Provides other powers (other than the power to enter into a financial arrangement) to the Corporation to allow it to discharge its functions.

23 Carrying out of financial arrangements.

Allows the Corporation to make a charge or receive a fee under a financial arrangement, to empower an affiliate to enter into a financial arrangement, to acquire or deal with land, or to do anything incidental or necessary to perform a financial arrangement.


Allows the Corporation to give undertakings, covenants, promises, guarantees and indemnities, etc. in relation to a financial arrangement.

25 Powers to execute charges etc. relating to financial arrangements.

Allows the Corporation to give a charge or security over its assets, revenue or income in relation to a financial arrangement.

26 Partnerships, etc.

Partnerships, joint ventures or other associations can be formed for the purposes or carrying out a financial arrangement.

28 Investment with the Corporation to be authorised investment.

Provides that investment with the Corporation be authorised investments under the Trusts Act.

31 Substitution Consolidation of Securities.

Provides for the Corporation to deal, transact in its own securities and the securities of other statutory bodies. The Corporation may also consolidate the stock of other bodies and re-issue its own securities.

32 Statutory guarantee.

Provides that inscribed stock issued by the Corporation has the benefit of a statutory guarantee.

33 Discretionary guarantee.

Provides that the Treasurer may, at his discretion, guarantee any financial arrangement entered into by the Corporation.

Any such guarantee may be given by way of—
- an instrument of guarantee;
- an Order in Council;
- such other form as the Treasurer thinks fit.
34 Appropriation.
   Provides that money payable under any guarantee is automatically appropriated from
   the Consolidated Revenue Fund.

36 Protection of investors.
   Persons who enter into financial arrangements with the Corporation are protected in
   that—
   • they do not have to enquire as to how the Corporation allocates the funds;
   • all financial arrangements are presumed to be duly authorised and comply with the
     Act.

38 Exemption from stamp duty.
   Allows the Governor in Council to exempt financial arrangements from stamp duty.

39 Exemption from operation of Money Lenders’ Act.
   Exempts the Corporation from the Money Lenders’ Act.

40 Regulations.
   Allows the Governor in Council to make regulations in relation to the Corporation’s
   activities.

Mr AUSTIN: The establishment of the Queensland Treasury Corporation provides
a new direction in public funds management in Queensland and represents a major new
initiative by the Government. I commend the Bill to the House.

Debate, on motion of Mr De Lacy, adjourned.

LEAVE TO MOVE MOTION ON NOTICE

Mr COMBEN (Windsor) (4.15 p.m.): In view of the seriousness of the present
situation with respect to Queensland’s public health care services and threats to the free
hospital services, I seek leave to move Notice of Motion No. 34 standing in my name.

Mr DEPUTY SPEAKER (Mr Row): Order! This being a time allocated for
Government business, the House has moved into Government business. It is now past
the time when the honourable member would have had an opportunity to seek leave to
move that motion.

STATUTORY BODIES FINANCIAL ARRANGEMENTS ACT AMENDMENT
BILL

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the
Premier and Treasurer) (4.16 p.m.), by leave, without notice: I move—
   “That leave be granted to bring in a Bill to amend the Statutory Bodies

Motion agreed to.

First Reading

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

Second Reading

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the
Premier and Treasurer) (4.17 p.m.): I move—
   “That the Bill be now read a second time.”

This Bill is being presented in conjunction with the Queensland Treasury Corporation
Bill. The Bill provides for the changes needed as a consequence of the Queensland
Treasury Corporation replacing the Queensland Government Development Authority.

The Bill also provides for powers remaining under the Statutory Bodies Financial
Arrangements Act to apply only to statutory bodies other than the Queensland Treasury
Corporation.
Details of the principal amendments contained in the Bill are provided in the attachment. These amendments are very straightforward and are a necessary consequence of the establishment of the Queensland Treasury Corporation. I commend the Bill to the House.

Debate, on motion of Mr De Lacy, adjourned. (See also p. 6149.)

MT. GRAVATT SHOWGROUNDS BILL

Second Reading

Debate resumed from 13 April (see p. 5881).

Mr BRADDY (Rockhampton) (4.18 p.m.): As the Attorney-General said in his speech outlining the Bill to the House, this legislation has been brought before the House to cure a long-standing problem. Honourable members are aware that the matter went to the Privy Council. However, when looking at that matter, it must be borne in mind that the balances must be kept between the various groups in society who have an interest in it. Some attempt has been made by the Attorney-General and the people involved in trying to solve the matter to arrive at that particular balance.

Honourable members must bear in mind that, although this is a showgrounds, in fact the show society only uses the grounds for show purposes for two days a year. Therefore, such a substantial area of land in a very developed and busy residential area must be used for the benefit of the community. If anything was to be done which would tend to overemphasise the show use as distinct from the other uses given to the land, clearly that would not be to the benefit of the persons living in the area. Two days a year is a very insubstantial part of the use of the grounds.

One only has to look at the Exhibition grounds in Brisbane to realise how important it is that the community should make the best possible use of the grounds. In days past, the Exhibition grounds in Brisbane were used for Rugby League, Rugby Union and cricket test matches and for all purposes of that kind. Similarly, the Mount Gravatt showgrounds should be put to the best possible use. Therefore, one has to be certain, as far as one can, that it will be put to the best possible use.

In addition, the question of equity arises. The grounds were transferred to the Brisbane City Council, and it is my understanding that the transfer was for consideration. There is some argument about whether proper payment was made. However, my understanding is that the money paid by the Brisbane City Council for the land was in fact the market value at the time of the transfer. Therefore, the Brisbane City Council, having made a payment of due consideration for the land and representing the people of Brisbane, is entitled to have an equitable say in the future handling and running of these particular showgrounds.

The Opposition is pleased to assist in the passage of the legislation so that the use of the grounds can continue in the future but in a more equitable way than was the case in the past. Bearing in mind, firstly, that the council in fact purchased these lands and, secondly, that there has not been in the past sufficient community use, it seems to the Opposition that greater weight should be given to the opinions of the council and the local people in the use of the land.

The legislation contains provision for the trust to comprise two persons from the Brisbane City Council, one person the alderman for the area and one person nominated by the Brisbane City Council. The latter, of course, would not necessarily have to be an alderman of the council. On the one hand, the Bill provides for only two persons selected by the Minister as representatives of the community advantaged by the showgrounds to be on the trust; on the other hand, three persons nominated by the show society are to be on the trust.

After considering the matter, the Opposition has arrived at the conclusion that the ownership of the grounds in effect by the Brisbane City Council and the use by the
persons in the area other than the show society has not been sufficiently reflected in the legislation.

I therefore foreshadow that at the Committee stage the Opposition will move an amendment to have the number of persons nominated by the Brisbane City Council increased from one to two and the persons selected by the Minister as representatives of the community advantaged by the showgrounds from two to three.

In every other respect, the Opposition supports the legislation and commends the final resolution of this matter, which has dragged on for so long, and involved protracted and expensive litigation. The Government has the support of the Opposition for this legislation in all respects other than the number of people on the trust. The Opposition believes that the numbers on the trust should be increased in accordance with the proposal I have outlined.

Mr SHERRIN (Mansfield) (4.24 p.m.): The Mount Gravatt showgrounds are located in my electorate of Mansfield in an area that has been settled for quite a number of years. The showgrounds are one of the last remaining open spaces in the area that are available for community recreational use. So it is with a great deal of pleasure that I support legislation that will ensure that these very valuable grounds will be allowed to remain available for the use of the citizens of the area.

Before I go on, I want to acknowledge the contribution and work of a number of people. As I will outline shortly, protracted negotiation and disputation has been going on for approximately 50 years. During that time, a large number of people have become involved in efforts to safeguard and protect the showgrounds from the council over the years and, in particular, in those early days.

I acknowledge the work of my predecessor, Mr Bill Kaus, the former member for Mansfield, who had a long and detailed involvement in those negotiations. I acknowledge also the work of Mr and Mrs Coneybeer and, during the 1970s, the work of Mr Arthur Scurr, who was very much involved in negotiations and an appeal to the Privy Council.

It gives me great pleasure to strongly support the legislation that will bring to an end a very long-running dispute between the Mount Gravatt show society and the Brisbane City Council. Honourable members will recall that that dispute was the subject of a much-publicised appeal to the Privy Council in the early 1970s. Briefly, the Privy Council found that a portion of land, which was part of the showgrounds land, had been transferred by the society to the council in 1938. In fact, that land was subject to a trust and should have been held for showgrounds, park and recreation purposes. That decision of the Privy Council prevented the council from selling any of the showgrounds land and resulted in prolonged and sometimes quite heated negotiations and dispute between the council, the Mount Gravatt show society and various community groups that over the years have been rightly involved in the matter.

Over recent years, those negotiations and the preparation of this legislation before the House were aided by the State Government, the previous Minister for Justice and Attorney-General and the present incumbent of that high office. They attempted to act as independent negotiators in the process.

In 1986, the then Minister for Justice, Mr Harper, endorsed a proposal to have the Mount Gravatt showgrounds administered by a community-based trust. The establishment of that trust via the legislation before honourable members will ensure that those lands will be used only for showgrounds, park and recreation purposes.

I would like to take some time to comment on the various machinery particulars contained in the Bill. The Opposition spokesman referred to the membership of the trust. I strongly endorse the membership that has been arrived at following lengthy negotiations between the Minister for Justice and Attorney-General, the Brisbane City Council and the Mount Gravatt show society. All three parties in those negotiations are quite happy with the membership as it is reflected in the Bill. I strongly endorse the participation of the Brisbane City Council. The chairman of the trust will be the alderman of the Brisbane City Council in whose ward the showgrounds are located. One person
will be nominated by the Brisbane City Council; three persons will be nominated by the show society to ensure that it rightfully has its voice on the trust; and two persons will be selected by the Minister as representatives of that community to ensure that the members of the local community who also have an interest in the showgrounds are represented on that trust. I strongly endorse the membership as it is outlined in the legislation.

A matter raised continually by people interested in the further development of the showgrounds is that the first object of the trust will be to draw up and implement a plan and strategy for the development and use of the showgrounds with a view to co-ordinating the development of facilities. That is very important because, without the legislation, capital and general development on the showgrounds has not been possible over recent years.

Honourable members may well recall the much-publicised action by the then Brisbane City Council in tearing down buildings that were located on the site. Since that time it has been very difficult to place any permanent structures on the showgrounds. I understand that the show society and a number of community groups in the electorate of Mount Gravatt represented by my colleague Mr Henderson and groups in my own electorate have been undertaking negotiations with a view to putting forward proposals for the development of the showgrounds.

The showgrounds are certainly a valuable resource in the community. They are ideally located close to transport and provide easy access by the local community. I think that they would be a tremendous location for a joint community showground use that could incorporate youth facilities and facilities for the aged as well as providing, during show-time, much-needed facilities for the show society.

I want to outline briefly the powers of the trust. The legislation gives the trust the power to borrow and raise funds for the development of capital facilities on the showgrounds. That will certainly protect the use of the showgrounds and, quite rightly, allow the acquisition of additional land to complement the existing trust grounds.

This legislation will bring to an end a dispute that has spanned 50 years. In order to ensure that the legislation will protect and preserve that valuable community resource for the enjoyment of the local citizens of Mount Gravatt and Mansfield and future generations, the State Government has been pleased to play the role of an honest negotiator in the latter years of that dispute. I strongly support the Bill.

Mr BEANLAND (Toowong) (4.31 p.m.): This Bill brings to a conclusion a project that was started by the community some 19 years ago at a public meeting in 1969 which set up a planning committee that was chaired by Mr John Coneybeer, who is still the chairman of that committee.

From 1976 to 1985, Mr Coneybeer was the alderman for Nathan in the Brisbane City Council. Together with his wife, Pat, Mr Coneybeer has been very much involved in and dedicated to assisting the community, as have a number of other figures in that particular area. I refer particularly to Mr Arthur Scurr, a hardware-retailer of Mount Gravatt. It is doubtful that this matter would have been brought to such a successful conclusion without the dedicated support of the Coneybeers and Mr Scurr.

Approximately 42 community organisations were involved in the fight between the community and the Labor Brisbane City Council to save what they believed was their parkland and showground that was under threat.

At present, that land is used by the Mount Gravatt show society for its show, which is the largest show that is held in the metropolitan area apart from the one that is held by the Royal National Association at the Brisbane Exhibition grounds.

The Mount Gravatt show is not only the second-largest show that is held in the metropolitan area, but also it has grown significantly in recent years, although some people might think that shows in the metropolitan area are going backwards.
This legislation has been introduced as a result of a Privy Council case that was brought by the community against the Labor Party City Council when it tried to sell off approximately 11 acres of the 27 acres of open space. It is interesting to note the degree of community opposition to that proposal. Approximately 30 000 objections to it were lodged.

As set out in the Bill, that land now includes some adjacent Brisbane City Council land that is held in freehold by the council, which is now contributing towards the total area of land that is involved in this legislation.

I realise that all sorts of alternative and contrary views exist to the decision of the Privy Council that was handed down in 1978. Nevertheless, that land which was acquired by the council in 1938 was held in trust. In recent years, because of the uncertainty surrounding it, no development has occurred on that land or the adjacent land.

I strongly support the membership of the trust. During 1985 when I was the vice mayor of Brisbane, I was very much involved in drawing to a conclusion the negotiations in relation to that land.

The Liberal Party is pleased to support the Bill. Because it will enable the people of Brisbane to use that parkland, this legislation is strongly supported by the community.

Mr HENDERSON (Mount Gravatt) (4.34 p.m.): It gives me great pleasure to support the Bill. As the honourable member for Toowong said, this particular dispute has been dragging on for many years; in particular, for the past 19 years.

At the end of 1983 when I was elected as the member for Mount Gravatt, the dispute was one of the eight major projects in that electorate that I resolved would be tidied up very quickly.

Mr Milliner: How are the other seven major projects going?

Mr HENDERSON: They are all doing very well. They have all been solved but one.

Mr Milliner: They told me this is the first one.

Mr HENDERSON: The honourable member should know all about not solving projects. He has been a member of this Assembly longer than I have been and he has done nothing. I am at least one project ahead of him.

As I said, a number of people really need to be congratulated. First of all, the role played by the Honourable Neville Harper when he was Attorney-General cannot be overlooked. In fact, he was the person whom I, along with a group of other people, originally went to see.

The present Attorney-General, my good friend the Honourable Paul Clauson, has also played a very significant part. My colleague the honourable member for Mansfield has also played a significant part. Incidentally, this showground is not in my electorate: it is in the electorate of Mansfield, which receives excellent representation. It should be noted that it has taken me five years to solve this matter, whereas my colleague the honourable member for Mansfield solved it in only about 15 months.

Mr Mackenroth: It never got solved while there was a Liberal member there.

Mr HENDERSON: No. I was not prepared to say that, but I hinted at it. I take the honourable member’s word for that.

As I said, I was very pleased when my colleague Mr Sherrin decided to run with this particular ball. In next to no time at all he sorted it out, which is typically characteristic of what he does.

I must also of course thank John Coneybeer, Arthur Scurr and the Brisbane City Council. I am big hearted enough to even recognise the role that the council has played. Despite the involvement of the former vice-mayor, the matter was still sorted out. At
least that is a positive thing that we can talk about. It just goes to show that if Mr Sherrin was not there the matter would still be dragging on. Maybe that is how it was solved. Have honourable members noticed that it was solved after the honourable member for Toowong left the city council? Has that been noticed? That is very interesting.

I do not want to go over the community fight involving this particular area of ground. All I want to say is that it must be one of the most valuable areas of land in any community anywhere in Brisbane. The problem and the tragedy of this area is that it is totally underutilised. I am pleased to see that this Bill provides for an opportunity to make maximum use of this community facility. It is in a most excellent location. It is well serviced by public transport and excellent parking is available. At present it provides an opportunity to carry out activities such as soccer, pony rides and cricket. I am patron of the Mount Gravatt Amateur District Junior Cricket Club. Recently that club held a kanga cricket competition at the showground. I would like to thank Alderman Graham Quirk for his assistance. Our bicentennial fair, as well as the Royal Rangers field day, was held there. The Mount Gravatt show is getting bigger and better. That has also occurred since Mr Sherrin and I have been members in that area.

Mr Beanland: You have got my speech notes over there.

Mr HENDERSON: If I had the honourable member's speech notes, I would be saying nothing.

Mr Beanland: Why haven't you sat down?

Mr HENDERSON: Because I know how to stand up. The honourable member does not know how to do that.

I also noticed that parking is very, very good in this area. Like my honourable colleague Mr Sherrin and the member for Toowong, I support the membership of the trust. We went through agony trying to iron out this problem. I certainly do not want to relive that agony. I support the membership very, very fully.

One of the very interesting things is that when we decided to sort out this matter, I went to see the Honourable Neville Harper about this issue and I put forward the idea of a city council trust. I did not want the State Government to be involved at all.

My proposal of a community-based trust, which is presumably the type that the Bill makes provision for, resulted in a sort of confrontation at the Upper Mount Gravatt Bowls Club, probably in about 1985. A public meeting was called to discuss the differences of opinion, and it virtually amounted to me versus the rest. The Opposition rang and asked everybody, including my two corgi dogs, to come along. They did not go along, so I was all by myself. Anyway, I agree that this community trust is quite a good one.

Mr Burns: How many people were at the meeting?

Mr HENDERSON: Probably about 100. It was 99 to 1, and I still won. When I went there I had the Queensland Government behind me.

Mr Burns: You were counting on the National Party gerrymander.

Mr HENDERSON: A good gerrymander.

Mr Burns: It was 99 to 1, and you won.

Mr HENDERSON: No. It just goes to show that if you have got one person and the Queensland Government you are in a majority.

Mr Mackenroth: At least you are game to admit it.

Mr Beanland: It is business as usual.

Mr HENDERSON: The honourable members are only jealous. It is all jealousy.

A huge hiatus exists at the moment in the sense that when a problem arises, it is very, very difficult to solve it. Recently, the pony clubs were at the Mount Gravatt
showgrounds and everyone between Greenslopes and Slacks Creek knew that they were there because of the loudspeaker that was being used. Those who wanted to lodge a complaint found it very difficult to do so. No-one knew who was really running the showgrounds.

However, I am pleased that, finally, all the problems have been solved and a way has been found to address development of the showgrounds. As my good friend the member for Mansfield said, what is outlined in the Bill is a series of uses. What must not be overlooked is that the area of the showgrounds is one of a number of resources located in Mount Gravatt. Opposite the showgrounds will be a Blue Nurses/Rotary respite care centre, and the slopes of Mount Gravatt mountain are accessible to the showgrounds. In fact, a green belt extends right down to the showgrounds site. In addition, there is Toohey forest. The major churches also have huge car parks, so a traffic problem is not created by people who visit those churches.

Overall, I am absolutely delighted to be associated with this Bill. I am very, very pleased that it has reached finality. The honourable member for Mansfield mentioned that it has taken about 50 years to resolve this very pronounced problem. It has been a big problem over the last 19 years. During only five years of National Party Government in Queensland, the problem has been solved. It has been solved in one-tenth of the total time that the problem has existed, which only goes to show that the National Party Government gets things done.

Mr ARDILL (Salisbury) (4.42 p.m.): I congratulate the Minister for Justice on grasping the nettle—and it certainly has been a nettle. After this legislation is passed, if the right mix of people controlling the trust is not achieved, the matter may still be a nettle.

I am certainly aware of the role of the honourable member for Mount Gravatt in trying to have this matter resolved. I am not aware of any input from other members of this House. I am aware, however, that the honourable member for Mount Gravatt has been working on this problem since he became the representative of the electorate.

Many other people have been involved in the Mount Gravatt showgrounds over the years. In the late 1960s, when the Brisbane City Council was perennially short of funds, it decided to try to sell the frontage to the site. I point out that it did not intend to sell all of the land by any means, but only the frontage of the site. The proposal to sell the land to the Myer Corporation was accompanied by an intent to relocate the showgrounds in a more suitable area situated about six kilometres away. That area was situated in the rural sector of Brisbane where people engage in equestrian activities.

The council was taken to court by three sections of the community. One section was constituted by people with interests in rural pursuits, who came from areas such as Runcorn and Rochedale located about six kilometres from the showgrounds. These people were interested mainly in equestrian activities and, probably because of accessibility of the showgrounds from all areas of the city, they wanted the showgrounds to remain at that site.

Another section of the community that opposed the relocation of the showgrounds had commercial interests at Mount Gravatt. Those people are still trading at Mount Gravatt. They did not want competition from a large Myer store. That segment of opposition should not be ignored in considering this legislation.

The third group comprised local residents who did not want to see green, open space disappear under a shop. They wanted to see the area used for the other purposes for which the showground reserve was intended. Honourable members should not ignore the fact that the original letter sent by the Town Clerk in 1937 did not specify only that the showgrounds would be used for the show that took place over one week-end a year; it also specified that the area was to be kept for park and recreation purposes. Several sporting bodies in Mount Gravatt dearly wanted to locate their clubs on that block of land. The Lord Mayor of the day, Clem Jones, was intent on establishing football on the rear portion of the land after the Myer store was established on the frontage of the
In order to get the background of the story, one has to go back to 1937. It has been established by the Privy Council that there was a form of trust over the land as it was held by the Brisbane City Council. However, the claim that it was given by the showground or that it was given at a cheap rate by the showground society of the day to the Brisbane City Council does not hold up. That argument will not hold water. It was because the Town Clerk and the council at that time sent a letter to the showground society advising that the land would be kept in perpetuity that the Privy Council held that a form of trust existed. It was certainly not because the land had been given in any way or sold cheaply to the council. At that particular time the showground society was having financial problems. It could not meet its commitments and owed £450, which is $900, to a bank. The society sought to sell the land and possibly buy cheaper land. However, the society got a sympathetic hearing from the council, and it was agreed that the land would be retained as well as paid for by the council.

In those days Mount Gravatt was a farming community. There was some commercial development in the area, such as a blacksmith’s shop, a hotel and a couple of stores along Logan Road inbound of the showground, but in the vicinity of the showground itself, instead of all the shops that are there today, there was only one general store on the corner of Broadwater Road. One could drive for miles in that area without seeing any other traffic whatsoever. In those days there was certainly no land boom and the only example that I can find of land being sold in 1937 in that area concerns a parcel of 702 acres which was sold for the sum of $10,789.92, which works out at approximately $15.37 per acre. The 20 acres of the showground purchased by the council at that time brought $900, which works out at $45 an acre. Clearly, the price paid by the council for that block of land was greatly in excess of the amount paid for the other block of 702 acres which the council bought in the vicinity at that time.

In the late 1950s and 1960s the showground was overtaken by urban development and the development in the area expanded Mount Gravatt into a large residential suburb and commercial district. Now there are houses all around the showground, and there is still a body of opinion in that area that the people do not want a showground there. As well, in 1969 there was a body of opinion that a showground was not wanted in the area. That was the reason why Clem Jones looked at the possibility of selling the land and relocating the showground out in the Rochedale area.

The three sections of the community which I have mentioned previously took the council to court when it decided to sell to Myer. Firstly they lost their case, but then won it after an appeal to the Full Court. Subsequently the council appealed to the Privy Council and at that time the council’s representative was none other than the present commissioner, Mr Tony Fitzgerald. He strongly supported the opinion that there was no real trust over that land.

After the decision was made by Clem Jones to appeal, the Lord Mayor of the day who enabled the Privy Council appeal to proceed was Frank Sleeman, who held the philosophy that the dead hand of the past should not be allowed to dictate to the present and the future. It must be said that that is an attractive proposition. Provided that our heritage is not destroyed, there is no reason why the dead hand of the past should stop desirable development. Whether or not the Myer store was a desirable development there depends on a person’s point of view. As I said, there were strong commercial interests that did not want a Myer store in that area competing with their interests at any price. They were quite willing to spend quite a bit of money in fighting the case through to the bitter end.

The point that arises out of all this is that the council is clearly the owner of the land. It paid what was then a fair market value for the land and the people of Brisbane financed that purchase. Over the years the people of Brisbane have paid for the upkeep of that land. Over a long period the council was very generous to the show society in
maintaining it on the land and also in maintaining buildings. With the exception of one period when the council provided no help, throughout the years the provision of help by the council has been the norm. The council has strongly supported financially the show society.

I contend that the people who have agreed to the present allocation of power on the trust do not fully represent the community of the past or the community of the future. It cannot be said that present political representatives have all the wisdom on what should be done to provide for the best control of that land now and in the future. I strongly believe that the council, as the owner of the land—that is, the rate-payers of Brisbane—should have at least an equal say with the show society, which operates on that land only for a small portion of the year. In point of fact, it uses the land for only one week-end, with of course the build-up to that week-end and a few days after it.

For 50 weeks in the year the rest of the community should be able to use that land to its greatest potential. The rate-payers of Brisbane, as the owners of the land who will be called upon in the future to continue to support the land—because the show society will not be able to provide the financial wherewithal to keep this trust functioning—should have an equal say. I believe very strongly that not only should the incumbent alderman for that area be on the trust but also a person representing the other side of the council, whichever that may be at any given time, should have a right to a say on the trust on behalf of the remainder of the citizens of Brisbane. I also believe that a senior council officer should be on the trust to keep the continuity of the council's interest in that land and safeguard the continuing financial support that will be needed from the council.

I strongly support the contention of the Opposition spokesman, Mr Braddy, that the council should have at least an equal say with the show society and that other people in the community such as those in the football clubs, the cricket clubs and others as enumerated by the member for Mount Gravatt should have an equal say with the show society in the trust governing that land.

What we have here is a lopsided development. I am not criticising the Minister in this. Probably the various parties have got together over this. Unfortunately some of those people wear several hats in that they represent the council, the show society and commercial interests in the area.

Mr Mackenroth: And the Liberal Party.

Mr ARDILL: I was not intending to bring that up, but that is quite clearly so. The honourable member is dead right. The Liberal Party will have far too great an interest in this trust. The Minister should be looking at that and making sure that we have a much more representative trust than is being proposed.

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (4.56 p.m.), in reply: I thank all honourable members for their contributions to the debate, which have been constructive and well conceived. However, I note that in his speech the honourable member for Rockhampton mentioned that he was foreshadowing an amendment to the clause that sets out the number of persons on the trust. Unfortunately, I cannot accede to that amendment. I foreshadow that I will be opposing the amendment, particularly as this matter has gone for many years needing to be resolved. We have waded through the mine-field and have come up with a solution that is satisfactory to all parties who were involved with the trust and the land. In those circumstances, it has been a very long and arduous journey. The members for Mount Gravatt, Mansfield and Salisbury said that the matter has a very long and complex history, going as far as the Privy Council on one occasion. I suppose that one should name this the Brisbane Parthenon, it has such a history to it.

I thank honourable members and commend the Bill to the House.

Motion agreed to.
Committee

Hon. P. J. Clauson (Redlands—Minister for Justice and Attorney-General) in charge of the Bill.

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mr BRADDY (4.59 p.m.): This matter was canvassed in the course of the speeches by the member for Salisbury and me. The member for Salisbury clearly outlined the basis for the foreshadowed amendments. Although it is wonderful to see the matter settled, perhaps the arrangement is a little too cozy. The Opposition wants to make sure that the general interests of the community are fully covered by a proper equity in relation to the persons who are on the trust. For that reason, I move the following amendments—

"At page 4, line 3, delete—
‘one person’
and substitute—
‘two persons’ ";

"At page 4, line 6, delete—
‘two’
and substitute—
‘three’.”

Mr CLAUSON: For the reasons outlined in my reply to the Bill, I do not accept the amendments.

Mr ARDILL: Unfortunately, the Minister has not given honourable members any reason for rejecting the amendment proposed by the member for Rockhampton. The Minister is just saying that a good, cosy arrangement has been reached and that the Government intends to go ahead with it. However, is there any logic in the proposal?

The show society only occupies that land for one twenty-fifth of the year at the most, and probably a lot less than that. Why is the show society being given three representatives on the trust? What about the members of the public, the members of the various sporting bodies and other community bodies who use the land? Why is the show society being given more representation than those other bodies?

In addition, why is the show society, which is a very minor body in the overall picture, being given three members on the trust when the Brisbane City Council, which owns the land in fee simple—and that cannot be denied—is getting only the local alderman, who of course is subject to pressures from his or her constituents and the commercial interests in that community, and one other person? It just does not make any sense.

I believe very strongly that the member for Chatsworth was correct when he said that the Liberal Party will have total control of this trust. I am surprised that the member for Mansfield and the member for Mount Gravatt are satisfied with the imbalance that is being created and which is supported by the Minister.

Surely the Minister should examine the matter in a fair and open manner and ensure that the public are considered, because they use the land much more than the show society does and have a far greater interest in it. In general, the people in the show society who use the land do not come from Mount Gravatt. Those people come from my area, from Rochedale, from Beaudesert Shire and other places great distances from the showgrounds, whereas the members of the local sporting bodies and community bodies who do use the land, and will continue to use the land, live in the Mount Gravatt area. Surely those people should have a say at least equal to that of the show society.
Certainly, the council, as the owner of the land, the representative of the people of Brisbane and the body that will provide the finance for the upkeep for this block of land for ever more, should have greater representation.

I urge the Minister to examine the matter and to give fair consideration to what has been said.

Mr SHERRIN: I am very disappointed that the member for Salisbury has chosen to introduce politics into this matter. My colleague the member for Mount Gravatt and I have laboured long and hard—the member for Mount Gravatt three years longer than I have; since 1983—to try to remove politics from this matter. Up until that time it had fallen foul of the shoals of politics, with the ALP being primarily involved in drawing out the protracted negotiations since 1930, as I outlined before.

It is unfortunate that the honourable member for Salisbury should choose this occasion to introduce politics. I think that the honourable member needs to be taught a basic lesson as to why the membership of the trust has been drawn up as it has.

I reiterate the point made by my colleague the member for Mount Gravatt and me that the legislation as it stands now is the consequence of detailed negotiations between the Brisbane City Council, the Mount Gravatt show society, the member for Mount Gravatt, myself and other interested community groups. That has taken a long time. All parties are in agreement with the membership as it stands now.

With the community groups, the council and the show society in total agreement, why, oh why would the ALP want to move away from the consultative approach that has resulted in everybody being in agreement with the membership of the trust and try to introduce the hoary old question of politics? Why would the ALP want to introduce politics—Liberal, Labor and goodness knows what else—when all everyone is interested in is the formulation of legislation in the interest of all groups?

As to why the show society should have three members—the show society is the group that will have the infrastructure on the ground with its links with the community. I would expect that any development strategies and subsequent capital development of the showgrounds would be undertaken primarily by the show society as such. That is why it needs to have the voice of three members on the trust. I do not think that any other group would have the infrastructure on the ground to undertake that task.

Mr HENDerson: I support the honourable member for Mansfield. Although I do not want to delay the Committee, I point out that considerable negotiations have taken place. We are aware of the possibility of political interference in the matter. To be totally honest with the Committee, I point out that originally I proposed that there be two Brisbane City Council aldermen—one a Liberal alderman and one a Labor alderman. I backed down on that because I did not want to politicise the trust.

Mr Davis: Ah!

Mr HENDerson: I know that the honourable member for Brisbane Central giggles and laughs.

Mr Davis: Let's face it. You people are making the biggest blue ever because you are putting a Liberal on and in 18 months' time you will be regretting it.

Mr HENDerson: We do not operate like that. We want to keep the trust above party politics.

I know many of the people involved in the negotiations. They are most decent and honourable people indeed. I do not really know who the show society nominees will be, but I have a fair idea. Each of them has a multiplicity of activities in the Mount Gravatt area. It is totally incorrect to suggest that they are primarily involved with the show society; rather, they are involved with numerous community activities of one form or another. The Government is absolutely convinced that the trust will be neutral.

Mr Palaszczuk: Is Mrs Sherrin on it?
Mr HENDERSON: No. However, if Mrs Sherrin was a member of the trust, it
would be twice as good as it is going to be. The fact of the matter is that she is too
busy, anyway.

The trust will be excellent and it will be apolitical. The Government is convinced
that it will work in the interests of the people in the Mount Gravatt and Mansfield
areas. That is the primary consideration. I support the legislation.

Mr BEANLAND: I was saddened to hear the argument put forward today by the
Labor Party. That is the sort of argument that has gone on for the last 19 years. Because
of the petty squabbles by the Labor Party, it has taken a long time to reach the conclusion
that has been arrived at today.

I can assure the Committee that there is nothing cosy with the Liberal Party in
control of this matter at all; far from it, in fact. The people representing the community
certainly are members of the show society. Whether members of the trust are members
of the show society or not, they still represent the community because they are community
people. They are involved in a whole host of community activities.

Earlier I mentioned Mr John Coneybeer, who is Chairman of the Mount Gravatt
Community Centre Planning Committee. He is involved in a number of community
activities, as are other people who are likely to be involved in the trust.

One particular group will not be taking over the trust; a multiplicity of people and
organisations will be involved. As has been pointed out, the proposal has been arrived
at after a great deal of consultation.

The Brisbane City Council is quite happy with the arrangement for it to have the
proposed number of representatives. It does not want to put on the trust the dead hand
of bureaucracy or socialism that the Labor Party seems to want to put onto it. The
Liberal party is contented to allow community activity and for the community to provide
a great deal of input. After all, that it what public parkland and showgrounds are for—
they are for community activities, for community input and for the people to enjoy.
For many years, we have heard the rubbish and nonsense that we seem to be out to get
the council to override the members of the community so that they are not allowed to
become involved.

The Liberal Party, like the Brisbane City Council, is very happy to support the
proposal on membership that was put forward by the Government.

Mr CLAUSON: My view of the matter is in accord with that of the honourable
member for Mount Gravatt, the honourable member for Mansfield and the honourable
member for Toowong. I think that they said it all. I do not need to add anything further
to what they have already put forward.
Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 53

Abern
Alison
Austin
Beanland
Beard
Berghofer
Borbridge
Burreket
Chapman
Clauson
Cooper
Elliott
Fraser
Gately
Gibbs, I. J.
Gilmore
Glasson
Gunn
Gygar
Harper
Harvey
Henderson
Hinton
Hobbs
Innes
Katter
Knox
Lee

NOES, 27

Ardill
Lester
Lickiss
Lingard
Littleproud
McCauley
McKechnie
McPhie
Menzel
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Neal
Nelson
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Randell
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Schuntner
Sherlock
Sherrin
Simpson
Slack
Stoneman
Tenni
Veivers
White
Tellers:
Tellers:

Pair:

Resolved in the affirmative.

Clause 6, as read, agreed to.

Clause 7—

Mr ARDILL (5.18 p.m.): I want to make it quite clear that the Labor Party is supporting the appointment of the trust by the Minister. I want to make that quite clear so that members behind me cannot make false claims in the community.

Mr Beanland interjected.

Mr ARDILL: No, I did not. My record in Brisbane is that I have established more local parkland in the city than have all of the people who have gone before me, and certainly far more than will be produced in the near future by the present council.

I state very clearly that the Labor Party supports the trust. Its only dispute related to the preponderance of show society members on that trust in comparison with people from the rest of the community—the other bodies that will use that land. The Opposition has no objection to clause 7. I want to make that very clear so that there can be no misapprehension from members either behind me or representing that area. The stand taken by the Labor Party today related purely to the numbers constituting the trust, not to the trust itself.

Clause 7, as read, agreed to.

Clauses 8 to 27, schedules 1 to 3 and preamble, as read, agreed to.

Third Reading

Bill, on motion of Mr Clauson, by leave, read a third time.
STATUTORY BODIES FINANCIAL ARRANGEMENTS ACT AMENDMENT BILL

Second Reading; Incorporation of Explanatory Notes

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (5.22 p.m.): Earlier today, when I introduced the Statutory Bodies Financial Arrangements Act Amendment Bill, I omitted to seek leave of the House to have the explanatory notes accompanying my second-reading speech incorporated in Hansard. I seek leave forthwith.

Leave granted.

MAJOR PROVISIONS OF THE STATUTORY BODIES FINANCIAL ARRANGEMENTS ACT AMENDMENT ACT

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<th>Provision</th>
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<td>Amendment of s. 3. Interpretation. Amends the “interpretation” provision to coincide with those used in the Queensland Treasury Corporation Bill. In particular, “Treasurer” is defined to include a Minister Assisting the Treasurer if so authorised. Provides also for:— • a definition of the Queensland Treasury Corporation; • expands the definition of financial arrangement consistent with the Queensland Treasury Corporation Bill by including— (m) bills of exchange; (n) formation of a business; (o) underwriting of shares.</td>
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<td>7</td>
<td>Provides for The Queensland Government Development Authority which is constituted under this Act to be preserved and continued as the Queensland Treasury Corporation but subject to the provisions of the Queensland Treasury Corporation Act.</td>
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<td>8</td>
<td>Repeal of ss. 5 to 13. This removes all provisions relating to The Queensland Government Development Authority which will be reconstituted as the Queensland Treasury Corporation under the Queensland Treasury Corporation Act.</td>
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<td>9</td>
<td>Amendment of s. 16. Treasurer's guarantee. The insertion of further provisions to make it clear that the Treasurer, in giving a guarantee, has the power to do all things incidental to giving a guarantee including the waiving of immunity to legal proceedings (if any) he may have.</td>
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<td>Amendment of s. 20. Recovery of money paid under guarantee. These are drafting changes to exclude the Queensland Treasury Corporation from this Act.</td>
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<td>11</td>
<td>Amendment of s. 22. Power to enter into financial arrangements. Provides for statutory bodies to be able to enter into financial arrangements with the Queensland Treasury Corporation.</td>
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<td>12</td>
<td>Amendment of s. 25. Debentures, bonds and stock. Legal drafting to ensure that the common law interpretation of “debenture” does not apply to debentures issued under this Act.</td>
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<td>14</td>
<td>Amendment of s. 40. Remedies. This prevents statutory bodies to which this Part applies and who also represent the Crown from being placed into receivership by investors. Investors in such bodies are covered by the Crown Proceedings Act.</td>
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Mr MILLINER (Everton) (5.23 p.m.): At the outset, the Opposition welcomes the introduction of this legislation. There is no doubt that this legislation is very important because of the effects that the travelling public have suffered.

Mr Austin: You have done plenty of that, too.

Mr MILLINER: I have done plenty of that. In common with the Minister, I am a good traveller. Unfortunately, unlike the Minister, I do not get to go overseas as often.

Mr Austin: I am going tomorrow night.

Mr MILLINER: Where is the Minister off to this time?

Mr Austin: I will be away for two days.

Mr MILLINER: The Minister is Queensland’s Marco Polo; that is all I can say.

My parliamentary colleagues the honourable member for Sandgate and the honourable member for Chatsworth have long advocated the introduction of legislation to control travel agents. As I said, it is no doubt desirable to protect the consumers. All too often, press reports are published about travel companies that have collapsed, leaving travellers stranded. Many tourists have been stranded in foreign countries and have been faced with the prospect of making their own way back to Australia. From that point of view, the Opposition welcomes the protection that will be given to the consumer.

As I understand it, legislation of this type operates Australia-wide. Travel agents throughout Australia operate under Government regulations, which is a desirable aspect of the tourist industry’s activities. The tourist industry is a growth industry and will no doubt be confronted by many problems. It is therefore desirable that consumers are protected at all times.

The Opposition wishes to query a number of provisions contained in the Bill. The appeal process for travel agents who have been denied a licence provides a couple of avenues of appeal. The first avenue of appeal is to lodge an application with the Minister. If the Minister does not choose to hear that appeal, however, the travel agent may lodge an appeal to be determined by a judge. The Opposition queries the wisdom of that provision and believes that an appeal should be made to a totally independent body; in other words, the appeal should be made directly to a judge. The Minister should not be responsible for hearing an appeal that has been lodged by a travel agent who had applied for a licence but was denied.

The Opposition welcomes the establishment of the compensation fund because those persons who have been disadvantaged by the collapse of a travel agency will receive the compensation that is due to them. The only query the Opposition has relates to the situation in which persons will only be compensated up to the amount of money in the fund. That causes some concern, because if there is a run on the fund, persons who are claiming against the fund may not receive adequate compensation for the amount of money that they have lost because of the collapse of a travel agency.

I was interested to see a sunset clause in the Bill. The Opposition supports sunset clauses as a general concept. It is interesting to note that sunset clauses—and I have been checking legislation as it has been coming through—do not appear in any of the other pieces of legislation that have been introduced recently. I am a little concerned about the sunset clause because it indicates that the Bill will terminate in 1995. If the provisions of the Bill are no longer required, the Government can always introduce legislation to terminate the Bill. The situation is that, if no further action is taken, this piece of legislation will actually terminate on 1 July 1995 and cease to be of force and
effect. Under normal circumstances if the Government wishes to repeal legislation, it has to introduce further legislation to do so.

One of the clauses in this Bill indicates that the operation of the Act will be under review. I hope that all pieces of legislation are constantly under review by all Ministers and the departments who are responsible for administering those Acts. The Government introduces legislation because it wants the legislation to work, and in order for this to happen the legislation has to be constantly reviewed.

The Opposition supports the legislation.

Mrs NELSON (Aspley) (5.28 p.m.): It gives me great pleasure to join in this debate and support this legislation.

For many years there has been a great deal of discussion, working group activity and negotiation, involving both the Commonwealth and various State Governments and representatives of the travel industry, to try to resolve the issue of whether legislation should be enacted to provide for the regulation and licensing of travel agents in Australia and their participation in a compensation fund to provide protection of the financial rights of consumers. Early in 1985 draft legislation was prepared to achieve these aims and both Commonwealth and State Governments were involved. However, in May 1985, at a special meeting of the standing committee of Ministers for Consumer Affairs in Sydney the Commonwealth announced its withdrawal from that proposal. As a consequence, the various States and Territories, including Queensland, decided that they would give consideration to the introduction of legislation on an individual basis. Subsequently legislation has come into force in New South Wales, Victoria, Western Australia, South Australia and Tasmania. The Northern Territory and the ACT are expected to enact similar legislation in the early part of this year, and Queensland is coming on line with the rest of Australia.

After people have bought their first home and perhaps a motor vehicle, the third most significant expense in the life of many Australians is a major travel expense that occurs often in the middle to latter years of their lives. There have been very sad stories on the radio and on television of people who have paid $20,000, $30,000 or $40,000 up front to go on that once in a life-time trip having all their dreams and hopes dashed because of the collapse of a travel agency or the incompetent or corrupt behaviour of a travel agent. The vast majority of travel agents in Australia are very competent. They work very well and they protect their consumers as far as possible. This legislation takes one step further towards ensuring that the rights of consumers are protected.

I am very, very pleased with this legislation and I support the Queensland Government, and the Minister in particular, for the very careful way in which the legislation has been prepared. The Bill provides for the protection of consumers’ financial rights through the participation by Queensland travel agents in a national travel compensation scheme. All travel agents will have to pay a one-off premium to participate in the scheme. That one-off premium will provide cover for all of their customers.

The Bill also provides protection for the industry and, in particular, its smaller business members who would undoubtedly suffer from an efflux of business to the southern States if accessibility to the travel compensation fund was not made available to Queensland. There is absolutely no doubt that that would have happened.

The development of higher standards of professionalism within the industry is also to be applauded. The legislation is a move towards that. I pay a tribute to the Minister’s staff and to the Commissioner for Consumer Affairs, who have done an excellent job in trying to balance the rights of existing businesses, the rights of people who are presently buying or have recently bought into the industry and the rights of people to have a professional standard of service provided in the future. I do not think there is any doubt that, if the tourist industry in Australia is to continue to be the highest growth industry in the south Pacific and if Australia is to continue to dominate tourism-marketing and the tourism industry in the south Pacific, this part of the industry has to be highly
professional and respected and people have to be able to enjoy the protection of their investment.

The Bill also strengthens the financial capacity of the industry. That will occur because agents who do not have an honest record will not be able to be licensed. The legislation to license travel agents in Queensland will actually be administered by the Commissioner for Consumer Affairs under the control and direction of the Minister for Employment, Training and Industrial Affairs. The Government's requirements in respect of this legislation are as follows: any person or company involved in the business of selling rights to travel or travel and accommodation shall hold a travel agent's licence. This, of course, does not include travel in privately owned vehicles, accommodation in privately owned premises or anyone selling or arranging day trips, excursions, sightseeing, etc.

The legislation contains some specific exemptions. These are employees of travel agents, the Crown and anyone whose business is restricted to arranging domestic travel and whose annual turn-over does not exceed $30,000. That is a fairly important move because new small businesses have to be encouraged. In fact, it does not take very many tickets to get to a turn-over of $30,000. In my view if the turn-over of a business does not get to $30,000 within three months of the commencement of operations, really the business will not succeed in the long term. This part of the Bill also provides for those people in smaller provincial cities and country towns where a newsagent or the owner of a garage provides a very small consumer service. Usually they provide bus tickets for local residents, so the turn-over is not likely to exceed $30,000 per annum.

Another provision is that no particular educational qualifications are needed to hold a licence. The main requirement is that applicants be fit and proper persons. Their recent histories in business will be examined when they apply for a licence. However, qualifications are certainly needed to manage a travel agency. These will be in four categories. The first is for travel agents selling international air travel; the second for travel agents selling international travel other than air travel, for example, ocean cruises; the third for travel agents selling domestic air travel; and the fourth for travel agents selling domestic travel other than air travel, for example, bus travel.

The Bill is a solid piece of legislation which is worthy of the support of the House. I am delighted to have joined in the debate this afternoon. I certainly urge all members of the House to give this Bill their strong support.

Mr GYGAR (Stafford) (5.35 p.m.): The Liberal Party opposes the Bill. We think that the justifications that have been offered for the Bill are simply not sufficient to warrant the legislative measures that the Government has brought in. The justifications sound well, and any reasonable person would find a considerable amount of appeal in them. We have been told that people spend their life-savings on travel arrangements and that sometimes they lose their money; that the less advantaged people are taken down by sharks or by the incompetent in the travel industry and they deserve the protection of Government. If that argument is carried forward to its logical conclusion, we can expect to see in this House legislation to register and to have a fidelity fund for house-painters. I have heard far more stories about house-painters who have robbed little old ladies, the real disadvantaged and unskilled in our community, by offhand and shoddy workmanship. I would think that we must look forward to seeing legislation that will deal with people involved in the cladding of houses. Rarely a week goes past without a pensioner or other disadvantaged or socially unskilled person being taken down for all of his life-savings by some shyster selling house-cladding. Will we see that legislation? If not, why not? That is the justification that is offered for this Bill.

I suggest that the persons who are buying overseas travel arrangements will be more socially skilled, more mature and more sophisticated than most of the people who have been taken down by shysters in the house-cladding business or by painters who are using watered-down water paints instead of the three coats of enamel that they are supposed to be using.
Mr Hinton: The industry itself wants the Bill.

Mr GYGAR: The honourable member interjects that the industry wants the Bill. That must be the weakest justification for any argument that is put forward. I would have thought that the Government would be more interested in the consumers, because they are all that Government members have been talking about. Government members have been saying that the Bill is there to look after the consumers. However, now we find another justification emerging: the industry wants it, therefore we have to have it. I suggest that that is no justification at all.

I refer the honourable member to a paper that was put out by one of the think-tanks down south about industry regulation. It contained a warning. It said that, whenever industries come searching for regulations, the consumers should start ducking. I do not necessarily endorse that sentiment in this case. However, the argument that, because an industry wants to be regulated, it should be, is perhaps the most pathetic of them all. The role of the Government is to look to the rights and the protection of the consumer. The history of industry regulation has shown us often enough that the interests of the industry very rarely coincide with the interests of the consumer.

Mr Stephan: Are you saying that the consumers are not affected by the insurance?

Mr GYGAR: If the honourable member will listen—and he has listened with logic, which is more than his caterwauling comrades have—I am saying that the Government, having arrived at a conclusion that there is some necessity to look to a method of protection of the consumer, then faces the classic dilemma of free-enterprise Governments. Regrettably, in this case it has failed the test, because a Government must make the choice of one of two paths. It must look to certification or to regulation. The free-enterprise course is to certification, which is sometimes called industry self-regulation. However, here the Government has, regrettably, chosen the socialist course, which is regulation. Yet the course of certification can give just as much protection to the consumer as Government regulation does, and almost always does so far more cheaply to the consumer and in a far more flexible way. In that case, the industry remains free to be entered and left by persons who want to set themselves up in the trade or to leave the trade, and it never leads to a closed shop. Wherever there is regulation, there is always the danger of the closed-shop mentality—"We're in, you're out, and that's the way it's going to stay."

Mr Hinton: Read the Bill.

Mr GYGAR: The honourable member asked me to read the Bill. I have. I can only suggest that, perhaps from his rather uninformed comments thus far, he has not.

I ask the Government: why not certification? Would it not achieve exactly the same objectives?

I will not go into the nonsense that we have heard about all of the travel-consumers flocking south of the border because they cannot get into the national compensation scheme. There should be no hindrance placed by Government in the way of co-operative groups of travel agents or any other merchants who want to set up within their industry their own certification scheme and their own in-house fiduciary guarantee scheme.

The Liberal Party suggests that that is what should happen in regard to travel agents and the travel industry. If travel industry operators truly want to protect consumers—and I have no doubt that most of them do—why then is there not a certification scheme so that they can join one, two or even three industry associations and co-operatively set up a system of in-house insurance? It has been done before. It will undoubtedly be done again.

If any legislative detriments exist that would stop travel agents from doing that, then the role of the Government is to remove those obstacles so that people who want to group together in any industry, such as the REIQ and similar groups, can do so and can say, "We are ethical traders. We will put a stamp on the front of our buildings like
the Motor Trades Association does. You can trust us because we will certify our members. We will guarantee you in-house that you will be protected.” That is the free-enterprise method of doing it. It is called certification—industry self-regulation.

What honourable members are presented with today is Government regulation—the socialist solution, the solution that always costs more, that remains inflexible and allows Government to again start calling the shots in an area in which free enterprise should be allowed to reign supreme within the limits of ensuring that people operate under the Trade Practices Act and similar fair dealing legislation.

The Liberal Party opposes the legislation because there is no need for it; because it offers nothing to travellers that a co-operative certification system would not provide; and because it contains some other aspects with which members of the Liberal Party are not very happy at all. I will come to those shortly.

Undoubtedly, speakers in support of this Bill will say that people need a guarantee. If they need a guarantee, this instant, they can get it. All they have to do is deal with a bank travel agent because those agents are guaranteed by the banks that support them. If people want to take risks and go around the corner to Harry’s Travel Service—

Mr Innes: Or the Queensland Tourist and Travel Corporation.

Mr GYGAR: The honourable member for Sherwood makes the point that the QTTC is available if people want a guarantee. Are any honourable members on the other side of the Chamber going to tell me that a person who buys a ticket from the QTTC places himself at risk of being gazumped or stranded overseas? If they would honestly make that suggestion, I think it is time to call in the Auditor-General.

People can get a guarantee today if they want it, but they choose not to. Why? Because the trader around the corner will give them a 15 per cent discount or Travel Bargains Incorporated will get them to Europe cheaper than any other agency.

Mr Innes: Now you are talking about the terrible market-place.

Mr GYGAR: The honourable member for Sherwood makes the point that that is called the market-place. A person who pays less takes a greater risk.

Unfortunately, there is a feeling in the community at present that in all areas of human endeavour people can take the risk if they choose to, but if the risk comes home to them somehow the Government ought to do something about it. It is the perennial cry of “The Government ought to do something about it.”

What does anyone with an ounce of common sense think he is giving up if the bank travel agent offers him a fare to London at $2,400 and Harry’s Travel Service says, “We can get you there for $1,600.”? What is the difference? Why the lower price? The lower price is for a lesser service. If consumers want a lesser service, which involves a greater risk, they ought to be able to obtain it. If consumers decide that they want to take that risk, then why should they not be able to do so?

What consumers have a right to demand is that they be acquainted with the risks they take. That is what certification is about. A person can freely choose to deal with a certified agent, who has entered into a system of insurance and guarantees, for which he will pay a premium of $100, $200 or whatever it is that the market decides—it is not the Government, not the Minister, but the market that decides—or he can choose to carry that risk himself and get a cheaper fare.

It is called free enterprise. It is a principle that the Queensland Government at least states that it is committed to and occasionally, but not on this occasion, demonstrates. This legislation flies in the face of all of the principles of free enterprise that the Queensland Government espouses from the roof-tops.

Mr Hinton: You are on the side of the sharks and the shonkies.

Mr GYGAR: The honourable member says that I am on the side of the sharks and the shonkies. I ask the Minister: is he on the side of the sharks and the shonkies too?
If he is not, where is Queensland’s home-cladding salesmen registration and insurance scheme legislation? Where is Queensland’s house-painters registration and insurance scheme legislation?

Every week those salesmen and painters are ripping off more little old ladies, pensioners, unskilled and unsophisticated members of the community than travel agents rip off in a year. It does not make sense to allow that to continue. However, honourable members have been told by the honourable member for BroadSound that the Government has introduced the legislation because the industry wants it. It is a philosophical argument of free enterprise versus socialism. The Liberal Party will vote on the side of free enterprise. Others in this Chamber may vote on the side of socialism if they so choose, and they will be given an opportunity to do so later.

Other aspects of the Bill should give anybody cause for concern. Mr Deputy Speaker, in deference to you I will not refer to individual clauses, but I shall refer to the scheme of arrangement that is entered into pursuant to Division 3, which refers to appeals. The appellate structure in the Bill beggars the imagination. I invite the Minister to give honourable members a logical explanation for its inclusion in the Bill.

The appeals system states that if a would-be travel agent is refused registration, he can appeal to the Minister. The Minister then has two choices.

Mr Innes: This is the National Party protection of favouritism.

Mr Gygar: The honourable member for Sherwood is far too cynical.

As honourable members in this House are aware, I am not a cynic, especially when I see rorts, such as the one to which I have referred, introduced in legislation. The Bill provides for a system whereby a person can appeal to the Minister. What does the Minister do? The Minister can then either allow the appeal or decide not to deal with it. He can make any determination he likes about the appellant and the results of the appeal.

An enormous scheme is being set up. The Government is saying, “You have to do this and that and all these other things, otherwise you cannot be registered.” If a person’s application is knocked back, he should go to the Minister, because the Minister can register him, anyway. He can deal with the matter as he thinks fit. As I said, I am not a cynic. If I was, I would be talking about the green and gold card to victory in this State.

Mr Innes: Now tell us what happens if you are not a member of the National Party.

Mr Gygar: The honourable gentleman again displays his cynicism.

If a person is not a member of the National Party or otherwise does not have some handle on the Minister who has been persuaded to overturn the tribunal that has been set up with tests and standards for travel agents, the Minister can determine not to deal with the matter, throw it out and let somebody else deal with it. Why is that power in the Bill?

Mr Schuntner: Is it for cronyism?

Mr Gygar: The honourable member asks, “Is it for cronyism?” Any reasonable citizen must ask: if it is not there so that the Minister can look after his mates, why is it there?

A set of criteria have been set up. The Government has said, “If you meet the criteria, you will be registered. If you don’t, you can appeal.” Eventually, if the Minister decides not to deal with the matter, the person will get to a court. Why is the Minister in there in the middle? A reasonably well-regulated system suggests that the criteria are
set up and then one has a system of appeal that is open, free and objective. That is the second chance or the safety valve that in the past members on this side of the Chamber and I have often had to go to war to achieve. Perhaps we were too persuasive and have persuaded the Government to change its previous attitude of not having appeals.

The appeal process involves two and a-half steps. It is not the normal, open and objective review that most legislation calls for, but a little side-track into the Minister's bottom drawer. At his sole and total discretion, the Minister may make any determination in relation to an appeal that could have been made by the commission. In other words, the Minister can either refuse to grant a licence, grant a licence or grant a licence with conditions.

I am trying to be charitable, but for the life of me I cannot see any reason why this Government would want to include that particular provision in this legislation if it did not intend to pull some shonky tricks for its mates. If people deserve a licence, they should be given one. If an initial determination is incorrect, it should be handled properly by an open, structured appellate system.

Mr Innes interjected.

Mr GYGAR: Once again, the honourable member is displaying his cynicism. As I have said, I am trying to be objective.

In all honesty I cannot understand why this novel, unique and hitherto unheard-of provision of ministerial discretion has been included in the legislation and will be included in other legislation. For a start, the rights and privileges of citizens must be protected by open and objective tests that are included in legislation or regulations. Those tests should then be appealable within open, objective, appellate structures. I see no justification, other than for sinister motives, for the inclusion in this legislation of that ministerial side-road which will look after people who would otherwise fail those tests. Even if the Bill was well founded, and was not just another unsuitable socialist mechanism that shames this Government, for that reason alone any honourable member who believes in the rule of law would oppose it.

I look forward with interest to the Minister's explanation as to why that unique and hitherto unheard-of mechanism that will by-pass the normal judicial system of grant or refusal followed by appeal has been included in this Bill. It has no justification. It is a shameful measure. I believe that the Minister is an honourable man, and he should withdraw it.

Mr HENDERSON (Mount Gravatt) (5.53 p.m.): I have very considerable pleasure in supporting the introduction of this legislation. It is very pleasing to note that, in the future, financial protection will be available to Queenslanders who deal with travel agents.

All honourable members would be aware that, in the past, travel agents' failures have caused consumers to lose countless thousands of dollars, usually with little chance of recovering their money.

Because obvious alternatives to protect consumers' investments, such as insurance, have been thoroughly investigated and are now in existence, participation in the National Travel Compensation Fund appears to be the best way of providing a level of protection that will ensure that consumers will be covered in the future.

Mr Innes: How much does that amount to in the last 12 months in Queensland?

Mr HENDERSON: I am not certain. I am sure that the Minister will supply that information to the honourable member.

This legislation will benefit the travel industry in this State and enhance the business standing of many travel agents. The travel industry in Queensland has been under a real threat of losing business to southern States which currently participate in the travel
compensation scheme. That is the point that was completely missed by the honourable member for Stafford. It is already occurring on the Gold Coast.

Agents who operate in the northern part of New South Wales are able to advertise the form of protection that they have available. Naturally, they attract business from across the border. The honourable member for Currimin is well aware of the difficulties in that regard. I am pleased to report that this Bill will have a very positive impact on his electorate in particular.

It is vitally important that this Government takes the step of introducing this legislation in order to preserve an industry that is rapidly growing in importance and is very important indeed to Queensland's economy.

A second benefit that will flow to the travel industry will be the increase in public confidence that will be achieved by the introduction of licensing regulations.

The legislation establishes standards of qualifications and experience which must be attained by people entering the industry, as well as standards to be met in terms of conducting a business.

It is obviously not the Government's intention to put out of business people who are already in the travel industry. Provision has been made for people who do not currently meet the mandatory requirements to apply for a licence on the basis of other qualifications or successful business experience in other areas. However, this legislation will assist in ensuring that a high level of professionalism is established and maintained within the industry. This professionalism can be reflected only by an increase in public confidence and support for the industry, which in turn must be measured in dollars.

I believe that this will be a very effective piece of legislation. It represents an acknowledgement by the Government of Queensland that it has a responsibility to protect the interests of both travel agents and consumers. I totally support the Bill.

Mr GATELY (Currimin) (5.56 p.m.): It gives me a great deal of pleasure to take part in this debate this evening. The Bill before us will do nothing but afford great insurance to the people who take the trouble to become registered travel agents. The people who arrange their travel through these travel agencies at a later date will be afforded the greatest opportunity to be sure when they place their order for travel commitments that they are not likely to be disadvantaged through any cause by an agent's not performing his duties in the manner that one would expect.

There is no doubt that the travel industry in Queensland is under a real threat from travel agents in other States. Travel agents in this State are not granted the opportunity to become members of the National Travel Compensation Fund unless legislation such as this is introduced.

As we are all aware, over the years a number of travel agencies throughout Australia have gone into liquidation. A short while ago, by way of interjection the member for Sherwood asked one of my colleagues how much it has cost in the last 12 months and who has been disadvantaged. With all due respect, I might suggest to both the member for Sherwood and the member for Stafford that had they been part of the group of people right throughout Australia who were stranded as a result of the failure of the VIP bus company, quite frankly they would probably have a far greater understanding of the matter and would not be speaking the nit-picking tripe that we have just listened to from both of them.

By opposing this legislation, the Liberal Party is in effect saying that it does not care about Mr and Mrs Average Australian and their kids in such circumstances. Let me just remind those honourable members that if they had been standing on the side of the road in Sydney or Melbourne, or one of the back blocks in the country areas between those two major cities, I am sure that they would have a different point of view today, particularly if their wife and kids had been left stuck down there and had to make a phone call of distress saying "Goodness, I have been left on the side of the road. I should have been on the bus on my way by now. I have just found, five hours
later, that the bus is not coming, and I am out of money, dear. Are you going to come and pick me up? How am I going to get back home?"

I am sure that if that happened to the members of the Liberal Party they would have a different point of view. But then again they cannot really be expected to be humane, can they, because they are too damned busy trying to jump on the bandwagon of kicking the National Party. We in the National Party are big enough and strong enough to look after ourselves. If members of the Liberal Party kick, they need to remember that we have the capacity to give them a kick back. I suggest that in future they start to be constructive rather than destructive.

Travel is now becoming a very expensive commodity, regardless of whether it is within Australia or overseas, and travelling consumers are becoming more aware of the need to have some protection against the loss of the money that they have to pay.

Sitting suspended from 6 to 7.30 p.m.

Mr GATELY: Before the dinner recess, I had made reference to travellers who had to pay in advance for trips and to the difficulties caused for people who have been stranded in a foreign country because overseas agents of travel companies refused to honour travel arrangements that had been made in good faith in Australia or in other countries. It is not surprising that travel agents in New South Wales, who have had the benefit of belonging to the national travel compensation fund for the past 18 months or so, have been taking advantage of being able to provide protection to Queenslanders who live just across the border and come from my electorate. Although protection is not available for Queenslanders yet, it will be put in place as a result of this legislation.

Many travel agents in Queensland areas or in areas adjacent to the New South Wales border have been severely disadvantaged because people—even from my electorate—have been able to enjoy the protection that has been afforded by travel agents across the border. It is not surprising that they slip across the border to get travel arrangements made, because they know they can rely on protection if ever the need arises. I have been able to observe this problem at first hand in my electorate. The VIP bus company debacle was an incident that comes to mind.

As all honourable members would be aware, the travel and tourism industry is an extremely important part of Queensland's economy. It is particularly important in the electorate of Currimb and in other areas of the Gold Coast. In Surfers Paradise and Southport, a great deal of money has been spent, both privately and by the Government, on major projects and facilities to enhance these industries within this State. It is therefore important that an infrastructure be established to protect this industry from the erosion of business that will ultimately take place if protection that is provided in all other States is not available in Queensland.

Membership of the travel compensation fund is contingent upon a person's being licensed to conduct the business of a travel agent. I believe that the licensing provisions contained in this legislation are necessary so that the industry in Queensland maintains the same standards as are applicable in other States. If that were the case, consumers could be assured that agents in this State were also acceptable to the compensation scheme.

The changes brought about by this legislation are welcomed by the industry generally. They will streamline businesses that, until now, have been open to virtually anyone who wanted to set up a business as a travel agent. However, that measure will not preclude people from participating in the industry either on the basis that they have been involved as an employee of a travel agent or because they have a good business record in another field. All honourable members would know that these matters have caused problems in the past. As I said earlier, although anyone will be able to commence business in a travel agency, he will first have to meet requirements in relation to qualification and financial viability that are laid down in the legislation.

Previously I spoke about infrastructure for tourism and the amount of money that has been injected into Queensland's economy, particularly in the Gold Coast region.
wish to take some time to expand on those matters. The tourism and travel industry has been responsible for a rather hefty injection of funds. I take up some of the matters raised by the honourable member for Rockhampton, Mr Braddy, who seemed hell-bent on kicking this Government in the ribs.

Recently, he criticised the vast amount of overseas investment that has taken place in Australia, particularly in Queensland. I remind the honourable member that overseas investment has helped to keep the tourism industry in Australia and in Queensland operative and viable. I also point out to him that travel and tourism are the means by which the many people who visit different regions come to appreciate the value of a particular area. They may consequently decide to buy property with retirement in mind, and may ultimately return to live in one of the areas. Alternatively, people who visit an area may decide to adopt a new life-style altogether.

The types of development I am talking about are the Gold Coast International Hotel, the Ramada Hotel, the Holiday Inn Hotel and Conrad's Jupiters Casino complex. Those establishments alone employ 2228 permanent employees and 925 casual or semi-permanent casual employees. The total wages bill amounts to in excess of $1,010,000. I do not think that anyone needs to be a mathematical genius to understand the value of that kind of an injection of funds. If the millions of dollars that were initially invested in building and construction are taken into account, this will have a multiplier effect and will enhance the ability of business throughout the area to continue to provide employment for local people.

It does not stop there. When one looks at the actual amounts of money which are being injected into the building of these complexes, one sees that in north Queensland approximately $650m worth of developments have either been completed or are in the final stages of completion. On the Gold Coast the figure is $1.33 billion. If that kind of money had not been expended in those areas, where would Queensland's infrastructure be and how many more people would be on the unemployment list? There would be horrific unemployment figures. The figures are bad enough, with high rates of taxation and interest rates being forced up by the Commonwealth Government's manipulation of the Commonwealth bond rate. It was the Commonwealth Government's expressed intent that the rates would be kept high so that Mr Hayden and his friends—as they put it some years back—would be able to soak up the excess liquidity. I am sure that the Commonwealth Government is starting to realise the folly of its ways when it sees its friends in New South Wales falling by the wayside. This will also happen to Mr Cain in Victoria, with the help of the gun laws that he is adamant that he must introduce.

The number of five-star hotel rooms for tourists on the Gold Coast exceeds 2500. These rooms are ready for Expo visitors. To the people who indicate that this Government is not doing enough for tourism and travel, I say, "Just have a look at the facts. Don't let's have all the nonsense." I support the Bill before the House.

Mr BURNS (Lytton—Deputy Leader of the Opposition) (7.37 p.m.): I am pleased to support this Bill. For some time I have been concerned about the plight of the consumer; the person who spends his money at a travel agency. From time to time travel agents go broke or their businesses are badly managed and ordinary people are ripped off.

When one talks about licensing, one can also talk about the rights of the travel agent: but I am more concerned about the rights of the people who buy their tickets from a travel agent, the people who travel. There are more people who will be adversely affected by travel agents than there are travel agents who will be affected by such legislation. The legislation is long overdue, and I am pleased to see that Queensland will be able to join the protection scheme that operates under the National Travel Compensation Fund in other States.

I wish to speak briefly about a couple of points made by the Minister in his second-reading speech. He stated—

"Firstly, it is important that the financial rights of consumers who deal with travel agents are protected. These are the people who suffer the losses when an agency collapses or when mismanagement occurs."
It is not only when agencies collapse that people get into trouble. The Minister went on to say—

“Compensation by the fund will be extended to those people who have suffered loss because of the failure of a travel agent to carry out his contractual obligations properly.”

The Minister mentioned travel agents’ contractual obligations. I ask: what contractual obligations is he talking about? The sad fact is that travel agents and airline companies have precious little obligation at all.

A constituent of mine brought me a copy of a booking that he made. I will not mention the travel company because it is fairly reputable. The company made him pay a $300 reservation fee, and the booking form states—

“Your particular attention is drawn to the TERMS AND CONDITIONS overleaf and the GENERAL INFORMATION given in the appropriate brochure. You should read both carefully as the information contained in that brochure may change from time to time, particularly with respect to prices, itineraries, duration of holidays, standard of services, tour content, all fares, flight schedules and other pertinent data.”

In other words, every single thing that the company told him can change. He was going to pay more than $3,000 for a tour that leaves on 28 May this year. He bought his ticket at Christmas. He was told to keep in contact. In fact, on the booking form the company has a clause, which states—

“I understand and accept that changes occur and that variations may apply to the arrangements I have purchased. I will keep in touch with my travel agent in this regard.”

Underneath that clause is a space for an authorised signature. He has to sign it and keep in contact with the travel agent.

The trip is supposed to depart on 28 May, but currently, because the travel agent is waiting to find out if enough tickets have been sold, he cannot tell him whether or not he is going. The traveller does not know what to do. He does not know whether to try to book something else or to stay with the arrangements with that travel company. The travel agent says to him, “Look, you have signed the form, mate. You have signed a contract with us.” The sad fact is that the travel agent has precious little obligation to the client. Once the agent has the money in his hand, he wipes the client off the list.

When the terms and conditions that apply to a contract between a travel agent and a consumer are read, it is plain what a one-way street that contract is. Clause 2 states—

“The operator shall not be liable for any injury, damage, loss, accident, delay or irregularity, additional expense or liability occasioned to any person or property howsoever caused or arising including, but without limiting the generality of the foregoing, whether due to the act, neglect, default or otherwise of its servants or agents or resulting directly or indirectly from acts of God, dangers incident to the air, land or sea, fire, breakdown in machinery or equipment, acts of de jure or de facto governments or authorities, wars whether declared or otherwise, riots, strikes, insurrections, theft, pilferage, epidemics, quarantine, medical, custom or other regulations, delays and cancellations of or changes in itinerary or schedules or over booking, improper or insufficient passport, visa or other travel documents or by any act, neglect, default or otherwise of service providers, their servants or agents or any other person on the tour.”

There are 17 of those clauses on the back of the ticket. The first clause states that the operator of the travel agency is not liable for any loss, damage, delay, etc., even if caused by its negligence or default. In other words, if the travel agent’s receptionist skips off to Switzerland with a customer’s ticket, he can forget about any compensation or suing the agent. He has just done his money. Why is this clause in the contract? Such clauses rob consumers of their ordinary, lawful protection and bring the entire industry into disrepute. The old-fashioned notion of freedom of contract is ludicrously inadequate.
in this day and age when consumers are not free to dictate anything. They can like it or lump it.

My friend said, "I don't want to sign that." He was told that, if he did not, he would have no chance of going on the tour. He was told that he had to sign. In other words, he had to sign away his rights. It is ridiculous to pretend that legal counsel can be engaged to check out the terms and conditions, which are then varied by negotiation to suit both parties. That is farcical. Today consumers can only demand that their Governments legislate to protect them from this sort of rogue behaviour by corporate service-providers.

Clause 3, which covers the increase of price without notice, is a rort. It states—

"The tour member acknowledges that the prices quoted for the tour in this brochure or any supplement thereto or the brochure to which these terms and conditions relate are based on arrangements with the service providers and on exchange rates, taxes and surcharges current at the date of publication. Such prices are subject to increase without notice. Notwithstanding that the reservation fee or complete payment may have been made, the tour member shall be liable for and hereby agrees to pay any increase in price applying at the date of the utilisation of any service provided by any service provider."

Travel agents are not taking any gamble whatsoever, but they have the customer's money. Agents put the money in the bank and say that they are entitled to earn the interest on the money. In some cases travel agents hold the money for six months. In the case I have been speaking about, the money has been held from December last year and the person will not get on the plane until 28 May.

Mr Vaughan: If he gets on the plane.

Mr BURNS: Yes, that is if he gets on the plane.

I have been reading from the terms and conditions. The customer has to pay in advance. The travel agent gets the money and the customer gets nothing. There is no guarantee that the customer will not be hit for a further slug if prices go up. There is no guarantee that, if anything happened and prices went down, the customer would be told. I bet that has never happened. What about travellers who operate on a tight budget? They ought to be able to choose a tour that fits their budgets, pay in advance and be confident that the trip is within their means. Clause 3 denies them that right. Clauses 4 and 5 of those terms and conditions relate to the standard of service one can expect when one chooses a holiday from a high-gloss holiday brochure. Travel agents will accept no responsibility for errors in brochures. The customer is shown a brochure and the person working at the counter says, "This is a five-star hotel on the banks of the Nile", but when the traveller gets there it is an Egyptian tent with a sand floor and a tin can out on the banks of the Nile that water is pumped into it by a yak harnessed to some mechanism. Travel agents say that they accept no responsibility for that. Travellers are even made to sign a document that says that travel agents accept no responsibility for any changes.

Mr Milliner: It might be a camel in that part of the world.

Mr BURNS: Yes, a camel could be thrown in in that package. This is supposed to be a five-star holiday. It makes one wonder what a one-star holiday would be.

Although a travel agent's brochure may indicate that accommodation is five-star silver service, travellers can still be left high and dry when they arrive to find that they are booked into a horse stable. Because the travel agent's back is covered by this outrageous contract, they cannot sue. It is a licence to lie.

Under clause 7, the travel agent reserves the right to cancel a tour half-way through, leave a traveller stranded in Botswana or somewhere else, not pay his money back nor
pay for his additional expenses incurred because of that. The traveller is told that. The agent says, “You sign that.” Clause 7 provides—

“The operator reserves the right to cancel, abandon, alter, amend or modify any of the arrangements contained in the tour or any part thereof in any manner whatsoever and at any time before or during the course of the tour or to abandon the tour should insufficient numbers book and to refuse or terminate membership of the whole or any part of the tour to any person without giving any reason therefor and without being liable for any loss or damage caused by such cancellation, abandonment, alteration, amendment, modification or termination and without being liable to make any refund or allowance.”

Mr Yewdale: What you are saying is, “Stay home.”

Mr Burns: This is a respectable travel agent. I am talking about holding the travel agent to his contractual obligations to the client.

Mr Vaughan: They’ve got none.

Mr Burns: The client has no rights at all. He gives away everything when he hands over the money. My constituent paid his money in December last year for a tour on 28 May. It is now 20 April and the travel agent cannot tell him whether he is going. He does not know whether to pack his bags or to make another arrangement. He has paid the money. For six months the travel agent has invested his money in the short-term money market, or wherever he invests it, and he is allowed to keep it. If any changes occur in the price of the ticket, the client will pay extra.

The travel agent will do nothing to protect his client. If the plane breaks down or does not turn up, the travel agent does not worry about the client. I wonder what the people who booked on the recent Kuwaiti flight have been doing for the last 14 days in relation to their travel commitments? I suppose that they would not worry about getting their money back under those circumstances. The point I make is that the travel agents accept no responsibility.

Mr McLean: It would cure you of flying for ever.

Mr Burns: It most certainly would cure anyone from travelling with Kuwaiti airlines or a similar airline.

The tour-operator is not required to give any reason at all for his decision and is not required to refund any of the money already paid. Such a contractual provision is a disgrace. It makes it clear beyond dispute that what a traveller pays for when he signs up for a travel agent’s tour may well turn out to be what I would call in this House a big fat nothing. I would explain it differently outside. A traveller could get two days into the tour and have the remaining four months cancelled without a refund.

Clause 8 of the terms and conditions that are spelt out on the back of the ticket from this Australiawide operator states—

“The reservation fee reserves a place on the tour and forms part of the payment of the published price which shall be a debt due to and immediately payable to the operator. The operator will be entitled to keep for its own account any interest earned on all moneys paid to the operator.”

A traveller buys a ticket for $2,000 or $3,000. The money goes to the travel agent, who puts it in the short-term money market. The travel agent takes the profit on it and, if the tour is cancelled, the traveller gets his money back. That is similar to the practice of buying off the plan.

Mr Gately: That is a bit like FM 104. They do the same, and then don’t run the ads later.

Mr Burns: I do not know. The honourable member is making that allegation, but I do not know about that. I am acting on behalf of one of my constituents who
signed this contract because he wanted to go on the tour. I suppose that that happens to every traveller, but most of them never have any worry about it. However, what happens if something goes wrong? All of a sudden, the traveller is left with the fine print on the back of the ticket.

Normally, the risk of dishonest or incompetent employees is borne by the employer, who is in a position to assess and supervise his employees. But travel agencies turn that upside down. The risk of dishonest or incompetent travel agency employees has to be borne by the consumer. How ludicrous it is that a person who walks into a travel agency has to assess whether or not he can trust a person. If I were buying a ticket off Mr Lester, I would look at him and say, “Is it worth while putting my money in his hands, or is he a skipper? Is he on his way south?”

Mr Lester: I might have sold you a loaf of bread; I don’t know about a travel ticket.

Mr Burns: I do not think that I would have bought a loaf of bread off the honourable member, and I am pretty certain I would not have bought a travel ticket off him.

How ludicrous it is that a person who walks into a travel agency has to assess whether or not to trust the person across the desk with his money, knowing that, if the person skips off with the money, he cannot sue the employer. Obviously, the employers, not the consumers, ought to be the ones to bear such risks.

I note with interest that the only protection against these medieval and oppressive terms and conditions is a Commonwealth Act—the Trade Practices Act. Agents try to weasel their way out of it. The booking form states—

“Nothing herein contained shall detract from any rights or privileges granted to consumers by the Trade Practices Act...”

I support the legislation because it will mean that people will have some form of protection from unscrupulous travel agents. However, after 14 years Queensland still does not have equivalent consumer protection legislation. More protection is needed.

The main category of people who need this protection are the elderly people. Elderly people, retired people, go on tours. The husband retires and he and his wife decide to tour the world, Asia, the South Pacific or wherever. They say, “I hope the travel agent who is organising our tour does a good job.”

The only problem with this legislation that is designed to license travel agents is that it does not go far enough. Why is Queensland to be represented on the board of trustees by only two members, one each from Government and industry? Why does the Minister not provide for a consumer representative on the board?

It is timely to ask the people who are running this national scheme to have on the board someone representing the people who are involved in the industry. It happens with other boards. It is very important, because the reason the Minister gave for introducing this Bill was that consumers are demanding protection from sections of the badly managed travel industry.

It is of paramount importance that consumers be well represented on the board. Instead of good representation, Queensland consumers get none. A Government representative and a representative of travel agencies are not enough.

There are many good people involved in the travel industry. I would not like to be seen as knocking any agents who are running reputable businesses. However, I believe that some of these provisions are archaic. They have grown up with the industry. They have been printed on the backs of tickets for years. No-one ever really reads them.

The first thing that the Government should do is go through some of these fine-print clauses that exclude all the rights of the average citizen seeking to tour the world or simply to go interstate on a bus. The Government should ensure that when people
pay money to a travel agency, they are not then required to sign their life away so that
the agent can ensure that he makes a profit out of the deal.

Mr INNES (Sherwood—Leader of the Liberal Party) (7.53 p.m.): I support the
attitude adopted by the Liberal spokesman on tourism.

The member for Lytton carried on and on and made the inevitable complaint that
the legislation does not go far enough. He referred to the clauses relating to certain travel
tickets, and rightly so. However, all he demonstrated is that no matter how much
legislation is passed, if it is only in support of a legally binding obligation under a legally
obtained ticket, the purchaser of the ticket is still bound to the obligations under the
ticket. In the end, this legislation does not protect the people whom it sets out to protect.

As the member for Stafford quite rightly said, if one wants to pursue the basis of
insurance of every activity in which mankind engages, one pursues a relentless system
of legislation which, in itself, works against the interests of many consumers——

Mr Gately: So the Liberal Party does not care if people suffer and get left on the
road?

Mr INNES: That is the instinctive response of the socialist mentality: the Govern-
ment knows better; the Government will protect; the Government will do what the
Liberal Party believes reasonable human beings will do for themselves.

The reasonably prudent, cautious older person who is thinking about going on the
trip of a life-time will no doubt do business with some organisation that has estabUshed
a reputation——

Mr Gately interjected.

Mr INNES: People will not do business with a person like the member for
Currumbin—a fly-by-night chocolate-seller. They will choose a person who has been
in business for a substantial period of time and who looks to have substantial
backing——

Mr GATELY: I rise to a point of order. I find the words that the honourable
member used offensive, and I ask that he withdraw them.

Mr DEPUTY SPEAKER (Mr Booth): Order! The honourable member for Currum-
bin finds the words offensive. He asks for a withdrawal.

Mr INNES: I will withdraw whatever offends the member for Currumbin——

Mr DEPUTY SPEAKER: Order! I will not accept that. I ask the member for
Currumbin to name the words that he found offensive.

Mr GATELY: “The fly-by-night chocolate-seller”.

Mr DEPUTY SPEAKER: Now we have the words.

Mr INNES: Or course, I would never seek to offend the member for Currumbin.
I withdraw whatever words he wishes to be withdrawn. But, of course, the member for
Currumbin cannot deny the force of the logic behind the comments that are made,
which is that if a person wishes to seek an assurance for every activity of mankind, he
will pay a premium. So the legislation imposes a premium on the people who will have
to pay the licence fee. It then imposes the real premium that is properly called the
insurance policy.

Two additional costs are added to the costs that are presently imposed upon travel
agents in Queensland. When one of the Government members read his prepared script,
I asked a question by way of interjection. I did not do that facetiously. We live in a
society of instant communication. I have seen a consumer-directed current affairs program
deal with the consequence of somebody’s dealing with a fly-by-night, fly-bitten travel
agent in a small country town in Victoria. Frankly, the travel agent looked exactly like
the type of person who would take somebody down. I would ask seriously: how many people were taken down last year in Queensland, and to what value? Where were they deserted, and to what value?

Mr Campbell interjected.

Mr INNES: The member for Bundaberg raised his hand and said, "Yes, two people who stayed in accommodation at the Gold Coast." More facts would be needed to decide whether that in fact fell within the terms of this legislation. The legislation requires a travel component, and that travel must be in vehicles or aircraft other than those owned by the operator before it attracts the protection of the qualification. If there does not exist a system that reflects upon the credit of the organisation that does business, there is attached to everybody a premium——

Mr Burns: There have been stories of people left in Singapore.

Mr INNES: Of course there have been stories.

Thousands of people pay to do business with those travel agents who are clearly seen to be more reputable. Those travel agents have been in business much longer. If a person does business with a bank, obviously it is backed by the bank. If a person does business with the Government, it is backed by the Government. If a person does business with an airline, it is backed by the airline. If a person does business with a well-established or widely spread private group, whether it be Jetset Tours or Mr Morris' organisation, which is a small business in my electorate, he does business with somebody who has been around and he puts his faith in an entrepreneur. If the organisation or the owner is able to keep his overheads to a minimum, the consumer will receive the benefits. If a person wants insurance, he must pay a premium. If a person wants to shop around and take a risk with a low-cost bus-operator, he might well take a risk about the financial worthiness of that organisation. The traveller might well find himself stranded. But that is what life is about. If a person wants to reduce the cost, he increases his risk.

Mr Burns: I don't know if that is what life is about. We are not in the days of the robber baron any more. We are entitled to put in some protection for the people who are being ripped off by these agents,

Mr INNES: The person's protection is his own judgment.

Mr Burns: You are saying that they ought to have a licence to rob and we should do nothing to protect people from being robbed.

Mr INNES: I do not say that at all. I say that anybody in business takes the normal risks of going broke, of being sued and of being subject to the other consumer protection legislation and the legislation of general application around the place.

The smaller travel agency operators in my electorate, who have reputable businesses and who have been in business for 10 years, have asked, "What is wrong with the travel agency business in Queensland?" There have been no great complaints about the travel agent situation in Brisbane.

In relation to bus companies—I understand that a bus company that hires its own buses and sells tickets for seats in its own buses is not covered by this legislation. Bus companies or airlines that sell tickets for their own seats are not covered by this legislation.

Inevitably, one embarks upon a particular track. I support the remarks that were made by Mr Burns in that regard. However, I am concerned about the terms of the contracts that people will enter into in relation to those tickets.

Mr Gately: Why not? Why shouldn't they enter into them?

Mr INNES: The honourable member for Currumbin was a Labor councillor on the Newcastle City Council. One would predictably expect him to go down the socialist track where people believe that the Government will always do better. What happens
during the litigation that is involved in the determination of a contract and the exemption clauses?

The Liberal Party believes that the market-place does sort itself out; that there must be freedom for people to take risks.

**Mr Vaughan:** At whose expense?

**Mr INNES:** What you want is the person who will not pay the higher dollar with a reputable company to be insured by the people who pay with the reputable companies, and the rest of the people to pay the top dollar to insure with those people who want to do business with the shonky operators. You are saying that everybody else who takes——

**Mr Gately:** You are attacking the little people.

**Mr INNES:** I am not attacking the little people. What you are doing——

**Mr DEPUTY SPEAKER (Mr Booth):** Order! The honourable member will address the Chair.

**Mr INNES:** With delight, I will address the Chair—a person of robust and good intelligence.

The reality is that, from the moment that this legislation is passed, two additional costs will be imposed upon every traveller in Queensland who deals with a travel agent. The cost of licensing will increase with the bureaucracy that the Corporate Affairs Commission will take to itself to administer that situation and to investigate the people who are applying for licences. It will add on the cost of the insurance policy premiums that will have to be taken out.

Obviously, the socialists love that. They believe that people do not, should not and cannot look after themselves and that everybody else should pay for the people who are not prepared to look after themselves. If we go down that track, it will lead to a totally insured society. Additional costs will be incurred by the Consumer Affairs Bureau, which will investigate the claims. The cost of the licences will increase, and the annual premiums that are paid on those licences will increase, also. It is a one-way track.

As the honourable member for Lytton has rightly discovered already, this legislation contains a flaw, because it does not take into account the tricky contract or the special contract that might modify a person's travel arrangements. It will lead endlessly to more bureaucrats, more add-on costs and more administration costs.

**Mr Hinton:** There are no bureaucrats in it. They are not running it.

**Mr INNES:** I hear an interjection that there are no bureaucrats in it. The legislation requires a person to apply to the Commissioner for Consumer Affairs, who is required to administer applications and exercise his judgment with regard to those people who will be licensed as travel agents.

Because the Minister is the first person to whom an appeal is made, this legislation requires him to determine an appeal. It is absolute nonsense and facile stupidity to suggest that this legislation will not involve an increase in the administrative workload and an increase in the obligation to provide the staff that goes with that administrative workload.

The member for Stafford rightly said that the Liberal Party would embrace and support a simple device which leaves the matter as one of self-regulation for the industry. If members of the industry wish to get together and call themselves something like IATA—and many travel agents would take pride in the certification that goes with being a part of the International Association of Travel Agents—and if they wish to provide an insurance scheme that is promoted as a positive reason why business should be done with them, that is fine. If they want some legitimacy in being able to advertise that fact,
that is fine; the Liberal Party will support that. That is a self-regulation factor. That is something that will still be related to competitive forces.

Frankly, I have not had a significant representation—I have only had one complaint and it was not from my own electorate—in relation to the activities of VIP tours, which I think was a bus company that was selling seats in its own buses. That company went broke. It would not have been covered by this legislation. I have not had a single complaint relating to anybody who has been stranded. I understand that the thrust has come from travel agents, or perhaps a nationwide meeting of consumer affairs commissioners, which has a way of cross-fertilising all the consumer problems of Australia, which leads to an internal pressure, because some merit is seen in having a process of sifting and accreditation by legislation because that gives them an extra bit of a premium in the market.

The market in Queensland has been behaving creditably. Apart from the matter concerning VIP coach tours, which I think would not have been covered by this legislation, I cannot recall a major consumer problem raised in this House relating to tourism or travel agents. I can recall constant consumer complaints relating to swimming-pools, but absolutely no action has been taken in relation to them. I can recall complaints in relation to cladding, roofing and painting, but I cannot recall any action being taken in that regard.

I have no doubt that the Minister feels a warm glow when he looks at the matter of regulation, because he himself has been a beneficiary of the Builders Registration Board. The fascinating thing about that exercise was that he was a beneficiary before his own Government proposed to abolish it because it was seen as somehow not serving the needs of the electorate. When it was found that the situation was so complicated, because of existing policies, existing registration and existing bureaucracy, the matter was rethought.

The member for Stafford is quite right in saying that what this Bill seeks to do is introduce a socialist response. He is quite right in saying that this is not an area that has been under significant criticism. Certainly, I have no recollection of any criticism of the facets of the industry that will be protected by this piece of legislation. I will be interested to hear the Minister's response to the comment about VIP tours.

The appeal system which was referred to is quite intriguing. It might save some time in another part of this debate if I take the opportunity to refer to it now. This is a rather beautiful piece of legislation which says that a person has to apply to the commissioner for a decision as to whether he can get a licence. The commissioner may make a decision to suspend, cancel, restrict or grant a licence. If an objection is lodged to the decision, the Minister, not to the court. We see that classic centralisation that so often goes with National Party policy—all things to the Minister. Make people beholden to the politicians, not to any set of objective criteria, but to the politicians. It reinforces and embodies the system of cronyism which has been associated with this Government.

The strong-hearted Minister, upon receipt of a notice, shall decide whether to determine the appeal. They are good, decisive, determined words that are used in the Bill; “the Minister will decide whether to determine the appeal.” After deciding to determine it, he may dismiss it or he may make any determination that could have been made by the commissioner. The Bill also states as follows—

“(4) The Minister shall forthwith notify the appellant—

(a) that he has decided to determine the appeal...

or

(b) that he has decided not to determine the appeal.”

It is good, strong stuff. The Minister will make a determination—a decision—not to determine the appeal. If a person is notified of the decision not to determine the appeal, the appeal is determined by the court. However, if the Minister makes a decision to determine the appeal—either to uphold or to refuse—there is no appeal process. Cronyism
is the danger in this legislation. Cronyism is the allegation that the Queensland National Party Government will consistently have to wear because its history is absolutely epitomised by this legislation.

As I recall it, legislation authorising real estate agents, motor-vehicle dealers and auctioneers was set up to allow people to carry on those businesses. The rights of people to conduct a business are rights that the Liberal Party sets some store by. Members of the Liberal Party believe that people should have the right to do what they want to do in business, until they have been proven to be unfit. At least, members of the Liberal Party believe that there is a justification in some social or public purpose for obtaining a licence to carry on such businesses, and that refusal to grant a licence by a commissioner or public servant should lead to an appellate court.

However, the National Party's legislation inevitably gives the decision-making power to the politician. All honourable members would know what that means. People from interstate talk to me about Queensland and ask me, "If I do business in Queensland, do I have to go to the National Party's headquarters? Do I have to go to the politicians?" Ministerial decision-making gives the National Party an enormous lever and provides an enormous reason why donations should be made, or why some untoward purpose should be met.

The Government ought to start with the primary right of people in this country to do whatever work they want to do, unless there is a reason involving the public—such as licensing or competency qualifications—that prevents them from doing so. If there is to be a threshold qualification, let us have an objective, fair and non-politician-administered system. If the Government establishes a licence similar to an auctioneer's licence, a real estate agent's licence or a motor-vehicle dealer's licence, let us adopt the provisions contained in the Acts that were passed when the Liberal Party was in Government. Basically, that means that if a person applies to the commissioner for a licence and is knocked back, he can make an appeal through the courts.

Why should the people of Queensland have a system that pushes everything through a National Party Minister? For as long as the National Party includes appeal provisions of this type, it will be accused of cronyism, and rightly so. I say that because if there is one thing that the system of law has always held to be of value, it is the individual's freedom and right to work. It is not even lawful to curtail a person's right to do business. A person can contract for the sale of his own business, unless the number of Ks or the number of years is unreasonable, and if a person sells a small business and tries to impose a restrictive covenant, he is limited to 5Ks or five minutes.

Mr Vaughan: Your talking has gone on and on and on. You have been going for 21 minutes now.

Mr INNES: The honourable member does not like what I am saying because the socialists on the Opposition side—the old union thugs—line up with the socialists on the Government side of the House. Socialists hate people talking about the freedom of the individual and freedom to work. They hate people talking about the assumption of their own responsibilities and the ability to make their own decisions; to win or lose; to buy cheaply or buy expensively; to take more risks or take fewer risks.

This legislation is half-baked consumer protection that is not reflected in any substantial history of loss in Queensland. It has been urged upon the Minister and the department mainly by the industry and not by the consumers. It will lead to the creation of a protected circle of people—people who have a Government licence to be travel agents. Because they have a travel agent's licence, that will provide them with immediate goodwill. Of course, a licence will add to the overhead costs of operating the business of a travel agency in this State and add to the cost of anyone wanting to do business with them.

For good and substantial reasons the Liberal Party opposes this Government-imposed legislation and the Government-imposed, politician-supervised system of appeal. The Liberal Party supports a voluntary system as outlined by the honourable member
for Stafford because it offers the premium that it will be reputable and part of an industry organisation and have a shingle which states that one person is better than the next.

Mr HINTON (Broadsound) (8.16 p.m.): It gives me pleasure to rise in support of this Bill tonight. This legislation covers the licensing of travel agents in Queensland and I am pleased that it has the support of the Labor Party. The Labor Party is concerned about one aspect in particular: consumer affairs. I was particularly interested in the speech made by the honourable member for Lytton in which he stated that he was concerned about consumer affairs. As the honourable member for Sherwood has pointed out, consumers may not be covered by this legislation. I was pleased to see that support because of the concern for consumers.

However, I am not pleased to hear what the Liberal Party has had to say because it appears to be on the side of the shonkies and sharpies in the industry. When I first read the Bill I shared some of the concerns expressed by the honourable member for Stafford and the honourable member for Sherwood. As a result I carried out my own investigations to find out whether their concerns were realistic. They have said that this legislation amounts to Government regulation of the industry and that it is not wanted. I represent a tourist electorate. I researched the travel agents in my electorate very thoroughly, both in the Capricorn Coast tourist area, in which there are large travel agencies, and some of the inland mining towns serviced by very small travel agencies. I found total acceptance of and support for this measure and I would not have supported it in the parliamentary room had that not been the case. The support is there. These travel agents want to provide consumer protection and compete with New South Wales and southern operators.

The honourable member for Sherwood indicated that there would be some considerable increase in the number of public servants required to administer the legislation. I have also researched that matter and have been advised that no increase—and I stress that—in the number of public servants will be required to administer this Bill.

Mr Gygar: Oh, rubbish!

Mr HINTON: If the honourable member had checked on the facts before he came into this House to oppose the Bill, he might have put forward a more accurate assumption.

Mr Innes: That means they must be doing nothing at the moment.

Mr HINTON: It does not mean any such thing. It will require an extremely small amount of administration and the members of the Liberal Party should take that fact on board.

Mr Innes: How many travel agents are there in Queensland?

Mr HINTON: Does the honourable member know?

Mr Innes: You tell me.

Mr HINTON: There are hundreds of travel agents in Queensland. They are in every town, both large and small.

Mr Innes: And they all have to be processed and registered each year.

Mr HINTON: The honourable member does not seem to have heard of a computer. Modern technical equipment can look after that problem. I have been advised by the department that it will not require any additional staff and I am happy to accept its word.

The honourable member for Stafford said that the legislation offers nothing to the industry and further, that the industry does not want it. I suggest to him and to the Liberal Party that they should have done their research amongst the travel agents of this State more carefully, particularly the ones in the southern areas of the State where they have to compete more directly with the agents across the border.
Mr Innes: I said to you it was industry based, not consumer based; it was self-protection called for by the industry, not consumers.

Mr HINTON: This measure was called for by the industry. One of the areas about which the honourable member is very wrong indeed is in relation to a voluntary scheme.

A voluntary scheme does not meet the requirements to enable entry into the national travel compensation fund. There has to be a legislative umbrella, otherwise agents cannot enter that fund and get that protection. Because of the established financial structure, that is a cheaper method than would be available through a scheme in Australia. If the honourable member for Sherwood had checked his facts, he would have known that.

Mr Innes: We know that. You join the national network of socialists.

Mr HINTON: Let us not get involved in an exercise in semantics. The honourable member knows that he has been found out. If he had checked his facts, he would have found out that an agent cannot enter the national scheme without a legislative umbrella.

Unlike members of the Liberal Party, who put forward no good reasons why travel agents should not be involved in this scheme, I will put forward four very good reasons why they should be involved in it. The first is the protection of the consumer. The member for Aspley said that many people save for all their lives to pay for a big holiday. Much of lump-sum superannuation pay-outs is spent on major holidays such as a trip around the world. Such trips can be a fulfilment of a dream for many of our senior people. Certainly we do not want those people stranded by some shonky dealings and lack of responsibility by an agent.

I will deal with the point made by members of the Liberal Party about the VIP bus tours. The claim was made that that company sold its own tickets. That is not the case. Many of those tickets were sold by travel agents across Australia. In that instance hundreds of people were stranded right around Australia. In that instance much of lump-sum superannuation pay-outs is spent on major holidays such as a trip around the world. Such trips can be a fulfilment of a dream for many of our senior people. Certainly we do not want those people stranded by some shonky dealings and lack of responsibility by an agent.

The member for Stafford said it is a closed shop. His comments were echoed by the Leader of the Liberal Party.

Mr Innes: No, I did not say that. I said it was the industry, not the consumers, who called for assistance.

Mr HINTON: All right, I will accept that; but the member for Stafford said it was a closed shop. I know that because I wrote the words down as he said them.

It is not a closed shop. Anybody can open a travel agency if he can demonstrate that he is financially viable. He must have someone with some experience in the industry, whether that be himself or someone else. I think that is fair enough to provide a reasonable degree of professionalism.

Mr Gygar: Clause 18, which governs that, goes for two pages. It lists all the things he has got to do.
Mr HINTON: For God's sake, read it! If the honourable member did that, he would do a lot better. If it is all there in front of the honourable member, he should read it. Under this legislation, anybody with a reasonable business standing can become a travel agent.

The third reason is that the Government wants travel agents in this State to be able to become part of the national travel compensation fund. The travel agents want it, and the public want it, to provide security for people who are travelling overseas or within this country. The minimum turn-over provided in the Bill is $30,000. That will exclude some of the very small operators who might operate sidelines from newsagencies and that sort of thing by selling bus tickets, and other very small operators. I have one such operator in my electorate, but he is still quite keen to become involved in this.

The fourth reason is as important as all the rest: it is the need to promote tourism in this State. This scheme puts Queensland in step with the rest of Australia so that our travel agents are not at a disadvantage when it comes to doing business for tourism in Queensland. I believe that that is particularly important.

I support the Bill. I am very disappointed that the Liberal Party has seen fit to desert the travel agency business in Queensland. However, I believe that the Bill deserves commendation.

Mr PREST (Port Curtis) (8.26 p.m.): It gives me pleasure to support the Travel Agents Bill. It is gratifying to see that concern is being shown for tourists who are being ripped off or losing their cash. Some people are faced with losing their cash before they even leave the country, or have lost their cash, which is a sad predicament. However, it is a tragedy when people are stranded overseas because a travel agency has gone bankrupt. It must cause much trauma to those people.

People can be stranded in many other ways. I will not speak about the people who leave Australia and do not make provision for accidents or sickness overseas.

With Expo approaching, in yesterday's paper the following article appeared—

"Pickpockets warm up for Expo ripoffs"

Dozens of pickpockets are expected for Expo, police said last night.

Some interstate 'dips' were warming up in Brisbane in anticipation of easy pickings at Expo and the rich winter racing carnival.

Fortitude Valley police already have received complaints from late-night club patrons in the past week or two.

Det. Supt Jim Somers, the head of the Brisbane CIB, warned the public to be careful during Expo: 'There have already been some incidents, and there is no doubt there will be many more dips in town by the time Expo starts.

'They will, as usual, also be attracted here from interstate for the winter racing carnival.

'Police will be doing their part to detect and arrest them but the public can help by taking reasonable precautions.'

Supt Somers said people should not carry large amounts of money or 'flash around' cash they were carrying."

About 15 months ago at a race meeting at Southport, my pocket was picked on the day that the first Magic Million racing carnival was held.

Mr Innes: It was a member of the Labor Party.

Mr PREST: No. I am quite certain that, if anyone were to pick pockets, he would be one of the conservative people. He may be a member of the Liberal Party. Perhaps that is where it is obtaining its funds from.

I am concerned about the manner in which pickpockets operate. They operate in large crowds. The person does not feel the money being removed from his pocket, which
may cause great embarrassment to a person, be he a tourist or a pensioner who may be in Brisbane for Expo. He could be stranded in a city of one million people and not know where to go. From my own experience, I can assure honourable members that it is a horrible feeling to have one's pocket picked. However, fortunately for me, on that occasion the dip hit a little too early. I was about to cash a winning ticket. He did not leave me stranded without any money. I was able to travel home in my car. I assure honourable members that it puts a nasty taste in one's mouth.

When I reported the incident to the authorities, I cannot say that they appeared to be sorry. The smile on the face of the betting supervisor told me that he did not really care, even though that had happened to a patron on a course and in a betting ring that was under his control.

Mr Veivers: Supposition by a smile.

Mr PREST: We have an ex-copper saying that they do not all smile. I suppose when the honourable member——

Mr VEIVERS: I rise to a point of order. The police do a great job. However, I must admit that I have never been a policeman. I am not an ex-policeman.

Mr PREST: I apologise. I withdraw the comment that I made about the honourable member being a copper——

Mr Milliner: The honourable member for Southport was the thug who ran around the football field roughing blokes up.

Mr PREST: Mick is too big a fellow to say anything bad about, so I will just let him go.

As I was saying, the betting supervisor that day did not seem very concerned. He told me that on that day in excess of $20,000 had been extracted from the pockets of punters. As I said, these fellows operate in crowded places. No doubt the attendances at Expo will be such that these fellows will have a field day. It will happen for the whole duration of Expo.

I want to warn people, and I think the authorities should be warning people, that the police are already concerned that these sorts of things will happen to the tourists and to others. That brings to mind the debate last night on the extension of liquor trading hours during Expo. I predicted during that debate that this will happen.

As I have said, the police are already concerned. The Government should do everything possible to warn people visiting Brisbane during Expo that pickpockets are operating in the area and that they should be careful. No-one wants to see tourists stranded and left in a predicament.

Mr Innes: You mentioned the matter of loss. Why not legally impose an obligation on the race-track to carry an insurance policy against people who lose money by loss or theft?

Mr PREST: That would be very hard to do.

The police know that these dips are operating in this State at present. They know that they operate at the big race meetings in Sydney, Melbourne and other places. Surely if the police know who these people are from interstate and they see them in this city or at the race-tracks, they should be able to warn them off, tell them to get going. I sincerely hope that the Government does something about it.

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (8.33 p.m.), in reply: I thank Mr Milliner, Mrs Nelson, Mr Gygar, Mr Henderson, Mr Burns, Mr Innes, Mr Gately, Mr Hinton and Mr Prest for their contributions.
Mr Milliner raised one or two concerns. He had studied the Bill fairly well beforehand. For that reason, he did not say a great deal. However, what he did say was quite sensible and very sound——

Honourable members interjected.

Mr LESTER: That is not unreasonable. I was not speaking in a derogatory sense.

Mr Milliner mentioned the adequacy of the compensation fund. That fund has been in existence for a number of years and has no difficulty in meeting claims. It is quite a bit in credit. So, there is no problem there.

The sunset clause simply means that the legislation will be reviewed every seven years. I think that that is a good idea. That ensures that the legislation is up to date.

Mr Gygar claims that the justification for the legislation is weak. I do not know what the consumers in the travel industry thought recently when an agent took some $400,000 of their funds. Those people were extremely concerned. Because of the situation that did exist in Queensland, they lost their money. It is as simple as that. This type of legislation will prevent that from happening.

In regard to consumer protection—this Bill has the support not only of industry but also of the consumers. I attended a meeting of approximately 400 agents. They were very, very supportive of the legislation. I have also met consumers and they have said, "Thank you for the protection." I do not think that the legislation is an unreasonable way to go about things.

The honourable member asked why there is no certification to provide compensation. It is a pity that the honourable member had not spoken in more detail to the industry about that. If he had, he would have found that the private insurance companies were approached and that no company would have anything to do with it.

He suggested that people should deal only with the banks and with the Queensland Tourist and Travel Corportion. Small businesses operate in this State. I thought that we were considering them as well. I would certainly hate to be a person saying, "Deal only with the banks or the Queensland Tourist and Travel Corporation." I thought everybody else should have a reasonable go.

Mr Innes asked why the legislation was needed. I again remind him of the $400,000 that was lost recently.

Mr Hinton answered many of the matters raised by Mr Innes. Because of the Government's legislative program, I do not see a great need to go over all those matters again.

Mr Gygar: What about the appeal system?

Mr LESTER: I cannot see anything wrong with it. More avenues for appeal are being provided. A person has a right of appeal to the commissioner or to the Minister. I thought that that was democracy. However, a situation could arise in which the Minister might think that it was not correct for him to make a decision in a particular matter. Therefore, he could refer the matter to the court. I would have thought that that was a fair and reasonable process. As I said, the legislation provides a number of avenues for appeal. In my view, it is a very democratic process to adopt. That is why the Government has decided to adopt that course. The matter was discussed at length and it was done with the right intentions—not a sinister intention, an intention of cronyism or anything else.

Again I thank honourable members for their contributions.

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

Committee

Hon. V. P. Lester (Peak Downs—Minister for Employment, Training and Industrial Affairs) in charge of the Bill.

Clauses 1 to 25, as read, agreed to.

Clause 26—

Mr GYGAR (8.48 p.m.): This clause relates to appeals against the decision of the commissioner, who governs whether or not travel agents can be licensed and under what conditions. Honourable members should clearly understand that this clause states that, if the commissioner makes a determination to refuse a licence or impose a condition, in the first instance appeals shall lie to the Minister, and the Minister alone has the right to allow the appeal, to make a determination or to dismiss the appeal, thereby effectively excluding the applicant from access to the courts.

Initially and primarily I ask the Minister one simple question: can he point to any existing legislation that allows the Minister, by right, to simply refuse a person access to the courts by a simple decision; that is, if the Minister says a person can go to the courts, he can go to the courts and if the Minister says he cannot go to the courts, he cannot go the courts? I invite the Minister to indicate whether any other legislation includes that provision.

Mr LESTER: I am not greatly interested really in what any other legislation does. However, such a provision is a fact of life in the Industry and Commerce Training Act. That is where this provision was taken from. That Act has worked very well for a long, long time.
Mr MILLINER: As I outlined in my contribution during the second-reading debate, I also have reservations about the appeal process contained in the Bill. When a person applies to the commissioner for a licence, has a determination made by him, and is not granted that licence, he can then appeal only to the Minister, who is overseeing that commissioner. I do not believe that that is right in principle. I believe that the appeal should go to an independent person. As I indicated in my earlier contribution, I believe that the appeal should go to a judge rather than the Minister.

Mr LESTER: I just want to say that the Industry and Commerce Training Act has worked particularly well. I have been able to deal with the simple, straightforward matters, and if anything controversial arose, it has been determined by a court. I am sure that nobody has had any complaints about the Industry and Commerce Training Act. It has worked very well, and I am sure that the same principle will work here.

Mr INNES: Because the lawyers of Queensland are excluded from the Industrial Commission, I am not as familiar with the Industry and Commerce Training Act as the Minister is. However, I think that the Minister is talking about two totally different commissioners. One is a Commissioner for Corporate Affairs. The legislation does not make reference to an industrial relations commissioner.

The important matter to be considered in this legislation is the right to work. Everybody should enjoy that right, unless it can be demonstrated that a good reason exists why he should not be able to work. That is one of the very important rights and liberties under Australia's legal system.

In this case, a person would apply to the Commissioner for Corporate Affairs. If honourable members accept that the Minister's view has prevailed in this Parliament and that that should take place, then so be it. However, other legislation that has been passed by this Parliament—that has preserved the principle that people should have that right—provides for an appeal to be determined by a court of law so that justice can be seen to be done.

Although it might offend the Minister, I must inform him that there are people in this State who do not have great confidence in the decisions made by Ministers—who are, after all, politicians. The system of justice and the courts guard the rights and liberties of individuals. It is the courts that have been used to determine whether that right shall be taken away.

Similar legislation relating to the licensing of auctioneers and agents and motor-vehicle dealers provides for a right of appeal to be exercised in the Magistrates Court. That provision was included to keep the costs down, but at least the Magistrates Court is a public court and at least the right to have the matter heard by that court is maintained. In this case, as I read the legislation, the Minister—who is the political appointee—has the right to prevent an appeal from going further or going to the courts.

I recall having a similar argument with a former Minister for Police, the late Mr Camm, who wanted to exercise some rights in relation to firearms. He wanted the Police Minister to have the right of refusing to grant certain types of firearm licences. At that time, the Minister's reason was that sometimes police provided him with information that would not stand up in court; but, because it was hot information and he felt he wanted the liberty to move in that area—the matter of concealable firearms, which involves an element of danger to the public—the Minister wanted to exercise the right to grant firearm licences. As I recall it, at that time, the former Minister was persuaded to modify his view.

In this instance, the matter to be considered is not a concealable weapon. The granting of a licence in the travel industry should be a matter that either can or cannot stand up in court. Is a person fit to be a travel agent, or not? That matter should not be dependent upon the whim or the view of a political practitioner.

Two-thirds of the people who live in this State would not trust the Minister. He might find that statement unpalatable, but it happens to be the reality. The old principle
comes to mind: justice must be seen to be done. People will allege that the member who approached the Minister about the granting of a licence was a National Party member or, if it were a Liberal Minister, people might say that he was approached by a Liberal Party member. It does not matter which party it is, because people will see a political web or network involved.

If the Minister wants to remove the blight of cronism from his party, why does he engage in this absolutely novel and unique appeal system in this State that will affect an important right, the right to work and engage in business? The system proposed by this legislation means that the Minister—a political practitioner—will have the right to determine whether a person shall have the right to appeal and take further steps to have the matter heard by a court. The Minister is not superior to the courts and he should never be in a superior position in relation to the courts. The Minister should get out of the role of being an intermediary. The right of appeal should proceed from the commissioner to the courts. The Liberal Party opposes this provision.

Mrs NELSON: Tonight I wish to take a few moments to raise a matter that should have been raised possibly 20 years ago. It relates to the struggle between the bureaucracy and the elected representatives and to the role of the judiciary. My remarks are not party political and are made with the greatest of respect to the honourable member for Sherwood, because I know that he passionately believes in what he says. The simple fact of the matter is that it is time that members of Parliament stopped putting themselves down and remembered their role in society. Every three years the people of the State or the Commonwealth elect members of Parliament to govern.

Mr Beanland: Like Barambah.

Mrs NELSON: Exactly like Barambah.

The people have a say and they choose someone not to be a political practitioner——

The TEMPORARY CHAIRMAN (Mr Alison): Order! There is far too much audible conversation in the Chamber.

Mrs NELSON: The people choose someone to be not a political practitioner but their elected parliamentary representative. It is very important that the Committee understands and comes back to this fundamental point of parliamentary democracy, because the freedom of the people depends upon it. It does not depend upon the decisions of a bureaucrat. What the Government has said in this legislation is that if a bureaucrat or the commissioner says, “No”, the people can go to the Minister. The Minister is the ultimate person who answers every day on the floor of this Parliament to the people of Queensland and to the other 88 elected representatives in this Chamber. If that person is not satisfied, he can then go to a court of law. Members of Parliament in this Chamber appoint the courts and the judges. Only this place has the right to hire and fire the judges in society and to control the way in which society is governed.

I am certain that the Leader of the Liberal Party is genuine in what he says, but I have to disagree with him on this occasion. This is a fundamental error that has been made by many members of Parliament in various Houses across Australia in the last 20 years. In my view, members of Parliament have done themselves a great disservice. This is where the decisions are made for the people of Queensland, because this is the only place where they have elected us to govern. It is not in the hands of other people. People have a right to appeal to the Minister, because he is answerable to the Crown on behalf of the people. I reject the arguments put forward by the Leader of the Liberal Party in this Chamber, and I entirely support the clause in the Bill and the views expressed by the Minister.

Mr GYGAR: Every day honourable members come into this place and think that they have seen it all; then someone like Mrs Nelson speaks. This extraordinary tirade that honourable members have just listened to has been nothing more or less than an attack against the fundamental foundation of the court system in this country. Mrs
Nelson said that the courts and the Constitution should be thrown out and that politicians should be allowed to decide every issue.

Mrs NELSON: I rise to a point of order. The honourable member is misrepresenting what I have said, and I ask him to withdraw that comment. At no stage in the debate did I say that the court system should be thrown out. The honourable member for Stafford might wish to laugh and sneer at the court system, but honourable members in this place are responsible for the independence of the court system.

The TEMPORARY CHAIRMAN: Order! The honourable member must make her point of order.

Mrs NELSON: I ask that the honourable member withdraw those comments.

The TEMPORARY CHAIRMAN: Order! The honourable member for Aspley has said that the honourable member for Stafford has misrepresented her by some of his remarks. I ask that the honourable member for Stafford withdraw the comments.

Mr GYGAR: I will withdraw anything that I have said that misrepresents the honourable member for Aspley. People can read Hansard and make their own judgment about what she said.

I want to get away from some of the frivolities and nonsense raised by some members in this Chamber, due to their basic lack of understanding of the British system of justice, and return to the clause. It is obvious that the members of the Government either have not read it or do not care about it. I wish to direct my remarks towards those members in this Committee who have a respect for Queensland’s legal system, and I particularly invite the attention of the Leader of the Opposition and the honourable member for Rockhampton, Mr Braddy.

This clause is quite extraordinary. It does two things. It gives the Minister the right, without any trammel at all, to register anybody he likes as a travel agent, despite a decision of the Commissioner for Corporate Affairs to refuse that licence. That is called cronyism. That is bad enough, but this clause goes one step further—one step further that should be objectionable to every member of this Chamber. The further step that it takes is that it says that a person who does not like the decision made by the Commissioner for Corporate Affairs can be refused access to the courts by the stroke of a pen by the Minister. That is what clause 26 (3) (a) says, that the Minister may refuse an appellant access to the courts.

We live in a pretty bad system if we are to let politicians not only write the laws but also decide who can get into the courts to test them. It is a totally obnoxious provision that has no precedent in our legal system and should be opposed by every member of this Chamber.

Mr GATELY: I find the comments incredible. I support the Bill and I support the appeal system that has been provided by the Bill. I find it incredible that here again the legal profession is jumping up and down and squealing because it may be restricted from being able to represent an appellant who may otherwise be able to deal with this matter——

Mr GYGAR: I rise to a point of order. The member has made an imputation of improper motives against me and the honourable member for Sherwood. On behalf of myself, I demand that it be withdrawn.

The TEMPORARY CHAIRMAN: Order! The honourable member for Stafford has asked that the remarks be withdrawn.

Mr GATELY: I withdraw.

I believe that it is incredible that members of the Liberal Party believe that we, as the highest court in the land, cannot make a judgment on what we will or will not do in the best interests of the people of this State. As the member for Aspley quite rightly
Mr INNES: The first fundamental matter is that we in this Chamber are not the highest court in the land.

Mrs Nelson: I didn’t say we were.

Mr INNES: The member for Currumbin said that we are the highest court in the land. If the honourable member for Aspley would stop talking for long enough to listen, she might be more accurate. The reality is that we are not the highest court in the land. We are supposed to lay down the laws of general application that are supervised by the courts of the land.

The second matter is that the decision referred to here will not be a decision of the Parliament, it will be a decision of a Minister who might well be able to go for three, four, five or six months, or even a year, without the supervision of Parliament. That might cause a great deal of wrong and harm to be done to somebody who would have been entitled to work if he had been able to litigate his case in the courts.

Even in Labor times, as well as in more recent times, the wisdom of this Chamber was that an appeal with regard to the right to work was an appeal directly to the court. Why is it now the wisdom of this Chamber that a politician—the Minister—be interposed in that process to decide whether or not an appellant can go to a court? I will tell the Committee that, whatever happens, the disgruntled will say, “If I had been able to go to court, I would have won. I did not have access to the courts. Somebody else got to the Minister. It is all political.” That will be the criticism. That will be so because the Government has set up a structure that allows that sort of criticism to be made. The courts should be used because that is where justice appears to be done. The courts are open so that it appears that what goes on is public, open and not subject to political interference.

A fundamental principle is involved. The Government has done something absolutely novel that it has attempted to justify. Clearly members have never thought about this. This has gone to the party room and to the sausage machine. Very few people on that side understand anything about basic legal principles. The Minister for Justice is not the Minister involved. It has not gone through him. Therefore, there is not that oversight.

Mrs Nelson: You are so arrogant.

Mr INNES: The word “arrogant” has been used by somebody who leaps to her feet in this Chamber on behalf of a political majority and claims for that majority the right to make decisions about everything in the land.

We have a Constitution which is described by everybody who has written a respectable volume on the Constitution as being in three parts: the Legislature, the Executive and the courts, which are the umbrella over all. It is a system of checks and balances. Any excesses of the Legislature can be corrected if one can wait for three years. Excesses of the Executive can be checked by the Parliament when it meets. The law that is passed and is supposed to apply to all people equally is presided over by the courts, which will determine whether any one of us—the Executive, the Legislature or ordinary member of the public—complies with the objective standards of the law. The courts perform a very important function. They should be written into their true and traditional role.

This is typical of pioneering National Party legislation by people who do not know what the Constitution is about and who do not know what the legal principle is about, but who know everything about political power. They know how to make sure that everybody comes to the political network to get whatever they want, and they provide the National Party with whatever it wants on the way.
Mr LESTER: I remind the member for Sherwood and the member for Stafford that we are talking about the Commissioner for Consumer Affairs tonight and not the Commissioner for Corporate Affairs. I make that very clear.

The initial question that the honourable member asked was, "Where else does this occur?" I indicated the Industry and Commerce Training Commission, which came into being under Fred Campbell, who performed an excellent job with it. It was then placed under the administration of Sir William Knox, and it is now under my administration. I do not believe that a complaint was ever made about the way that the three of us handled the commission.

In view of that, I am unable to accept any suggestion of change.

Question—That clause 26, as read, stand part of the Bill—put; and the Committee divided—

Resolved in the affirmative.

Clauses 27 to 59, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Lester, by leave, read a third time.
Second Reading

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (9.17 p.m.): I move—

“That the Bill be now read a second time.”

The Queensland Coal Trust was set up in 1984 to facilitate the Broken Hill Proprietary Company Limited take-over of Utah, and the Central Queensland Coal Associates Agreement and Queensland Coal Trust Act was enacted at that time to assist the establishment of the trust. A trust rather than a corporation was established because, under Commonwealth legislation, there were considerable taxation advantages in a trust structure.

In September 1985, Commonwealth policy changed and the Treasurer announced that public trading trusts such as the Queensland Coal Trust would pay tax at the company rate from the beginning of the 1988-89 financial year. Legislation to that effect has since been passed and it has become necessary for the manager of the trust, ACT Management Limited, and the trustee, Permanent Trustee Company Limited, to consider whether the trust should continue as a trading trust or incorporate as a public company. Incorporation requires amending State legislation because no provision is made for incorporation in the original trust deed which is referred to in the Act but does not form part of it.

Until recently, the manager and the trustee had not been able to agree on the particular benefits of incorporation, but after extensive negotiations both parties are now agreeable to legislation being introduced to enable the trust deed to be amended to facilitate incorporation, provided that a meeting of unit-holders called for 6 May approves incorporation in principle. If at that meeting a majority of unit-holders approves incorporation of the trust, then a second meeting will be held at which unit-holders will consider a scheme of arrangement whereby their units in the Queensland Coal Trust will be cancelled, the trust will become wholly owned by a new corporation, and the shares of that corporation will be allotted to unit-holders in the same proportion as their unit holdings.

The Bill amends the provisions of the Central Queensland Coal Associates Agreement and Queensland Coal Trust Act 1984 to allow for changes to be made to the trust deed so as to facilitate incorporation. The Bill provides that, if amendments to the trust deed substantially in accordance with the amendments set out in the schedule are approved by the unit-holders, then the trust deed will be taken to have been validly amended accordingly.

Provision is also made for the Supreme Court to make orders convening meetings and approving restructuring arrangements and orders ensuring that various reconstruction arrangements are carried out. In addition, the Bill provides that where a restructuring arrangement comes into effect pursuant to the provisions of the Bill, then the company which is to have units in the trust issued to it is to pay to consolidated revenue an amount determined by the Governor in Council on the recommendation of the Treasurer. Such an amount is deemed to be a payment of duty for the purposes of the Stamp Act.

It is important to note that the provisions of the Bill are facilitatory only and do not require unit-holders to accept incorporation. The Bill will become operative only if the unit-holders accept incorporation of the trust at the meeting scheduled for 6 May.

I commend the Bill to the House.

Debate, on motion of Mr Braddy, adjourned.

WORKERS’ COMPENSATION ACT AMENDMENT BILL

Second Reading

Debate resumed from 23 March (see p. 5543).

Mr VAUGHAN (Nudgee) (9.21 p.m.): Compensation for injuries that are sustained in the course of one’s employment provides a form of basic security to working people.
Although every precaution may be taken on the job by employers and employees to guard against accidents or injuries, unfortunately they do occur and that is when the workers' compensation system comes into operation. I must agree that the system that we have in this State is one of the best—if not the best—and it is our duty to see that it remains so.

Suggestions have been made from time to time that Queensland's centralised system should be disbanded and workers' compensation handed over to private insurance companies, as happens in other places. I am opposed to such a proposal and hope that, with all the current talk about the possible privatisation of a number of Government services, privatisation of workers' compensation is not being considered and will not be considered at any time in the future.

As the Minister has indicated, Queensland’s system of workers' compensation is continually being reviewed and improved. The purpose of this Bill is to increase benefits that are currently prescribed and include additional benefits.

The new interpretation of the term “Minister” is, I believe, not as specific as the present provision in the Act. However, because the designation of the Minister responsible for the administration of the Act has been changed frequently in recent times, perhaps the new interpretation—even though it does not relate directly to the Minister responsible—is appropriate.

Although the interpretation of “Minister” in the new Employment, Vocational Education and Training Act is more appropriate, I wonder why we have to have so many different interpretations of the term “Minister”.

Whereas the Act presently provides that the Under Secretary of the Department of Labour Relations shall be the chairman of the Workers Compensation Board, the Bill now provides that a person nominated by the Minister will be both a member of the board and chairman.

The Minister has claimed that the change will provide flexibility in that the chairman will not in future necessarily be the Under Secretary, but he has not really explained why that change may be necessary other than that it will provide flexibility.

Again, the reference to the chairman’s being the Under Secretary, Department of Labour Relations—which does not exist—is obviously one reason for the change. I suppose that another would be the extent of the duties of the Under Secretary. Perhaps with the rearrangement of the departments under the Minister’s control and the creation of new departments with new titles for the heads of those departments, the title “Under Secretary” may be about to disappear as it has done in other areas, thus the reason for the amendment.

The Bill provides that the powers of the board will be increased in that the board shall make recommendations to the Minister as to the services which the board may establish to promote improved safety performance by employers. Although I am completely in favour of seeking to achieve maximum safety at the workplace, it strikes me that the addition of that activity to the powers of the board may be a duplication of the activities of another department under the Minister’s control, namely, the Division of Occupational Safety which, on analysis, appears to be well staffed to promote improved safety performance, if allowed to do so. I would be interested in the Minister’s comments in that regard.

The amendments to the provisions relating to the custody and affixing of seal and authentication of documents are sensible and straightforward. As the Minister has indicated, the amount of compensation that is prescribed by the Act where death results from an injury at work has been increased to $72,000 where death occurs after the commencement of this amendment Act.

In 1986 when the Act was last amended, the amount prescribed was $47,000. But as the Minister has also stated, that sum is indexed and aligned to movements in the State guaranteed minimum wage. As a result, the amount of $47,000 was increased to
$48,080 from 7 July 1986, and to $50,470 from 16 March 1987. Therefore, it can be seen how the trade unions, which are so much maligned by the Government of this State and the members on the other side of the House, by pursuing increases in the guaranteed minimum wage, benefit workers both directly and indirectly. Unfortunately, a great number of workers do not know that and do not fully appreciate how necessary trade unions are.

The minimum amount payable to each dependent child after deduction of any weekly payments or any lump sum paid has been increased from $7,820, which was the amount as from 1 July 1986, to $12,000.

The minimum lump sum payable to dependants who were partially dependent has been increased from $6,850, which was the amount as from 1 July 1986, to $10,500. The amount payable to parents of a person under 21 who left no dependants has been increased from $3,030 to $8,100. These are significant increases, which I note are made without alteration to the premiums currently paid by employers.

I was particularly interested in the amendments that have been made to that provision in the Act which relates to the determination of a medical board. The existing provision provides that—

"Where pursuant to a reference under section 14C, a Medical Board has determined—

(i) that the injury in question has resulted in permanent partial incapacity to the worker for work and the extent of that incapacity; or

(ii) that the injury in question has resulted in permanent partial disability to the worker,

the General Manager may make to the worker as compensation for that injury—

(a) a lump sum payment of a proportionate amount of the total liability specified in paragraph (e) of this provision (B); or

(b) a payment of compensation of a proportionate amount of the total liability specified in the table set forth in provision (C) of this subsection and the worker shall not in respect of that injury be entitled to compensation under this provision (B) in respect of any period after the making of a payment pursuant to this paragraph (f)."

The existing provision is deleted in this Bill and replaced by the following—

"Where pursuant to a reference under section 14C a Medical Board has determined that the injury in question has resulted in a permanent partial disability to the worker, the General Manager may make to the worker as compensation for that injury a payment of compensation of a proportionate amount of the total liability specified in the table set forth in provision (C) of this subsection and the worker shall not in respect of that injury be entitled to compensation under this provision (B) in respect of any period after the making of a payment pursuant to this paragraph (f)."

Reference to "permanent partial incapacity to the worker for work and the extent of that capacity" has been dropped along with the reference to "a lump sum payment of a proportionate amount of the total liability specified in paragraph (e) of this provision (B)".

As the Minister is aware, on 8 February this year the Federal Minister for Social Security released a statement announcing that legislation would be introduced in the Federal Parliament to bring about changes in the eligibility of some recipients of workers' compensation pay-outs seeking to obtain social security benefits. The changes referred to by the Federal Minister meant that 50 per cent of any lump-sum compensation pay-out would be deemed to be for economic loss, precluding social security payments until that amount of money was exhausted. The Minister stated that the changes were amended to outlaw double dipping in the social security system.
I must say I was shocked by the decision and wrote to the Minister on 22 February requesting a review of that decision. By letter dated 16 March last the Minister advised me that in relation to lump-sum compensation settlements made prior to his statement, the Department of Social Security was required under the Social Security Act 1947 to identify the economic loss component of lump sums. He informed me that that provided a most difficult task for a number of reasons, not least of which was the non-co-operation, or even refusal, of clients and their legal advisers to inform his department of the reasons for the settlement. As a result it was decided to introduce the 50 per cent rule.

As I have said, I disagreed with this rule because I did not believe the ruling could justifiably be applied to lump-sum payments made by the Workers Compensation Board of Queensland to workers who had suffered a permanent partial incapacity or disability as a result of an injury at work. I have always understood that the lump-sum payment was for the permanent disability.

However, I believe now that the provision refers to a permanent partial disability to the worker only. Any compensation payment made to the worker as compensation for that permanent partial disability cannot reasonably or logically be considered as being in any way compensation for economic loss. I am not aware that that was the intention behind the amendment, but I see that as being the end result and hope I am right and that that will be the end of the matter.

The provisions relating to the inclusion of loss of taste, loss of taste and smell, loss of genital organs and prescribed disfigurement in the table of compensatory injuries are timely and commendable. The Bill amends the provisions of the Act relating to medical boards that the Minister has indicated have been operating for over 20 years. Medical boards will no longer determine the extent of the incapacity for work. I believe that in many cases incapacity for work would be extremely difficult to determine, even by the most expert medical practitioner. In future, medical boards will determine whether any incapacity for work occasioned by an injury is total or partial. Again, I believe that that is more within the scope of the people on the boards. The decision to include occupational therapy expenses incurred by an injured worker as a treatment expense—the same as medical treatment—will certainly assist the rehabilitation of injured workers.

Mr Deputy Speaker, before concluding my comments on the Bill, I must say that I was interested to note in the Workers Compensation Board's 1987 annual report that, although the number of employers insured by the Board continued to rise, the number of claims fell by over 8 per cent. I was also interested to note that the Board had a surplus of $70.7m. In fact, the whole report made very interesting reading.

Mr Deputy Speaker, I reserve any further comments for debate in Committee.

Mr ALISON (Maryborough) (9.31 p.m.): It is with pleasure that I rise to support the Minister. In Queensland, the workers' compensation scheme has been a great success story over the many years that it has been operating. The board is a highly efficient organisation. A minimal amount of its income is taken up by administrative and processing costs. The Queensland Workers Compensation Fund has brought comprehensive benefits to injured workers. The premium rates paid by employers are very competitive. I will have more to say about that matter in a few moments.

Queensland is the acknowledged leader in Australia in the field of rehabilitation of injured workers. The scheme is fully funded, which is very important from an economic and financial viewpoint. Later I will have something to say about that matter insofar as the Queensland fund compares with the funds operated in other States.

The soundness of the fund can be explored by simply referring to the latest financial statement available, which is for the year ended 30 June 1987. By reference to that statement, it can be noted that the Workers Compensation Fund has total provisions and reserves of $417m. According to the balance sheet, it has provisions and reserves that amount to $316m for outstanding claims. The assets amount to $244m in investments. Cash on hand, at bank and at Treasury amount to $139m. In fact, the bulk of
the assets represent cash in the bank or short-term investments. These investments and funds create employment in Queensland by their very existence.

In comparing the soundness of Queensland's Workers Compensation Fund with that of other States, it must be said that there really is no comparison. The Queensland scheme is fully funded. By that I mean that all outstanding claims are fully covered by cash or investments. The money is there, waiting for the claims to be processed. As soon as the claims can be properly processed, the money is paid out. This mode of operation lies in stark contrast to the Victorian scheme, for example, that incurred a deficit of approximately $2.4 billion, which is scandalous. I do not know how the Victorian Government will get out of that mess, other than by appropriations being made from the Consolidated Revenue Fund every year, or as necessary, to enable the Workers Compensation Fund to meet its commitments. It is not a very good way of running an organisation—least of all an organisation administering funds that are designed to provide benefits for workers. However, that is the way it is being done in Victoria.

In Queensland, the people have pride in the way that the Queensland Workers Compensation Fund has been managed. The scheme is fully funded and is in an excellent financial position, which is evident in the balance sheets and financial statements of 30 June 1987.

The premiums paid by employers are also very good when compared with those of other States. It is interesting to note that the average workers' compensation premium rate in Queensland for the year 1985-86—according to the latest figures that are available—was $1.50 per $100 of wages paid. That figure compares with the figure for Tasmania, which is the next cheapest at $1.90. The next is the figure for Western Australia at $2.40 per $100 of wages. The rate is $2.50 in the ACT and $2.60 in Victoria and the Australian average is $2.70, which is almost twice the average rate of premium paid by employers in Queensland. The rate in the Northern Territory is an average of $3 per $100 of wages. It is $3.20 in New South Wales and $3.30 in South Australia. From these figures it can be seen that the other States could learn a lot by coming up to sunny Queensland and seeing how the workers' compensation fund is run in this State.

Mr Vaughan: Who established it?

Mr ALISON: I will take that interjection because I am pleased to acknowledge that it was established by a Labor Government some time earlier this century. That Government has to take credit for establishing the scheme.

Mr Vaughan: It is a great scheme.

Mr ALISON: It is a good scheme, but I think the honourable member would also have to acknowledge that in the last 30 years the scheme has been administered by conservative Governments and that they have done a pretty good job as well.

Mr Vaughan: But you had some bad ideas about it.

Mr ALISON: I will not concede that point.

It is interesting to look at certain other statistics in relation to the fund. My understanding is that every three years the rates of workers' compensation premiums charged to employers are reviewed. It is interesting to note that when there was a review of the rates in September 1984, in terms of the percentage per $100 of wages that the employer had to pay out of a total of 403, 182 rates were decreased, 26 rates remained unaltered and 197 rates were increased. The rates were reviewed and adjusted next in July 1987. At that time, out of a total of 384, 170 rates were decreased for the employer, 24 remained unaltered and 190 rates were increased. That is a pretty fair effort.

A comparison of premium rates in industry State by State is not really practical because, except in the case of Tasmania and Western Australia, different conditions apply. In New South Wales, Victoria and South Australia there is no common law cover for workers, which is a bit surprising. However, that is the fact of the matter and one cannot compare the Queensland premium rate paid by employers with the rate paid in
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those States. Also in New South Wales the rates are based on industry rather than by employment or occupation classification. Nevertheless, it is interesting to compare a few of the workers' compensation rates charged to employers in Queensland with the rates in those States in which a fair comparison can be made, that is Tasmania and Western Australia.

For example, in 1976, the bakers and pastrycooks' rate in Queensland per $100 wages paid was $2.35, in Tasmania it was $2.89 and in Western Australia $5.48. In 1976, the rate for carpenters was $5.80 in Queensland, $6.04 in Tasmania and $12.39 in Western Australia. Carriers and carters is another general rate. In 1976, it was $5.10 in Queensland, $6.04 in Tasmania and $9.15 in Western Australia.

I will give one more example. In underground coal-mining in 1976, the rate was $9.90 in Queensland, $13.60 in Tasmania and $13.05 in Western Australia. Honourable members can see that although the benefits paid to workers and their families in Queensland are comparable to the benefits paid in the two States to which I have just referred, nevertheless, there are very big savings for employers in Queensland, because of the workers' compensation rates that are charged.

Now I wish to refer to the efficiency of the board. I represent an industrial city that has quite a large Workers Compensation Board office that processes a great number of workers' compensation applications. The very great majority of those claims are processed quite speedily. When, as the local member, I receive complaints, mostly I find that there are very good reasons why there may be some delay in processing the claim.

The Workers Compensation Board has 22 offices and 69 staff throughout the State. I wish to pay a very sincere tribute to my local manager, Ken Harvey, who with his staff does an excellent job. I have fairly regular contact with that office and receive very good treatment. I am attended to promptly and am able to get back to the worker concerned or make an appointment with Ken Harvey for the worker. Any problems are sorted out in quite an efficient and friendly manner. I congratulate him and I hope that my congratulations are passed on.

I also congratulate the general manager, Mr Jim Campbell, whom I have known for some years now. He is a man who is obviously very dedicated to his job, which he knows very well. He has nearly all the information in his head. If he is asked a question and does not have the answer right at his fingertips, he jolly well soon gets it. I congratulate him for the job he has done not so much for the Government but for Queensland as a whole, for injured workers in particular and for employers. Graham Swan, who I think retired last week, was chairman of the Workers Compensation Board for some time. He did an excellent job and I wish him well in his retirement.

The Queensland workers' compensation scheme is rightfully acknowledged as the best run in Australia. It has the lowest premiums across the board, excellent benefits for injured workers and is a leader in the rehabilitation of injured workers. I give a big thank you to the dedicated and highly efficient staff and to the excellent board that oversees the whole operation. This Government and previous conservative Governments can take a bow for the position in which the workers' compensation fund is now placed.

I certainly support the Bill which, in the main, provides increased benefits to injured workers and their families. I congratulate the Minister who, as always, is doing an excellent job.

Mr Davis: Oh, come off it.

Mr ALISON: I like to give credit where it is due.

It is my pleasure to congratulate Mr Lester on what he is doing, particularly with the workers' compensation fund, and on what he is doing in his portfolio generally. I hope the Bill gets a speedy passage through the House.

Hon. Sir WILLIAM KNOX (Nundah) (9.43 p.m.): On behalf of the Liberal Party, I have pleasure in supporting the legislation.
Mr McLean: Brings back memories, Bill.

Sir WILLIAM KNOX: A little reminiscing, yes. The first piece of reminiscing is that, while the workers' compensation legislation was thought up years ago by a Labor Government, in this State the system did not operate efficiently until July 1978, when the operations were separated from the SGIO, as it then was. That is the first important piece of information that I provide for the honourable member.

When the Workers Compensation Board was able to stand on its own feet, separate from the insurance operation of the SGIO, its administration started to blossom and its ability to do business in the community and elsewhere improved. Under those circumstances and in the circumstances under which it operates now, people have come to respect the authority of the Workers Compensation Board far more than they did prior to 1978.

Often I have questioned why it is necessary to have legislation periodically brought before the House to amend the benefits. I would have thought that by now we had enough experience—I am sure that experience can be found in the computer files of the Workers Compensation Board—to be able to work out a system of automatic adjustments of benefits in keeping with the changes in wages and the standard of living in the community.

I think it is wonderful that we need to look at it only every three years, as has been the practice in recent times, but it would be better if these matters could be adjusted automatically with the authority of the Governor in Council and, of course, this House, thus obviating the necessity to bring the legislation back to Parliament from time to time for an adjustment to the benefits.

New injuries are occurring which require examination and inclusion in the list. Consideration must be given to the types of industries which lead to some forms of injuries being more serious and more significant in today's circumstances than they were 10 or 20 years ago.

It is interesting to note that, although the number of new claims is reducing, common law claims are rising dramatically. There may be an explanation for that, and the Minister might care to give it to us. I believe that something could be happening which is becoming very impressive in the story of workers' compensation. I do not know whether it is because legal aid is more readily available, whether people know that they can make those claims in that way, or whether a specialised service in the legal world informs people that they can make those common law claims. I am not sure that many of the claims are very wise. I have had people in my office who obviously have been badly advised. They would have been much better off in the long run if they had followed the normal course of compensation. Perhaps the Minister can explain why common law claims are rising so dramatically.

The workers' compensation system in this State is very impressive. As the honourable member for Maryborough pointed out, it is more impressive than the system in other States. The average premium is still under $2 per $100. When one realises that premiums in other States are up to $30 per $100, Queensland's premium is very impressive. With such high premiums, some industries in other States of Australia must find it difficult to exist.

The board is run extremely efficiently by very competent officers. It is run independently of insurance. In fact, I have never regarded workers' compensation as insurance. One of the fundamental mistakes that is made in other States is that they regard workers' compensation as a form of insurance. It is not insurance, because the people who pay the premiums are not the beneficiaries. The beneficiaries, of course, are the people who are employed by those who pay the premiums. Therefore, workers' compensation has more of a leaning towards being a welfare fund than a form of insurance.

Actuarially, the fund must be able to meet its commitments. The bonuses that are being given to employers as a result of employers applying themselves more assiduously
to matters of safety—of course, laws also have been introduced to improve safety—are very impressive indeed. In fact, after the bonus is deducted from the premium, some employers in many industries would be paying a very modest amount. That helps employment and the development of our industries, particularly the labour-intensive industries—the tourist industry and so on—which helps in the development of the State.

For those reasons, and others, it should be cheaper to open a business and to keep the doors open in Queensland than it is in any other State. I am sure that the Minister will not mind my mentioning that the only impediment is that pay-roll tax is still far too high for small businesses in this State. If something could be done about removing the imposition of pay-roll tax on small businesses, industry in Queensland would be right in the front line.

One of the major amendments to the Bill provides that in future the under secretary will not be chairman of the board. I realise that there are people other than under secretaries who would be competent to be chairman of the board. People outside the public service would be quite capable of being chairman. I do not know the reason why the Minister has proposed that amendment. I am surprised that it has been proposed.

There are advantages in having the under secretary as chairman of the board. If the Minister has in mind not appointing the under secretary as chairman of the board, he will discover what the disadvantages are. I do not have to educate him about that. I am sure that he has discovered the advantages already. The Liberal Party has no objection to that change. However, I think that there are some special advantages in having the under secretary as chairman of the board.

As I understand it, at present the under secretary is the accountable officer. Presumably, if the under secretary is not the chairman of the board, the under secretary will continue to be the accountable officer until such time as changes are made by way of the Treasurer's Instructions, which will no doubt come about when changes are made to the structure of the public service. At present the Minister has virtually two heads of department—the under secretary and the director of training. Presumably, some changes will be made in that regard.

The Minister made mention in his second-reading speech of rehabilitation. As I understand it, some hundreds of people have now gone through the centre at South Brisbane. As a result of that, many people have gone back into the work-force at a much earlier time than otherwise would have been the case. That has been very worth while. One hopes that that is reflected in next year's statistics as a reduction in claims or a reduction in the amounts that have to be expended. One particularly hopes that the malingerers and the people who abuse the system are weeded out as a result of having to present themselves to the rehabilitation centre.

The Liberal Party supports the legislation.

Mr STEPHAN (Gympie) (9.52 p.m.): I have pleasure in joining the debate on the Workers' Compensation Act Amendment Bill. Along with other speakers, I want to say what a good-news story the Workers' Compensation Act is and what a good-news story workers' compensation generally has been since I became a member of Parliament.

The principal and primary objective of the proposed amendments is to provide greatly enhanced benefits to the dependents of fatally injured workers and additional benefits to permanently injured workers not already provided for in the table of injuries contained in the Act. Bearing that in mind, it is no wonder that honourable members can only say that it is a good-news Bill and one that honourable members have been looking forward to. The Minister is to be congratulated on the introduction of the legislation.

It must be borne in mind that the Workers Compensation Board covers a very wide field. The operations, the goals and in fact most aspects of the board involve the use of information. That use of information is very important and is of benefit to the Workers Compensation Board.
Optimum efficiency in the use of information results in better service to clients through better administration and the ability to predict trends and problems rather than discovering them when it is too late. It enables the board to know where the problem areas are, to detect the major uses and abuses, the trouble spots, and to endeavour to eliminate problems before they arise. It also enables the board to provide assistance for research external to the organisation. Many areas are assisted tremendously by the board by way of advice and financial assistance.

The by-product of up-to-the-minute statistics for use internally and externally has been a growing demand, and there is no doubt that this data can help employers in making work-places safer and places of which employees and employers alike can be proud.

The Workers Compensation Board gives grants to various bodies in the community. In 1986-87, for example, the Workers Compensation Board made grants totalling more than $7.5m to various organisations and services involved in the treatment of injured workers or the promotion of safety. Honourable members may not be aware of some of these organisations.

Public hospitals received $6.5m; mines rescue stations, $500,000; National Safety Council of Australia (Queensland Division), more than $200,000; Queensland Ambulance Transport Brigade, $51,000; Royal Flying Doctor Service (Queensland Division), $26,000; Surf Lifesaving Association, more than $1,000; and the Australian spinal injury record-keeping system, more than $3,000. It is very important that we recognise and appreciate the assistance that is given in those particular areas.

It is amazing that, whilst other States of Australia are struggling to get their houses in order with their workers’ compensation matters, the Queensland scheme continues to improve. More amazing is the fact that in Queensland benefits improve yet premiums continue to be the lowest overall in Australia. That was pointed out by two previous speakers, namely, Mr Alison and Sir William Knox. I highlight again that the average for Queensland is $1.50, compared with $3.20 for New South Wales and $2.60 for Victoria.

I know from personal experience that in Queensland claims are settled quickly. That is very important. I cite the Moura mine disaster in July 1986 as an example. Claims were paid within a fortnight of the basic documents being submitted to the board. Honourable members will recall that in 1986 benefits payable upon the death of a worker were increased and backdated to extend the benefit to the dependants of workers killed in that disaster. The current amendments further increase the death benefits. Not only are the benefits increased, but the common law right to sue for damages is retained.

I have done some research into what a totally dependent spouse, male or female, would receive in the event of a fatal accident. For the information of honourable members, I point out that the spouse will receive $72,000 as a lump sum, which is paid directly to that spouse. In addition, a sum of $940 is paid annually for each child until the age of 16 years, or 21 years if he or she is a full-time student, with a maximum of $3,860. Each child also receives $15.25 per week until the age of 16 years, or 21 years if he or she is a full-time student. Therefore, the payment for a fully dependent spouse with two children aged one year and seven years and who both went to university until they were 21 years of age would be $106,682. That is certainly of enormous assistance. Of course, compensation will not replace the person who has been killed, but it certainly helps to ease the financial burden. It must be kept in mind that this payment is made even if the spouse enters the work-force following the death of the worker.

I am particularly pleased with the amendment that increases the amount paid to the parents of a worker who is under 21 years of age and who leaves no dependants. Those parents will now receive $8,100 in addition to funeral costs.

The board’s success is in no small way due to its commitment to a balance between benefits paid and premiums charged. As claims reduce, all parties benefit; the board
benefits because it has fewer pay-outs; the workers benefit because they receive fewer injuries; and the employers benefit because they receive merit bonuses and greater productivity from their workers.

The merit bonus is unique in Australia. It is applied by way of a formula that is easily understood. To work out a merit bonus, all an employer has to do is calculate his claims experience ratio, that is, the amount of claims paid multiplied by 100 and divided by the year's assessed premium. The claims experience is then matched against a scale which slides between nil and 55 per cent. If an employer's claims experience is less than 5 per cent, then a merit bonus of 50 per cent is paid. If it is under 55 per cent and over 50 per cent, then a 2 per cent bonus is paid. Eleven scales apply, ascending by 5 per cent from nil. Let me give honourable members an example of just what that merit bonus means in real dollars.

An Opposition member: Five minutes!

Mr STEPHAN: If Opposition members would like to listen a little longer, I will provide them with some additional information.

Take a builder who employs 20 men at $400 per week for a year. His premium would be $27,000. In New South Wales, it would be $34,000. If the 50 per cent merit bonus applies, he would pay only $13,832, which is almost one-third of what he would pay in New South Wales. The legislation is certainly a good-news story. The Minister ought to be congratulated on its introduction.

I focus on the merit bonus because honourable members will see that the amendments cater for the board's movement into a new field of providing advice to employers on improved safety performance. I know that the board is keen to encourage every employer to receive a merit bonus. If every employer received the full merit bonus, there would be extremely few industrial injuries.

Honourable members may have noticed from recent annual reports of the board that the number of workers' compensation claims that are being lodged is steadily declining. There is still a long way to go. But with the board's new service, it is predicted that the number of claims shall continue to drop at a meaningful rate. I understand that a feasibility study that is currently being conducted by the board has many positive indicators and that employers are elated at the possibility of a new service which will show just how their claims experience is composed. Armed with that knowledge, they will of course be able to focus their safety strategies on the major causes and incidences of industrial accidents.

I was pleased to be informed by the Honourable the Minister that the new service does not attract another great number of public service positions; rather, there will be relatively few additional positions created. The motto of the service could be "Helping employers to help themselves". The employers are free to use their own and private resources to improve their claims experience ratio.

There is a growing number of risk managers and safety consultants throughout private enterprise in Queensland. This amendment will see the board, the employers and private-enterprise resources working hand in hand to minimise industrial accidents.

When industrial accidents occur, the rehabilitation centre does a fantastic job of getting workers back to their jobs as soon as possible, thereby assisting the fund, the employer and the country by creating better productivity.

This amendment is just another example of this Government's commitment to consultative government. The board is consulting with employers and their organisations so that this House and the people of Queensland can be assured that they are being helped and not dictated to.

I take this opportunity to thank Jim Campbell for his assistance throughout the year. I welcome Ian Staib as the Under Secretary of the Department of Employment and Industrial Affairs. Graham Swan did a good job in that position, and I know that Ian Staib will do equally well.
Mr Lester: While you are in a thanking mood, you should thank Jim O'Dwyer.

Mr STEPHAN: I thank Jim O'Dwyer for his assistance. I do not want him to be embarrassed to the extent that his face becomes red, but Jim is readily available at all times. The advice that he provides is very valuable. All of the Jims are doing a fine job.

Mr BURNS (Lytton—Deputy Leader of the Opposition) (10.03 p.m.): Tonight I wish to speak about a workers' compensation matter that concerned me greatly because it was compensation for the death of a newspaper boy who was killed at 5.40 a.m. on Thursday, 14 January, at the corner of Cavendish and Holland Roads, Holland Park. That young boy was the victim of a collision between two cars, one of which apparently ran a red light. He was a highly talented student in Year 10. I understand from his teachers that he received very high achievements in all of his subjects. He was the pride of his parents, but because they were not financially well off he used to rise at 4 a.m. to sell papers at the intersection. I understand that he raised the circulation from 35 papers per morning to about 50, making approximately $5 every morning. Apparently he used that money to purchase the text books for Year 11, which I understand came to about $300. Just one week before school started and two days before he was to give up his job of selling papers at the intersection, that boy was tragically killed.

It seems to me that this Parliament, the Family Services Department, which regulates the employment of children, the Police Department, whose duty it is to enforce the traffic regulations, and the newspapers and Newsagency Council of Queensland all can be held partially culpable in the death of that young student. The compensation payment that that boy’s family received was far below the amount that I believe they should have received.

The Parliament is culpable because I think that we have so easily dismissed these unnecessary deaths as just tragic accidents. We shake our heads, we offer our condolences and we forget about rectifying a system which contributed to the deaths.

Consideration of the circumstances surrounding the employment of minors, the conditions of work and especially the safety aspects of employment is long overdue by this Parliament. But even more incredibly, when I looked into the circumstances of that young man’s death, I found the non-enforcement of existing regulations and a complete disregard by the newspaper industry and the Police Department about those regulations.

Firstly, although section 113 of the Children's Services Act prohibits the employment of children in street trading before 6 a.m. and after 6 p.m., that young man was killed at 5.40 a.m. after having risen at 4 a.m. to go to work. To my knowledge, no attempt was made by the Children's Services Department to enforce the provisions of section 113 of the Act or to advise the Newsagency Council of Queensland, the newspapers and the newsagents of the hours of work permitted by the Act.

On 22 February I wrote to the Minister for Family Services and Welfare Housing expressing my grave concern about the common practice of employing children outside the hours permitted by the Act, and subsequently the Minister advised me that he had written to the Newsagency Council of Queensland, Queensland Newspapers and Sun newspapers seeking their co-operation in advising newsagents of the need to ensure that children do not sell newspapers in illegal or unsafe circumstances. That is not good enough. If there is a law that kids should not be out at those times, that law is being broken. There are laws in relation to the abuse of children. The circumstances that I have just described represent an abuse of a child as slave labour. Although I am pleased that the Minister has finally taken action following the death of this newspaper boy, I am always amazed why departments have to wait until someone loses his life before constructive and preventive action is taken.

Secondly, the Police Department itself is responsible for not enforcing existing traffic provisions. We all know that newspaper boys regularly place themselves at risk at intersections by running between cars to sell newspapers, even though the sale of
newspapers from the roadway itself is prohibited. I have never seen a police car pull up a newspaper boy and order him off the road because of this practice.

I do not want to stop a young man earning a buck, but I want to make certain that he works in safe conditions. I have been with the Minister when he has visited factories in my area handing out Work Safe awards and National Safety Council flags, etc. As we are talking about saving lives, I say there is no more valuable young life than that of a young man such as this who is working to buy books so that he can save his family the expense of paying his way through Year 10.

In Victoria, newsagents are informed that if they permit their paperboys to sell from the roadway, they can be ordered off the run altogether. It is also necessary to completely rethink the regulation which permits the sale of newspapers from median strips. In fact, it is getting worse. People are now selling flowers from median strips. However, I am still talking about kids. We all know that median strips offer virtually no buffer against speeding traffic; they are just a little bit of concrete. As we saw in the case of this young man who was selling newspapers from a median strip at the time of his death, median strips were certainly no buffer against the two cars which collided up the road, careered down towards him, knocked him down and killed him.

The Traffic Regulations should be immediately altered to prohibit the selling of newspapers and the collection of donations from median strips as well as the road, and those Traffic Regulations should be strictly enforced. I am talking now of work safety. This involves work safety. These boys are employed; they are not volunteers. They are out there earning money, and earning it hard.

If police took concerted action, it would not take long for the word to get around that newspaper boys were not permitted to sell from the roadway or median strips at intersections.

In my letter to the Assistant Commissioner of Traffic about this case I proposed a number of items for consideration so that young boys and girls are not placed at undue risk, which is clearly the case at the moment. I was very disappointed when the Police Minister wrote back to me offering nothing but the same old platitudes that the police are concerned about this matter but largely passing the buck when it came to any action. The Police Department seems to take the view that it cannot do anything to prevent these accidents from occurring. I believe we can. Certainly it cannot prevent the accidents, but it could have prevented the situation arising in which young boys and girls are killed because they are working in unsafe conditions. I also wrote to the Newsagency Council of Queensland, as a representative body for newsagents, raising the issue of newspaper boys working in unsafe conditions and pointing out the illegality of working outside the hours of the Children’s Services Act, of the illegality of selling papers from the roadway and the dangerous practice of selling from median strips. I received a letter stating that the council was certainly concerned about the issue, and I am pleased to note that it appears to be taking some action to inform newsagents about their responsibilities and about the law. The council sent a circular out saying that Tom Burns had written complaining about newsagents breaking the law.

I do not mind that the council tried to dob me in for it, because I was concerned enough to be writing and saying that they were breaking the law. I know that the Courier-Mail and other newspapers ring up newsagents and say, “We have had complaints from our customers that there is no newsboy available early on the morning on such-and-such a road.” and, “Your young newsboy did not turn up this morning. We have had a customer complain that he always gets his paper on such-and-such a corner.” The paper has told the newsagent to get a boy out there. I am talking about big multinational companies and million-dollar take-overs—the Murdoch empire taking over newspapers—yet people are ringing up and saying, “Get a kid out on that corner so that we can sell an extra 20 or 30 bloody newspapers in the morning.” I say to the Minister that that is not good enough—not good enough at all. As I said, I received a letter from the Newsagency Council saying that it was concerned about the matter.
I also understand from the Newsagency Council that it is considering issuing a guide to newsagents about what are acceptable and unacceptable selling practices for its employees. It is unfortunate that this has not occurred before. It is very sad that deaths of young people of Queensland have occurred because so many Government departments and authorities have preferred to look the other way instead of sitting down together to work out practical proposals which clearly spell out the legal and illegal practices and the acceptable minimum safety standards which should apply to the selling of newspapers.

Largely, young boys and girls are not concerned about their own safety in these circumstances. I have done similar things myself. I am not trying to stop a lad making money. I would do everything I could to help him. It is great to see young people who have initiative do something to help their parents; but it is also the most distressing duty to tell a family that their boy was killed when he was out on the roads working, in what, allegedly, is a State that has safe work practices and other measures designed to do everything possible to stop people being killed on the job.

All honourable members would know that the young blokes and young girls—and there are many girls selling papers on the roads now—are mainly concerned to increase sales because they will get some more pocket-money, which is very important to them. In the case of the young man to whom I have referred, he was doing this work primarily to fund his purchase of textbooks and school materials so that he could fund his way into Year 11 without placing a further burden on the financial capacity of his parents. I know his parents. They came from my electorate, but they do not live there now. As far as they are concerned, the authorities can no longer look the other way. They can no longer pretend that young boys are not being killed. They can no longer be ignorant of the law, which was so clearly the case when the circulation manager of Queensland Newspapers was interviewed on the *Carroll at Seven* program.

It is not acceptable that newspaper companies either deliberately ignore the law or do not properly inform themselves of the legislative provisions when it comes to employment of minors. It is not acceptable that the Police Department does not regard the enforcement of the Traffic Regulations as a priority with respect to the selling of newspapers at intersections. It is also unacceptable that the newsagents themselves are ignorant of the law or that they do not concern themselves about safety aspects of work conditions for newspaper-sellers.

I understand that the boys' parents are entitled to a payment of $5,700. The Minister's second-reading speech makes reference to an amount that is a little more than that for compensation. However, the boys' parents were told $5,700 would be paid in compensation for the death of their son. I believe that the *Courier-Mail*, the *Daily Sun* and the Newsagency Council and the Government departments involved ought to contribute more money to that fund to compensate the family for the loss of that life. $5,700 for the loss of a person's son is a miserable bit of money; it is a very, very mean and miserable amount. No amount of money will make up for the loss suffered by those parents. Certainly in discussions that we have had with them, money was the last thing on their minds when they spoke about their son's death.

This Bill will increase the payment to a minimum of $8,100. I ask the Minister to seriously consider back-dating the provisions of this Bill to 1 January in order to cover the circumstances of that young boy who was lost in the way that I have described. I believe that he was let down by the system. He was let down by the Police Department by its not enforcing existing legislation; he was let down by the Children's Services Department, which does not enforce the legislative provisions or make people sufficiently aware of the illegality of selling newspapers at that hour. He was also let down by the newspapers and the Newsagency Council of Queensland, because they failed to acquaint themselves with existing legislation. They failed also to inform newsagents of the legislation and to issue those newsagents with appropriate guide-lines for the employment of newspaper-sellers. The newsagents failed in their duty also—and in their responsibility—to provide a safe place of work, or at least to minimise the risks involved.
Mr Lester: I will ministerially back-date compensation by treating this as an individual case. I would like to thank the honourable member for raising the matter in Parliament. Please offer my condolences to the family.

Mr BURNS: I thank the Minister very much. That is very kind of him, and I appreciate it—I really do.

It got to me that this young man was killed in those circumstances. As I wrote to a number of people about it, I found that everybody agreed with me. In fact, the Minister is the only one who has agreed with me and done something about it. Everybody else has agreed, but nothing has happened prior to this. On behalf of the young man's family, I thank the Minister very, very much. I am sure that his family will thank the Minister, too, in their own way. It is very, very nice of the Minister to take that action. I hope that some of the agencies that were involved in employment of the boy will do something along those lines, too.

I wish to raise another matter. I must say that $72,000 is a substantial increase from the previous amount of $50,000 that is paid in respect of the death of adults. However, the average working man's home costs $60,000 or $70,000. That is the price for a fairly ordinary type of home. Many workers are buying homes that cost $100,000. The family of a young worker who has a couple of young children and family commitments and loses his life on the job would require a substantial amount for their security. Although the Government has substantially increased the amount—and I do not decry that in any way—it is not much of a recompense for the loss of the young bread-winner of a family.

I wish to raise one other matter. A friend of mine, who is an official of the Building Workers Industrial Union told me that his wife grabbed him one day and said, "Come into this shop." It was a Copperart shop that sold plastic plants and copper materials. There were two 15 or 16-year-old girls working in the shop and both had tears in their eyes and skin peeling off their hands. They had been using a substance called Copperart potting foam. They mixed two kinds of chemicals together and the result was a foam that was placed at the bottom of the copper bowls in which the plants were stuck. Apparently this foam was still on sale in Copperart shops prior to Christmas, although I am not quite sure whether it is still on sale in Queensland today. I was going to go down to the shop myself to see if it was still for sale, but I did not have time.

Those kids, who had no knowledge of what they were doing, were mixing this material together, and if they were doing it in one shop, I am sure that it was being done in all the other shops because all the shops sell the same kind of foam. The man and his wife went into the shop and asked the girls if they knew what they were doing. They replied that they did not and he asked them to give him two empty bottles, which they did. He put them in a plastic bag. By the time he got home the bottom had been eaten out of the plastic bag. The substances are highly dangerous or at least have some sort of——

Mr Randell: Acid.

Mr BURNS: I would not say acid.

Mr Vaughan: A noxious substance.

Mr BURNS: Yes, a noxious substance. I do not know whether they were acids, but they were obviously two noxious chemicals.

The man then took the substances over to the Workers Health Centre at Trades Hall and asked the people there to have a look at them. Perhaps the Minister can inform me if he knows of this matter. I understand that this potting foam is labelled as consisting of 100 per cent methylene bis (phenyl) di isocyanate, or MDI, which is used in the production of polyurethane foam. Isocyanates are potentially hazardous materials and dangerous to health. I understand that lungs can be damaged through the inhalation of the vapour from this product. The vapour irritates the membranes of the nose, throat
lungs and eyes and watering of the eyes, dryness of the throat, tightness of the chest and
difficulty in breathing and headaches are symptoms of this irritation. Yet two young
girls were mixing that product in a small back room of a shop to sell it as foam. Allergies
may occur as a result of this irritation, with asthma being the most common. The foam
is also very dangerous to the eyes and permanent damage can occur if it comes into
contact with the eyes.

I understand that large factories, such as GEC, have very special rules in relation
to the handling of this product. Because the unions are strong and have taken up the
fight there, the worker on the job is protected. The girls working in these shops—and
there may be hundreds of shops throughout Queensland that are doing exactly the same
thing—were placing their health in danger. Eventually they will make a workers'
compensation claim or, if not, a sickness benefits or social services claim of some kind.
They are under threat because they are not being made aware of the danger.

The Minister has been with me in my electorate at times when we have congratulated
business houses and working people for their safe working practices where the boss
himself tells the worker of the dangers, the worker co-operates with the boss and between
them they reduce the number of accidents per year. When they reach certain figures or
make certain improvements they receive different types of flags signifying their success.
It is a pity this did not happen here.

This foam also apparently mildly tans the skin. The National Health and Medical
Research Council recommends a ceiling limit of .02 parts per million, which is a very
low threshold and gives some indication of the hazardous nature of this chemical.

However, in spite of the obvious dangers of this chemical, to my knowledge the
Government has taken no action to limit its use or place restrictions on its handling.
The Queensland Workers Health Centre has recommended several precautions so that
MDI can be safely handled and used. It stated that the use of this product in a small
room at the back of a retail shop without any attention to ventilation should be
discontinued. It also stated that if it was absolutely necessary to produce the foam on
the premises, a fume cupboard, or something similar, should be installed immediately.
It stated further that the workers in that particular shop should be informed of the
health hazards of that product and encouraged to discontinue its use. On a number of
occasions I have seen the Minister issue warnings about products. I hope that his advisors
can check this matter out because the Minister should issue a similar warning in this
case.

The recommendations continue by stating that the workers should record exposure
to isocyanates with their union and general practitioner in case they develop asthma in
the future, that medical treatment for existing skin conditions in the staff should be
sought and workers' compensation claims should be lodged.

Mr Vaughan: I'll bet they are not members of a union.

Mr Burns: They are only young kids working in a shop near a supermarket. I
do not think they would be members of a union. I did not check on that.

When he discovered that they were in this sort of pain and were suffering from
skin rashes and watering eyes as a result of the work they were doing in the shop, he
asked what they were doing and what sort of substance it was.

Mr Randell: What sort of a shop was it?

Mr Burns: Copperart. It was a Copperart foam. There are now many of those
shops selling copper goods.

The kids were mixing the contents of the two bottles together and that made the
foam. The stems of the artificial plants are set in the substance and exposure to the air
hardens the substance. I do not know that the green material that florists use is the
same substance. This product is sold by Copperart and is used to set artificial plants in
a pot. Copper pots with plastic plants and flowers are sold to the public. The world is
turning plastic these days. People buy the goods. The shops are very popular. They have been established in many shopping centres.

Mr Randell: Shouldn’t they wear gloves?

Mr BURNS: They were not advised. Somebody in the store has told these kids that they have to mix the stuff together and put it in the bottom of the pot.

As I said, workers at GEC would have gloves and all the other protective equipment. Because that is a big firm, it does that sort of thing. The Minister’s department helps such firms to improve their work safety practices, and everybody is happy with that. When a couple of kids are working on their own in a shop, work safety practices really do not exist. I think the Government inspectorate should be notified of this work practice.

Mr Lester: Later you might like to give me the name of the proprietor of this Copperart shop and I will have the matter dealt with.

Mr BURNS: I thank the Minister very much.

I am sure that the Minister will notify the Government inspectorate. The Shop Distributive and Allied Employees Association should be informed of the work practice, and the material safety data sheet for this product should be available on all premises where this product is used. The sheet must be available for workers so that they know what they should be doing.

I thank the Minister very much. I have raised two items and on both occasions I have had instant satisfaction. I appreciate his interest in this.

Mr Stephan: It is nice to have a good Minister.

Mr BURNS: I am saying, “Thank you.” Now that he is going to give the workers in the lobby $20 each for a shout later on, I am sure that everybody here tonight appreciates his efforts.

Mr FRASER (Springwood) (10.23 p.m.): I commend the Minister for introducing the Bill, which provides very significant improvements and benefits to injured workers and, in the event of death, to their dependants. When the Act was last amended in 1986, the Minister said in his second-reading speech that the scheme was continually under review. The Minister is true to his word.

I, too, join with my colleague the member for Maryborough in recognising the sterling service given to the board by Mr Jim Campbell and his fellow officers.

A very important factor is that these new and additional benefits are being achieved by efficient and effective operation of the Workers Compensation Board and not by forcing employers to pay more in premiums. On top of that, the unique merit bonus scheme, which was mentioned by my colleague the member for Gympie, will continue as an incentive for employers to strive for safety and further protection for workers.

Over the last 10 years, and more particularly in the last five years, Queensland’s workers’ compensation scheme has gone ahead in leaps and bounds, yet it is still one of the most cost-effective schemes in Australia. The amendments reflect the Minister’s desire for the Workers Compensation Board to continue in a typical private-enterprise approach by using a strategic management style.

These amendments are evidence of the Minister’s desire to rid the system of red tape. “Be flexible” seems to be his motto, without losing sight of the need to have a commonsense approach to the operation of the board. The amendments to the composition of the board and other authority redirection amendments will bring about the elimination of unnecessary administrative trivia.

One fact about the amendments that cannot be overlooked is that absolutely not one benefit has been reduced or omitted. While the Federal Labor Government continues to detract from injured workers’ benefits, Queensland projects them in the light that
befits their status. Queensland continues to compliment the worker for his part in the building of Queensland to be a stronger place that provides a better life-style.

While few in number, these amendments are very positive. I wonder whether honourable members opposite recognise their significance. They provide for less red tape, a comprehensive table of injuries to cover disabilities, significantly increased death benefits, not only to ordinary workers but more particularly to those workers in the mining industries, and the inclusion of payment for occupational therapy treatment and expenses. I also wonder whether honourable members opposite realise that in the board's style it does not discriminate against male or female. Benefits apply equally to both, including all those contained in the amendments in the Bill.

Mr McLEAN (Bulimba) (10.26 p.m.): Firstly, I join with Tom Burns in thanking the Minister for a good effort on his part. I believe in giving credit where credit is due. I also have pleasure in joining the Opposition spokesman, Mr Vaughan, in supporting the Bill. Queensland has an efficient workers' compensation scheme. Overall, it probably has the lowest workers' compensation premiums in Australia. However, it is not faultless—far from it. Improvements can and should be made in some areas.

In his second-reading speech, the Minister said that the workers' compensation system has contributed to the State's growth by providing business overall with the lowest workers' compensation costs in Australia. He went on to say that the Queensland legislation and system generally is continually being reviewed, and improvements ensure that Queensland continues to provide the most effective and efficient workers' compensation scheme in Australia. That may very well be correct, but it does not mean that the system is faultless. Judgment of the scheme should not be made on the basis of costs alone.

The Minister outlined some of the proposed benefits. They have been referred to by other Opposition members. I refer to the proposed amendments which will increase benefits in respect of fatalities from $47,000 to $72,000. That is quite a considerable rise. Like Mr Burns, I do not know how a figure can be placed on the death of a young family man. It is almost impossible to come to a figure under any circumstances, because that sort of loss cannot be replaced. However, I make the point that Queensland's benefit is only the third highest in Australia. When the amendments are being dealt with at the Committee stage, I would like the Minister to point out why Queensland is only the third highest.

Some of the other improvements were quite considerable and justified. The minimum lump sum payable in respect of fatalities has increased from $7,820 to $12,000, which is a large increase. The minimum lump sum payable in circumstances of partial dependency has increased from $6,850 to $10,500. The amount payable to the parents of a person under 21 years of age has increased from $3,030 to $8,100.

Lump-sum disability payments for loss of taste, loss of taste and smell, loss of genital organs, severe bodily scarring and loss of bodily function should have been included within the workers' compensation scheme in this State many years ago. They are legitimate injuries. It is a good provision. I am not knocking the fact that they are in the legislation now; but I am knocking the fact that they were not in there before.

In his second-reading speech, the Minister referred to the rehabilitation of injured workers and claimed that it is a major facet of the Queensland workers' compensation scheme. He stated that the progress made in the rehabilitation field is the envy of other Australian States. I agree with that. The moves by the Government and by the Workers Compensation Board are quite considerable. The building housing the rehabilitation centre, which is near the Princess Alexandra Hospital, is magnificent and a step in the right direction. The Opposition does not argue about that. However, that aspect has been neglected for too long, and over the years the Opposition has pointed out that the Workers Compensation Board has neglected that area for far too long. It is a responsibility that the Workers Compensation Board should accept and should have accepted years ago.
In his second-reading speech, the Minister stated—

"The proposed amendments will allow the board to undertake a major new initiative aimed at reducing the incidence and cost of occupational injuries. Investigations have already commenced into the establishment of a claims experience advisory service that will provide accident profiles drawn from claims statistics."

As far as I am concerned, any move towards accident prevention is welcomed. However, I do not believe that the Government is doing enough. I will touch on that later in my speech.

As I have said, Queensland does have an efficient workers' compensation scheme. This State is very fortunate to have people of the calibre that it does have on the board—

Mr FitzGerald: The Minister included.

Mr McLEAN: I will get to that shortly.

I do congratulate the two gentlemen in the lobby who are advising the Minister. I refer to Jim Campbell, the manager of the Workers Compensation Board, and Jim O'Dwyer, the deputy general manager of the Workers Compensation Board. Because they do a very good job, those two gentlemen, along with a number of other very capable people, make it a lot easier for the Government.

Before I became a member of this Parliament, when I was a union official, I handled a lot of workers' compensation claims. I have the highest praise for the co-operation that I received in those years and the co-operation and help that I have received as a member of Parliament. I have nothing but praise for the efforts of the officers of the Workers Compensation Board. The reason that the workers' compensation scheme in this State operates so well is the calibre of people who work for the board.

As I said in my opening remarks, that does not mean that the scheme is faultless. In fact, it is far from faultless. A judgment as to whether or not Queensland has the best workers' compensation scheme in Australia cannot be made on the basis of cost alone. A worker's compensation scheme that is going to operate efficiently and well and cover all of the problems that arise should take into account many issues. I will touch on a couple of them.

The benefits for injured workers have to be taken into account. The amendments will result in a considerable increase in the benefits for injured workers in a number of respects. Other matters that have to be taken into account include the speed of payments to injured workers; the standard of service given to injured workers; the coverage under the Act; safety, training, research and education; post-injury treatment for workers; and involvement in occupational safety. Enforcement, for instance, must be taken into account. A study should be undertaken into occupational diseases and the causes, cures and treatment of these diseases, which are becoming more prevalent as time goes on and as there is an increased use of chemicals and unknown substances by many workers from day to day. Rehabilitation and job and career placements are other important issues in any workers' compensation scheme. Those are just a few of the criteria that must be examined when consideration is being given to the standard of a State's workers' compensation scheme.

Although, as all honourable members agree, Queensland has a very efficient workers' compensation scheme, it could be improved. It should be the responsibility of the Workers Compensation Board to carry out research by investigating workplaces for safety. It is the job of the board to penalise employers and employees if they are found to be blatantly and continually working under unsafe conditions.

Someone has to take this on. I can think of no-one better than the people who handle the end result of industrial accidents. That brings to mind an occasion some 12 months ago, or perhaps even longer, when I was absolutely amazed while walking down Eagle Street to see three or four demolition workers working about four storeys up in the air. They were standing on a wall, with no scaffold whatsoever, knocking down...
bricks. That was a blatantly unsafe work practice. The workers should have been fined and the employer who asked them to do that work also should have been fined. A fair dinkum, honest and efficient workers’ compensation scheme should cater for that, because the Workers Compensation Board knows what is happening. It is the organisation that is affected by such accidents. They are the matters that ought to be examined when one looks at an overall workers’ compensation scheme. Provisions ought to be written into a workers’ compensation scheme so that officers of the Workers Compensation Board can be sent out to work areas to tell employers, “Those people should not be working under those conditions.”

Occupational diseases, their causes and follow-up treatment are matters that should be investigated more thoroughly. I hark back to the area in which I worked some years ago. When I first entered this Chamber I raised the subject of asbestos and have done so on a number of subsequent occasions. Between 1964 and 1968 I worked with asbestos on regular occasions, sometimes for weeks on end. I did not wear a mask. I was up to my knees in asbestos dust. Hundreds of other workers did the same thing. In 1968 a safe working practice with asbestos was introduced throughout Australia. Of course, the existing practices were stopped. Special masks and clothing had to be worn and special vacuum cleaners were used to clean up the dust. Those procedures were followed after 1968. However, for many years prior to that workers had worked with asbestos.

The work practices adopted in Australia had been outlawed 10 years earlier in Europe, in England and in parts of America. Australian workers were forced to work under those conditions because they were not aware of the dangers associated with asbestos.

An organisation such as the Workers Compensation Board of Queensland should be aware of all the current work practices. Problems similar to those experienced with asbestos could be occurring with the mixture of chemicals in workplaces throughout Australia. Most workers would not know how chemicals react when mixed, and that is dangerous. The Workers Compensation Board should involve itself in such matters. It should warn workers about those dangers. If the Workers Compensation Board had done that in 1964, maybe I would not have asbestosis. I do not know whether I have asbestosis, but I probably do, because most of my former work-mates suffer from it. That should not have happened, because throughout the world people were aware of the dangers of asbestos. However, I was completely surrounded by it in my workplace. I was one of the workers who had smoko in an area that was affected by the dust. Week in and week out, asbestos fell from large hatches onto the workers. At that time the employers, who were in a position to warn the workers of the dangers, were committing a criminal offence by not informing the workers about the dangers. That is probably still happening. The Workers Compensation Board should be in a position to do something about that. Money should be spent on research and on warning people about possible dangers before any damage is done.

The 1987 annual report of the Workers Compensation Board details the grants that were distributed, such as the grant to public hospitals of $6m. That sum would be used to treat the workers who must attend public hospitals. I do not regard that as a research grant or as a grant to improve industrial safety. Mines rescue stations received a grant of $450,000; the National Safety Council of Australia received $210,000; the Queensland industrial ergonomics project received $75,000; and the University of Queensland Chair in Orthopaedics received $67,000. The list goes on. A fund within the Workers Compensation Board should be directed wholly and solely towards improvement in industrial safety. I harp on chemicals and the area of the unknown—those matters about which workers have no knowledge and cannot be expected to have any knowledge. However, an organisation such as the Workers Compensation Board should have that knowledge. Workers should be warned about particular dangers and the Workers Compensation Board should have the ability to do that.
I am not opposed to this legislation. In fact, I congratulate the Workers Compensation Board on its efforts. The Labor Party sees no problems with this legislation. The proposed amendments are quite good. Perhaps the Government should have gone further with this legislation. I do not know how one sets compensation figures for deaths. Queenslanders are worth every bit of the highest compensation payments that are made in Australia. The level at which compensation figures should be set could be argued for ever.

The Labor Party does not oppose the Bill.

_Hon. V. P. LESTER_ (Peak Downs—Minister for Employment, Training and Industrial Affairs) (10.41 p.m.), in reply: I thank all honourable members who have contributed to this debate. The effort and dedication that they put into their contributions was obvious.

The honourable member for Nudgee mentioned privatisation. I assure him that this Government does not intend to privatise the Workers Compensation Board. We believe that it works in a very private-enterprise manner at the moment.

_Mr Vaughan_: All the more reason for us to be worried. You are closing the Government Motor Garage down. You have closed a lot of other operations down.

_Mr LESTER_: This Government works in a private-enterprise way. It purchased the Workers Compensation Board building in Adelaide Street. It owns many other buildings throughout the State and is purchasing even more buildings. We are working with a considerable surplus.

The honourable member for Nudgee spoke about the definition of “Minister” not being clear. Because the Acts Interpretation Act caters for that definition, it will now remain static. Therefore, there will be no need for future amendments.

The honourable member spoke about the chairman’s being somebody other than the Under Secretary of the Department of Labour Relations. The titles of departments can change. For example, the former Department of Labour Relations is now known as the Department of Industrial Affairs. Therefore, when a chairman has been appointed, there will not be any need to amend the legislation. In other words, if the name of a department is changed, the legislation will not need to be amended.

As to the expansion of the board’s services through rehabilitation and claims experience advisory service, greater demands will be placed on the Under Secretary, which will require more and more of his time. Because of his busy schedule, the Under Secretary of the Department of Industrial Affairs is not always available to devote the required time to the duties of the chairman. Employers and members of the legal, medical and commercial professions, together with injured workers, are desirous of the chairman’s taking a more prominent role in the workers’ compensation system.

This Government would like to think that if there is an appropriate person from outside who could be appointed to that position, that person could be brought in. However, this Government may not choose to do so. It has that option.

The honourable member for Nudgee spoke about the type of services that were envisaged as being provided by the board to promote safety performance. I point out to the honourable member that the Workers Compensation Board has a very powerful computer that allows for the collection of information and statistics about work injuries which can be passed on to employers. Mr McLean spoke at length about that aspect.

As to occupational safety—this Government wants to move into the statistical collection field so that it can project the source of accidents and educate employers and employees in avoiding injuries in the future.

_Mr Vaughan_: All I was saying is that you have got another department that is skilled in that arena, and I thought it was more appropriate that that information you collect could be passed on to them to get them more mobile and do it that way.
Mr LESTER: This Government intends to co-ordinate both departments. We see a great future in doing that.

The honourable member spoke about the lump-sum payment for working capacity being a disability payment. If the Federal Government endeavours to erode Queensland’s injured workers’ rights and benefits, we will take it on. I am simply saying that there will not be a big row about it; it is hoped that it will be sorted out quietly.

The honourable member also spoke about catering for automatic benefit adjustments every three years. At present, benefits are automatically adjusted in accordance with the CPI. The Government now has a very sophisticated information base that can provide a speedy review at any time, without waiting until the end of the three-year period. Some particular firms or groups of firms could be using unsafe practices and their rates may be getting higher. That can be reviewed and we can hit them a bit.

I thank the various other members who also contributed to the debate. I thank the member for Nundah. I think that I thanked the member for Lytton by way of interjection and made the necessary comments. I will not go back over that. I thank the members for Springwood and Gympie very, very much, too for dealing with the various aspects of the Workers Compensation Board.

I will sum up by replying to the comments made by the member for Bulimba. All aspects are being looked at—quick claim settlement, quick rehabilitation, the employment of more district officers where possible, employer schedules, low premiums, merit bonuses, adequate benefits, increased field services for both workers and employers, an increase, of course in the field of rehabilitation and, of course, an attempt to prevent accidents, where possible, in the first place. According to the number of claims submitted, accidents are dropping at the rate of about 7 per cent per year.

That sums up my comments in relation to the points that the honourable member raised.

Motion agreed to.

Committee

Hon. V. P. Lester (Peak Downs—Minister for Employment, Training and Industrial Affairs) in charge of the Bill.

Clauses 1 to 8, as read, agreed to.

Clause 9—

Mr VAUGHAN (10.48 p.m.): All I want to do is raise a query in relation to clause 9, which amends section 14 of the Act. That clause amends the amounts of compensation payable. I ask the Minister: why was not the amount referred to in subsections 14 (1) (B) (e), 14 (1) (C) (a), 14 (1) (C) (d) and 14 (1) (C) (f) increased? There is obviously a logical explanation for it, but, as all the large amounts were being amended, I just wondered why that was not done.

Mr LESTER: All that I want to say to the honourable member is that deaths are being considered first. That is obviously an important one. As the honourable member knows, progressively we are moving along and other amendments will be introduced as time goes on. Those sections will be dealt with. That has not occurred this time, but in the future it will. Deaths is the first one. From there we try to continue to improve, as I promised we would.

Clause 9, as read, agreed to.

Clauses 10 to 14, as read, agreed to.

Bill reported, without amendment.
Third Reading
Bill, on motion of Mr Lester, by leave, read a third time.

PARTNERSHIP (LIMITED LIABILITY) BILL

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (10.51 p.m.), by leave, without notice: I move—
“That leave be granted to bring in a Bill to provide for the formation and registration of limited partnerships and for related matters.”
Motion agreed to.

First Reading
Bill presented and, on motion of Mr Clauson, read a first time.

Second Reading
Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (10.52 p.m.): I move—
“That the Bill be now read a second time.”

Consequent to the completion of the Law Reform Commission’s examination of the law in relation to limited liability partnerships, its report was tabled in the Parliament on 4 September 1986 in which it recommended re-enactment of the legislation governing the formation of limited liability partnerships. The commission concluded that there were good reasons for the continued existence of limited liability partnerships and that they were particularly useful for small businesses that wished to avoid the formality and complexity of the Companies Code.

I believe that limited partnerships will have a particular attraction for family business partnerships and small businesses by providing a means of bringing funds into trade and commerce from persons who are prepared to contribute capital upon limited liability in return for a share of profits. Ever since separation, the statute law of Queensland has included provisions enabling the establishment of limited partnerships. The present statutory provisions are sections 53 to 68 of the Mercantile Acts 1867 as amended.

Broadly speaking, the feature that distinguishes limited partnerships from ordinary partnerships is that members of the former who are designated as “limited partners” are able, by complying with the Act, to limit their liability for debts and obligations of the partnership to the extent provided for in the Act. The liability of the general partners is unlimited. The limited partnership structure is widely recognised and used in the United States of America and other countries including Canada, New Zealand and South Africa. In Australia, Tasmania and Western Australia also have legislation relating to limited liability partnerships.

Some of the essential differences between the existing provisions of the Mercantile Act and the provisions of this Bill are—

- Presently, limited partnerships may only be formed for the transaction of agricultural, mining, mercantile, mechanical, manufacturing or other business. The limitation on the nature of a business that can be conducted by a limited partnership has been removed.

- The Bill requires every business document issued on behalf of a limited partnership to bear the firm name and immediately adjacent thereto the words “A limited partnership”. The present provisions appear to be inadequate if the inclusion of the words required thereby were intended to act as a warning to persons dealing with a limited partnership.

- The procedures for registration of a limited partnership have been streamlined.

- Under the present provisions of the Mercantile Act, a limited partnership must not be entered into for a period longer than 7 years. This limitation on the
duration of a limited partnership has been removed. The duration of limited partnerships will now be regulated in the same way as general partnerships are under the provisions of the Partnership Act.

- There is no requirement in the new Bill that limited partners contribute money or property at the time of formation, nor does it require that there be minimum capital. All that is required under the new Bill is the registration of the certificate indicating to the public the total extent to which a certain person will meet any liability of the firm, and if at the relevant time the assets of the firm are not sufficient to cover the total liability, then that person should be required at that stage to make the contribution. This eliminates the problems of the existing legislation associated with the withdrawal of capital.

A limited partnership must contain one general partner who has unlimited liability and one limited partner liability is limited to the extent recorded in the register to be kept by the Registrar of Commercial Acts.

The Bill specifically provides that a body corporate may be either a special or a general partner. A limited partner cannot take part in the management of the business, nor does he have power to bind the firm. If he does so, he will be liable for all liabilities of the firm as if he were a general partner.

Legal proceedings, other than proceedings in relation to an offence, may be brought by or against the partners in the firm name. Action by way of enforcement of judgments obtained in an action against a limited partnership sued in the firm name can only be taken against the property of a limited partner by leave of the Supreme Court first obtained. There is a duty imposed upon the general partners to inform the registrar of changes within seven days from the occurrence of the event.

There are offence provisions for failure to notify changes. This is done to ensure that persons dealing with the limited partnership may rely on the entries in the register for proof of its formation and who are the general partners and the limited partners who compose the firm at any particular time.

The general rules of law and equity and the provisions of the Partnership Act continue to apply to limited partnerships, except to the extent that they are not inconsistent with this proposed Act. From the date of commencement of the Act, partnerships may not be formed under the Mercantile Acts, nor may they be renewed or extended. As existing partnerships are limited in duration by the Mercantile Acts, eventually those partnerships will cease to exist with the effluxion of time. I believe that the simplified procedures for their formation and registration will encourage a wider use of limited partnerships.

As I said earlier, I believe that the concept of limited liability will attract capital investment, particularly to small businesses and family concerns, but also the more ambitious entrepreneurial ventures. The Bill provides a simple facility for formation and registration avoiding the formality and complexity of the Companies Code.

I commend the Bill to the House.

Debate, on motion of Mr Braddy, adjourned.

QUEENSLAND GRAIN HANDLING ACT AMENDMENT BILL

Second Reading

Debate resumed from 24 March (see p. 5629).

Mr CASEY (Mackay) (10.58 p.m.): Much of the Minister's second-reading speech on this Bill, which is a very important Bill for the grain industry of this State, dealt with or touched upon aspects of the Royal Commission into Grain Storage, Handling and Transport. The report by Commissioner McColl was recently tabled by the Minister in this House. The commissioner presented his report to the Queensland Government
in February of this year. It was also presented to other Governments throughout Australia who handle and deal with grain, as well as to the Commonwealth Government.

Many of the recommendations contained in the report have caused a particular furore within the grain industry at this time, and this applies no less to Queensland than to any other State. In fact, it caused possibly more furore in Queensland. This is an Australiawide royal commission report and it therefore cannot be ignored by us in Queensland or by the people involved in the Queensland grain industry and its handling authorities.

In the last 20 years Queensland has had the fastest-growing grain industry in Australia. Queensland is one of the few areas in Australia where huge new areas have been developed, such as the Central Highlands and the western and north-western downs areas which have gone increasingly into grain production. There are a number of reasons for this. Unfortunately this report clearly shows that Queensland has the highest-cost operations for the storage, handling and transportation of grain in Australia. There are a number of reasons for this, and I do not believe that it is as simple as the commissioner's report endeavours to make out. Grain is grown over a wider area of Queensland than in most of the other States, and unfortunately many of those areas—as has been discovered in the last five years during the drought—are only marginal country and have not been able to maintain a high tonnage. For starters, the weather fluctuations that occur in Queensland are a very big problem. The need for additional storage, particularly on-farm storage, is greater in Queensland than in other areas of the nation.

Queensland has a much wider range of both summer and winter grain crops than most of the other States. Most of the grain areas of New South Wales and Victoria are in what are called the sheep/wheat belts and they grow only one particular summer crop per year. In Tasmania it gets just too cold to grow a winter crop. Because of problems with snow in some of the areas of Victoria and even New South Wales, only one crop per year is grown. However, in most of the broad-acre farming areas of Queensland, both summer and winter crops are grown. That makes for a much more stable industry, but the crop is grown over a wider area and that brings with it its own problems.

If the grain ports of this State are compared to those in other States, the first thing that is noticed is that ours cover 1,000 kilometres of coastline. Our main grain ports are the ports of Brisbane, Gladstone and Mackay. The last of those is coming on stream after trial shipments were exported using a very high-cost, antiquated system. The major grain-handling facilities there are almost completed. The modern bulk-loading facilities will be operational later this year. In recent years the port facilities of this State have taken a very high capital input, mainly because of the fact that, as I said earlier, Queensland is the fastest grain-growing State in Australia.

The commissioner's report carries much criticism of this State's legislative requirements that most of the grain industry has to use rail transport. I will touch on that a little more later. One of the problems that creates is the high cost of operations in certain areas of the State. In Queensland, storage, handling, transport and port costs are much higher than those in other States. In one way or another those costs come back to the industry, which must pay for them. Consequently, any savings that can be made must be effected. If fat is not pruned, everybody loses. So the recommendations of the report cannot be ignored; they have to be studied very, very closely.

The grain-handling facility at Fisherman Islands is a high-cost operation in a high-cost port. That has been occasioned by a decision that this Government made 15 or more years ago. At that time in the House I expressed the opinion that, by building the port at the mouth of the Brisbane River and making it the major port for every commodity in the State—beef, grain and, now, even sugar—the Government was building a high-cost operation. Now the Government is using the port for coal, manufactured goods and everything else. As I said, there is no question about the fact that the port is a high-cost operation.
The royal commission has been criticised because in Queensland it studied grain-handling, transportation and storage in four models. I accept that criticism. Outside of the major growing areas, the commission took a model of Miles and a model of Emerald, showed them up to be high-cost areas and said that that is the average figure. Certainly it is the average high figure, but nonetheless, whichever way those four models are studied, it shows that Queensland has higher costs of operation than other States.

I go along with a number of the recommendations made in the report. In the northern grain-growing areas and on the western downs major savings can be effected by the transportation of grain direct from farm to port, thus eliminating the intermediate storage costs now incurred.

From the Central Highlands to Mackay, now that the new terminal is coming into operation and the railway has been constructed between Clermont and Blair Athol, savings will be effected in the rail transport of grain to Mackay. Practices are being changed in this State in grain-handling, and initiatives that are being put into effect will start showing up as savings that were not properly covered by some aspects—I stress “some aspects”—of that royal commission report.

The information that has come out from the royal commission report is not news to Queensland, which, as part of the charter to the royal commissioner, insisted on an interim report by 31 July 1987 because of work that had been undertaken in this State. In fact, the report was received. It clearly sets up some of the practices that have been established already in this State.

Some of the points in the royal commission report that are not being fully reported relate to road costs, road-funding, road usage to the actual port structures, and port costings. A very important aspect relates to grain hygiene. Those matters must be addressed by the industry. They are being addressed by the industry and by Bulk Grains Queensland, with the exception of the road set-up, which is beyond their responsibility.

The recommendations in the royal commission report have everything to do with the Bill. If the Minister considers those recommendations, he can take his pick on whichever way he wants to go. I believe that the Minister would agree with me that we should follow the existing system because it is already in place. There is no great capital outlay for railway lines for handling areas, whether they be on-farm, intermediate or port-handling areas. Should we follow that system, even though it is a high-cost system, or should we put a low-cost system onto the grain industry but escalate the road bill in Queensland, which is really what would have to happen? A huge road construction and maintenance program would have to be undertaken.

The model that indicates that grain could be handled much cheaper by taking it from Miles through to the port of Gladstone sounds great when one measures the distances on a map of Queensland. However, the member for Port Curtis would be the first to agree with me that there is virtually no road system of any worth that would take grain from Miles to the port of Gladstone, except in the very best of weather conditions. The existing road system would be completely knocked about, and the high cost of capital roadworks and road-maintenance work would be thrown back onto the State Government and the Commonwealth Government. That is the indicator in the report. If the Commonwealth wishes to accept the recommendations, it has to accept also that it must have a greater input into road-funding. I believe that the Minister and I would fully agree that at this time that aspect of the model, although it looks good on paper, is not practical.

I will touch on some aspects of work that are handled by Bulk Grains Queensland. We know and, of course, accept that that company has sole receival rights so far as port handling in Queensland is concerned and for export on behalf of the various commodity boards of the State. It is industry-owned in the way that statutory authorities are operated and controlled, and it has a strong form of quality control both of the grain that it takes into storage and in the storage of the grain itself during the period that it is under the control of Bulk Grains Queensland.
So far as this type of statutory authority is concerned, the Australian Labor Party policy and the old Country Party policy are the same. The Labor Party supports the statutory boards that control the production, distribution and sale of grains. In fact, I could use the old Labor term, “socialisation of production, distribution and exchange”, and watch the hackles rise on the necks of many members of the National Party.

The National Party would not accept that that is what is referred to in the Labor Party as democratic socialisation of an industry, but it is there. It is a democratic form of control of the industry. It is a socialisation of the industry. It works, and it works effectively for the grain industry, the sugar industry, the tobacco industry and many other industries in this State. It was laid down in control legislation introduced and stylised by the Labor Party in this State.

Queensland has longer transportation distances than many of the other States, which means added costs. Therefore, this State needs good quality control. As long as there is a good quality control on our grain, this State will make sales, particularly on the export markets. That is most important. Quality control, quality grain, means premium price grain. A premium price can be obtained.

You, Mr Speaker, would realise the importance of quality control in relation to the sugar industry. It is all-important; it means a great deal. Australia is a long way from the other population centres of the world, which results in a higher transportation cost in export shipping.

Many people in this nation do not realise that every Australian farmer clothes and feeds 80 other Australians. In addition, our farmers clothe and feed 60 million people overseas. That is a lot of people. That is the total number as a result of our product and our exports. Our farms produce virtually five times the population's need for food and clothing.

Because of the distance of this country from our main markets, the Government must ensure quality exports in order to ensure that sales are made on those markets. It has to be borne in mind that although our exports seem enormous, in most instances they are really only topping up our customers' own production of grain and other commodities or supplementing their purchases from other places.

I return to the interim report that I mentioned. The Minister would be fairly familiar with that report because he tabled it last August in this Parliament. The interim report on the Royal Commission into Grain Storage, Handling and Transport, despite what is contained in its second and major report, does clearly set out that Bulk Grains Queensland was a good operator and was operating well within its charter.

That report also makes the admission that the Queensland planning committee into grain and the handling and storage of grain is on the right track and headed in the right direction. Harking back to that royal commission, one has to decide whether one supports free trading or statutory control.

Early in my speech I made it quite clear that I support statutory control because it enables some regulatory control. I am not one of these people who are using the in word, “deregulation”. I do not support deregulation of this, deregulation of that, deregulation of everything. Deregulation will spell disaster for many primary industries in this State unless the Government can maintain quality control through the statutory marketing organisations that exist and unless it can stop people cutting each other's throat——

Mr Lee: What do you support?

Mr CASEY: I note some chirping from the Liberal benches.

You can bet your boots that if the Government decided to sell off Bulk Grains Queensland and throw open the doors to whoever wanted to trade, the first to mooch in would be its very good friend and national president, Mr John Elliott, who, through the Elders Corporation, would try to swallow up most of the rest of the people involved
in the marketing. Eventually, he would join in with some overseas grain-handling syndicates and milk the lot away from the industry. That is from where it would be milked away—from the industry itself. That one company would finish up being more profitable. It would not care about those farmers who are now doing so well in feeding the people of this nation and others throughout the world.

No matter which way some of my Federal colleagues want to go on the recommendations of the grain-handling royal commission—a statement has not really been made on the report, but one becomes worried at times—the ALP in Queensland is a strong supporter of statutory control and will continue to be a strong supporter of statutory control of primary industries in this State. As I said earlier, members of the Opposition do not follow deregulation, which is the in thing. The bottom line is either profits for one sector of the industry—the marketer and the manipulator in the industry—or, as members of the ALP say, profits for all sectors of the industry from the farmer right through to the exporter so that they are shared equally. The only way in which that can be done is to have statutory control over the industry.

As honourable members would be aware, I am a strong supporter of the Bulk Grains Queensland concept. That does not mean to say that I am not a critic of some of its operations. One of the main problems of Bulk Grains Queensland has been its debt load. In his second-reading speech, the Minister said that the current debt of the Queensland Grain Handling Authority was $87m. The servicing cost of that $87m debt is more than $17m a year. That is a lot of money. The industry is faced with the prospect of continuing to pay that sum and maintaining a high cost or the Government can say to the industry, "Let's put some capital into this and discharge the debt", in exactly the same way as the Commonwealth Government did with its shipping line and Australian Airlines and in other areas in which an authority is operated by that Government. If the Queensland Government does not make that decision, it must put up with the spurs of the royal commission and the fact that the industry will have to continue to drag that $17m off the top of its receipts each year to service its debt.

Mr Harper: What about New South Wales?

Mr Casey: I am not talking about New South Wales; I am talking about Queensland. I realise that New South Wales has problems, too. Because of the overall handling costs in New South Wales, the growers in that State receive a better return than the growers in Queensland are paid. That was one matter that was highlighted by the royal commissioner. It is one of the reasons why it has been difficult for Queensland to attract grain from areas in New South Wales. Hopefully, Queensland will soon be able to do that.

If I were in the New South Wales Parliament, I would be talking about the New South Wales legislation. I am in the Queensland Parliament, and I am talking about the Queensland Government and the problems in Queensland. I am referring to the way in which the Queensland Government must overcome those problems. People in the Federal area want to go in a certain way, and I am referring to the direction in which Queensland should be heading. Never mind what anybody else thinks; I want to talk about Queensland and the Queensland grain industry. In speaking to the Bill, they are the matters about which I am concerned.

Mr Harper: Do you think that the Federal Government will help New South Wales out of its problems?

Mr Casey: The Federal Government is not going to help New South Wales out of its financial problem with its grain-handling authority any more than it will help Queensland out of its problems. Why should the Federal Government do that? Queensland got itself into the problem. We can accept that. The alternatives are there. If the Queensland Government wants to discharge the debt loading, it can put the money into the statutory authority, but it would be taking $87m that could be used to build schools and police stations and to provide other services that it provides to the people of Queensland at present. If the industry is prepared to carry the debt loading, it must not
expect people to provide assistance. If the industry wants to enter into some other arrangement whereby it can discharge that capital loading, well and good.

Savings have already been effected. During the past few years, through the more efficient methods that it has adopted, Bulk Grains Queensland has reduced its grain-handling charges. That is only the tip of the iceberg, as the royal commission set out. It has a long way to go. Bulk Grains Queensland has upgraded its transport system in many ways. Railway sidings have been extended so that entire trains can be loaded at the one time. Although that has meant a drop in rail transportation charges, in conjunction with Queensland Railways, Bulk Grains Queensland has created additional capital costs in providing those siding facilities and storage facilities as an intermediate handling facility, which makes matters far more difficult.

Instead of having fixed equipment in different areas, Bulk Grains Queensland has introduced mobile equipment that can be moved from one on-farm storage facility to another on-farm storage facility or to smaller centralised grain-handling facilities. That has enabled the establishment of a better cost structure, which has lowered the associated costs.

The reports show clearly that only 7 per cent of Bulk Grains Queensland's storage is at a port. The carriage of grain by rail has to be handled differently. A lot of overtime has to be worked in order to co-ordinate trains with boat loadings, particularly at Fisherman Islands. That is one of the reasons why Fisherman Islands is a higher-cost port operation. Transportation schedules have to be balanced out. Because of those factors, there is a limit on alternative ports. There is still a long way to go in the bulk handling of grains before a lower-cost operation is achieved. Additional capital outlays are required.

As to the composition of the grain handling board in Queensland—there are growers all the way down the line. Honourable members are aware of what happened with the Queensland Grazinggrowers Association, which had growers all the way down the line. Once that association involved itself in trading, there were not too many people on its board who had expertise in trading. Consequently, it got into very severe financial problems and had to sell out to Elders.

Growers must accept that the board now has good grain-growing expertise, which has developed with the growth of the grain industry in this State. That does not mean to say its members necessarily have expertise in finance, marketing, transportation and other aspects of the industry. We must start looking at putting a bit of balance back into the board.

For a number of years—particularly since the problems that were experienced by the Queensland Grazinggrowers Association—this matter has been raised on many occasions. The industry has accepted that there will be changes to the composition of the board and the way in which it is structured. However, those changes have not been forthcoming and are certainly not forthcoming in the proposed amendments.

I have no criticism of the management of Bulk Grains Queensland. As I have mentioned, that organisation has set out to lower its costs and to consider new fields in which it can operate. A few years ago, Bulk Grains Queensland was 20 years behind the times in grain-handling. However, it has picked up its operations and is now back on a good footing.

I turn now to the use of the railways to carry grain. As I have mentioned, by law in certain areas of Queensland most of the grain has to be carried by rail. When railways were first built in Queensland no alternative transportation methods existed. There were no semitrailers in those days. All grain was handled through the railways. The little spur lines that were set up around this State are inefficient and they are maintained at a very high cost when one considers the very low tonnages that are transported on them. That is something that must be considered.

There is now an acceptable alternative in road transport. There are unprofitable spur lines, and it may be that that option has to be considered further. As I mentioned
before, the system has been upgraded to unit trains—whole trains going into areas such as Wandoan to pick up a large quantity of grain and bring it back. That can be done efficiently because of their capability for quick loading, quick moving and more rapid scheduling. Of course, as the port storage facility is not available, and because of the scheduling, a lot of overtime has to be worked when loading and work such as that is done. That makes it a high-labour-cost operation.

Simple things such as the Toowoomba tunnel, which is often spoken about, have been mentioned. I think the Minister would agree that, from the Railway Department's point of view, such a project would make a big difference to timing and cost factors in the handling of grain. The Queensland Railway Department also has a statutory obligation to assist industries in this State because the capital funding has been produced by the people of Queensland over a period. The railways have an obligation to do all that they can to lower the cost of transportation.

As I said earlier, Fisherman Islands is a very high-cost port. The decision to do everything that was done at Fisherman Islands was a bad decision. This Government has to live with that because it was its decision. The cost of operations there will not be reduced. The major report of the royal commission clearly shows that for grain, port costs and handling charges in Gladstone, for instance, are $7 a tonne cheaper than at Fisherman Islands. That relates to the overall transportation costs, including the costs of tugs, pilotage, lighterge and all of the other shipping costs.

Alternative road transport through to Fisherman Islands in order to save costs is not a practical proposition because all of the trucks would have to pass through Brisbane. At the moment, because of the volume of grain that is already coming by truck to Fisherman Islands through the southern and eastern suburbs of Brisbane, enough problems exist. Therefore, alternative road transport is not available. Unfortunately, those things were not properly thought out before a decision was made to establish a port at Fisherman Islands.

As I said before, if more grain is to be transported by road, a huge upgrading of facilities will be required. That is covered by the royal commission. It is not my intention to canvass at great length tonight every point raised in the royal commission's report. I think the Minister is well aware of them. I am well aware of them. The people in the industry are well aware of them. However, I do suggest that there is an urgent need for the Government to set up an all-industry committee to examine the recommendations of that royal commission as quickly as possible. We have to be prepared to give it a go. We have to be prepared to consider the recommendations to see what cost-effective measures can be implemented and set out those methods that can be followed through quite clearly. The industry has to become more cost effective. Cost savings have to be effected. The industry has to become cost competitive.

Some of the other concerns that I have about this Bill relate to the fact that trading by Bulk Grains Queensland is now being introduced. I know that the industry has made criticisms that it looked as though Bulk Grains was going into marketing. It is six of one, half a dozen of the other. The Minister has spelt out that that company is not going into marketing. However, when one reads the Bill and talks to people within the industry and recognises what has already, unfortunately, been going on—and I will touch on that matter in a moment—one will see that Bulk Grains is virtually going into trading. That is what it will be doing. It can be called by any other name, but that is what it will be doing; it will be trading on behalf of trading houses in northern New South Wales and Queensland.

I am not knocking the idea of getting into northern New South Wales. I think that is a good idea. It makes sense for the grain-growers in that area that that occurs. The Minister may not like that. It might even help New South Wales with some of its high-cost activities already. However, I think it is most important that Bulk Grains maintains the role for which it was established, that is, the handling, storage and transportation of grain in this State.
Mr Booth: You do not think that the previous Labor Government in New South Wales would kick them out if it got back in, do you?

Mr Casey: New South Wales does not have a Labor Government at the moment. It has a cranky Liberal Government. A person such as the honourable member for Warwick would probably agree that I would be far more acceptable to him as a Minister of Primary Industries in Queensland than some of our Liberal colleagues behind me.

The point I make is that the Bill establishes a principle that I totally disagree with. I refer to the principle of retrospectivity. There can be no doubt that Bulk Grains Queensland has been making advances to grain-growers since 1 January this year. It has been doing that illegally, and the Minister cannot deny it. The Bill introduces a principle that will make all transactions and contracts engaged in from 1 December take on the legal status conferred by the Bill. I contend that that should not have been allowed to happen. Protection of people should have been maintained at all times without the need for retrospective legislation. Advances and securities over liens have been clarified by the Bill. At a time when the industry has been brought to its knees because of the dry period that I mentioned earlier, many growers—although they are grateful for having the alternative of getting an advance from Bulk Grains Queensland in respect of grains received for storage—have been left unprotected up till this point. Heaven knows that there may have been people who have had problems and may have gone to the wall.

The other point I wish to make is that, when the legislation is examined, it is obvious that Bulk Grains Queensland operates advances by using its current reserves. That cannot be denied. Those reserves were put in place by the original legislation for a very specific purpose. Now a clause is being taken out of the original Act and the reserve accounts will not have to be kept separately. The reserve accounts will be lumped in with the general accounts of Bulk Grains Queensland. The original practice will be considerably altered.

I foresee a problem for the industry. I am not trying to allege in any way whatsoever that the management of Bulk Grains Queensland is attempting anything deceitful. However, if the reserve funds are taken away and placed straight into general funding, there will be a propensity at some point for someone to overcommit on expenditure. It is human nature, and it could happen. It could occur in times when a natural disaster strikes and the industry is adversely affected.

I believe that the reserve accounts must be maintained. If they are not maintained by legislation, they must be maintained in the balance sheet procedures of Bulk Grains Queensland and in the way in which that type of information is divulged to the industry. After all, it is the industry's money that is being used. It is the industry that has helped to finance those reserves. Therefore, the growers ought to know how that money has been spent and for whose benefit it will be used.

The Bill also provides for a review every 10 years, which is a very important matter. As a matter of fact, I consider that a review every 10 years may be leaving it too long. The Government ought to implement a continuous review mechanism for statutory authorities to ensure that it is firmly in control of constant change.

There is one final point that I wish to make whilst I am speaking about the grain industry. It relates to an organisation named the Grain Research Foundation, which was established back in 1976 by an Act of this Parliament. It is a typical quango, if I can use that term, and I am sure that Sir Ernest Savage had a close look at it. I do not know what his recommendation was about this quango, because I have not had time to look at that aspect of his report fully.

I accept that at this stage this is a no-cost quango. It is even written into the legislation that the members of that foundation do not receive a fee. They are paid expenses, if necessary, to attend meetings of the foundation in order to carry out their work. Its main purpose in 1976 was to build a research services annexe for the Queensland Wheat Research Institute at Toowoomba. The foundation did that on the basis of a
guaranteed Government borrowing and borrowings that were entered into by the Queensland Wheat Research Institute itself and handed over to the foundation.

During the foundation's first two years of operation under its original charter, it built the research services annexe at Toowoomba and spent all its money. Since that time the only reporting by that foundation to this Parliament has been in relation to the paying-off of the loan commitments, which was to be done over a period of four years at the rate of approximately $25,000 per year, plus interest and various other charges.

I have gone right through the reports that have been tabled in this Parliament over those years. Reports from the foundation were tabled for the years 1976-77, 1977-78 and 1978-79, but there was no report tabled for the year 1979-80. One report was tabled out of the blue for 1980-81, but then no reports were tabled from 1981-82 until 1985-86. The 1986-87 report of the foundation was tabled by the Minister a month ago. It is a single page that states simply that the foundation spent $50 on an auditor's fee for the year. The Queensland Graingrowers Association, or some other organisation, gave the foundation the money, it paid the auditor's fee so that he could make a declaration, and a one-page report was presented to Parliament.

Down through the years the expenses of the Grain Research Foundation have been met—as can be seen from the balance sheets—by the Queensland Graingrowers Association. The loan facility was paid out by the Queensland Wheat Research Institute and the foundation has not operated for years. I believe that the Minister ought to have a look at this matter, because I see no real reason why these kinds of quangos should continue. In fact, I cannot see any real reason why this foundation was set up in the first instance, because the Queensland Wheat Research Institute virtually paid for the facility. The Government ought to have been able to give that institute the guarantee in the first place and let it go ahead and pay it, instead of doing it through this other special facility. This matter does not bear any relationship to the Bill, but this matter should be considered whilst looking at the grain industry. The Minister should get rid of this quango because it is of absolutely no use whatsoever.

The Opposition supports the Bill and the Queensland Grain Handling Authority, and I will be making further comments when some of the clauses are debated in Committee.

Mr BEARD (Mount Isa—Deputy Leader of the Liberal Party) (11.39 p.m.): It is not at all surprising to note the goodwill and bonhomie established between the honourable member for Mackay and members on the Government side of the House through their agreement on statutory controls and regulations. The words "agrarian socialists" have often been used and the word "socialism" was thrown around quite a bit. It was interesting to see that Mr Casey almost got Mr Booth's agreement that he, Mr Casey, would be a more acceptable Minister for Primary Industries to Mr Booth than anyone on the Liberal benches. I was not surprised at this, because both gentlemen feel quite happy with statutory controls and Mr Casey went to a great deal of trouble to disclaim any connection at all with the new trendy word "deregulation".

An article in this morning's Sun, dated Wednesday, 20 April, under the headline "Kerin supports wheat freedom" states—

"Calls for deregulation of the wheat industry received the backing of the Federal Government today."

The article goes on to say that Mr Kerin welcomed the commercialisation of the Australian Wheat Board. It is a short item, and rather than read it now, I seek leave to have the article incorporated in Hansard.

Leave granted.

Kerin supports wheat freedom

Calls for deregulation of the wheat industry received the backing of the Federal Government today.
Primary Industries Minister Mr Kerin suggested the Australian Wheat Board be commercialised and significantly freed of Government regulation.

He also suggested the industry could ultimately act as sole guarantor for its own underwriting arrangements—which provided a safety net for farmers in the face of plummeting world prices—instead of relying on the government.

In his first public response to two major reports into Australian wheat and grains production, Mr Kerin said the wheat industry had to move towards gaining greater control of its affairs.

The industry had to place itself in a position of financial independence and allow the AWB to acquire the commercial power necessary to compete effectively and grow in the future.

New wheat-marketing arrangements needed to provide flexibility and choice to growers and efficiencies had to be maximised, he said.

Mr Kerin’s comments follow the release this year of the final reports of the Royal Commission into Grain Storage, Handling and Transport—which identified potential annual cost savings to the industry of $100 million through the abolition of inefficiencies—and the Industries Assistance Commission report into the wheat industry (which recommended sweeping changes).

Mr BEARD: We in the Liberal Party are quite happy to admit openly that we do not like overregulation, we do not like statutory controls and we believe in the free-market mechanism. Because we do not live in a perfect world—we live in a world of distorted markets caused by the actions of Governments in other countries—that policy has to be modified somewhat. If all Governments would keep out of all markets, it would not be long before the greatest good for the greatest number of people would reign on earth; but when the EEC sets things to the benefit of French farmers, regardless of the effect that that has on people elsewhere in the EEC and regardless of the impact of those controls on the rest of the world, when the United States and Canada respond and when Japan imposes trade restrictions and these sorts of things, the Australian primary producer has no option but to respond by way of Government’s establishing some sort of orderly commodity marketing and arrangements that allow the authority to handle the storage of grains in Queensland. Because that has the ultimate effect of putting up prices everywhere and of protecting the inefficient at the expense of the efficient and hard-working, that is a pity. Because of what happens overseas and because of the actions of other Governments, some degree of Government intervention has to be accepted.

When I read the Minister’s second-reading speech, some questions came to mind. No-one can argue with the following statement of the Minister—

“The proposed amendments are designed primarily to allow the authority to achieve a more effective utilisation of its facilities and resources in order to contain costs and moderate the need for increases in charges by increasing revenue.”

If a company has a smelter—I come from the mining industry—with excess capacity, the wise thing to do is to seek someone else’s minerals to smelt on a toll basis and utilise the company’s facilities to the full.

The Minister also said—

“I want to stress that there is no intention, nor is there any provision in the proposed amendments, to allow the authority to enter into marketing in its own right.”

I have one question: promise? In the future a simple amendment would be able to change that. Unfortunately, Government intervention in free markets has a history of building simple amendments one upon the other until legislation creates a monster that does many of the things that at its birth it never set out to do. I accept the Minister’s assurance that the authority will not be involved in marketing, but I find myself wondering whether one day in the future we might find ourselves debating whether or not the authority should enter into marketing.
In his second-reading speech the Minister also said—

"Since its establishment, the authority has made major investments, primarily in port facilities at Brisbane and Gladstone . . . ."

The member for Mackay spoke about that. The Minister also said that the authority currently has a debt of $87m, which this year will cost $17.1m to service. He added—

"The burden of this debt on the industry has increased substantially during the last two years, following greatly reduced intakes of grain caused mainly by low levels of production owing to drought and low grain prices."

I keep thinking of a friend of mine who once told me that he read that Russia had just had its twenty-third successive poor harvest owing to unfavourable weather conditions. Unfortunately, when Governments get too heavily into planning the economy, they do tend to overcapitalise because they do not have to have the private sector controls of share-holders and efficient management.

I will not knock the management of the public service, but the private sector has to impose hard-driving cost-cutting. Governments have a tendency to build Taj Mahals, to overspend and to have excess capacity. Then a couple of years of low levels of production owing to drought, low grain prices and so forth are blamed for the fact that they have excess capacity.

The Minister said also—

"Although the authority has been able to contain charges during the last two years through the use of funds held in the handling charges equalisation reserve . . . ."

Not contain costs, but "contain charges". Private-sector operators have to contain costs or they go broke and go out of business. However, in this area it only has to contain charges, because there is another fund called the handling charges equalisation reserve from which funds can be taken to make the charges minimal. That is not the way that we get efficiency and ensure low prices to the consumer.

The Minister said further—

"The authority has promoted the use of its country storage facilities for the warehousing of non-statutory grain by growers."

Naturally it will. That is the Government’s empire-building act again. As the growers find that excess capacity, they find further uses to take up the excess capacity. Very often those further uses exceed the capacity by a little bit, so more capacity has to be built, creating a little more excess capacity, which is taken up by thinking of another use for that, and so on. There is this leap-frogging effect of the empire-building.

It is found, therefore, that the authority has been examining the possibilities of handling and storing other declared commodities. I bet it has. Once again, a thought, a concept to do something leads to an appropriation of capital to put it into effect; it is overdone, it is overbuilt, it is overcapitalised, it is overspent, and so there is excess capacity. The Government then looks around for ways to fill the excess capacity. The tentacles spread out, they take in something else and so on, and the empire-building continues. It is then found that there is an extension to apply those provisions to declared commodities other than grain. What commodities other than grain? This is really an open door. For example, in the excess warehousing facilities will the authority store furniture and go into competition with Grace Brothers? The term "commodities other than grain" really opens the door to almost anything for which the facilities could be used. The Minister said—

". . . although at present the authority has no plans to provide advances for commodities other than grain."

The key words there are "at present". How long will it be before it does? Some firm assurances are needed on just how far this authority is going to go.
Further on, the Minister said—

"To further assist the authority in gaining maximum advantage from its modern facilities by attracting grain from northern New South Wales it is proposed to amend the Act to allow the authority to plan, design, purchase, construct, lease or otherwise provide grain storage and handling facilities at locations outside Queensland."

For the life of me, I cannot see how the authority can plan, design, purchase, construct, lease or otherwise provide grain storage and handling facilities without spending more capital. So more capital is coming in. Once again, I would expect to see the leapfrogging effect between capital and capacity that I mentioned a little while ago in an infinite series. There seems to be no end to it.

The Minister continued—

"The movement of northern New South Wales grain through the Queensland storage and handling system can make a significant contribution towards the authority's high fixed costs."

I think that he means a contribution towards amortising or justifying the authority's high fixed costs. However, that does not seem to be quite right to me, because to plan, design, purchase, construct, lease or otherwise provide those facilities more capital has to be spent. I think that there is a bit of a circular argument there, which means, whichever way I read it, that the already high fixed costs will be made higher.

Further extensions are coming in. The Minister said—

"... amendments to the Act will clearly allow the authority to use temporarily surplus facilities," —

there we are again, the excess capacity—

"resources or property for activities not associated with the storage and handling of grain or commodities on a fee-for-service basis . . ."

We must all ask: what activities not associated with the storage and handling of grain or commodities? What activities are we talking about? Where is the extension going? The Minister continued—

"... or, with the prior approval of the Minister, to engage in business undertakings."

What sort of business undertakings? It seems to be very open-ended as to what this authority is going to be allowed to undertake in the future. We have no real assurances there. We are moving here away from downstream expansion of activities, which in itself is bad enough, where we have an authority exceeding its original mandate by moving into downstream activities, for example, by moving into New South Wales; but here we have a lateral expansion, a highly significant sideways step into different sorts of activities altogether. That is where we find that the authority, by stepping sideways, will really be competing with activities that quite probably are presently being carried out by private enterprise. It is not the Government's business to use tax-payers' money to compete with efficient private enterprise.

The Minister justifies this by saying—

"This provision is designed to allow the authority to use surplus resources. It is not to be used for new capital investment to provide new services. It is expected that the authority will use the power initially to produce equipment at its workshops . . ."

As I read that I could not help thinking that this very week the Government is talking about selling off the Government Motor Garage and associated workshops. They are to be sold off, yet in his second-reading speech on this Bill the Minister said—

"It is expected that the authority will use the power initially to produce equipment at its workshops . . ."
private enterprise. I have to keep pinching myself to remind me that this legislation is being introduced by a Government that claims to be a free-enterprise Government.

Mr Elliott: You realise, of course, that a lot of these growers are purely and simply using these facilities to trade privately. They are whacking the stuff into storage. The idea, obviously, is to try to utilise the facilities.

Mr BEARD: I agree with that.

As far as it gives the growers—the producers—the extra marketing flexibility that the honourable member has just described, I applaud it. In fact, I will conclude my speech by applauding some of the features of the Bill.

What I am trying to get at is that it is such a typical Government way of doing things. You overspend, you overbuild, you get excess capacity, so you look around for ways to fill it. You exceed it a little bit, a bit spills over, so more capital, more expenditure, more capacity and more expenditure is needed. There seems to be no end to it.

The Government talks about an authority that is set up to store and handle grain. When the Government talks about the authority producing equipment at its own workshops, I wonder where it should stop. I know that it can be justified by saying that the farmers will use the excess capacity to do this and that. However, the Government is getting into an area in which it does not belong. The Government should not be there. In the paragraph following the one I just quoted, the Minister said—

“I am pleased with the discussions which have been taking place between the grain and cotton industries”—
great stuff—

“exploring the possibilities for co-operation in the use of facilities and staff.”

To me, that is a very valid way of viewing the excess capacity. That is not even really downstream. It is just sensible utilisation of the resources. The Minister continues—

“I repeat that it is the Government’s firm view that the authority shall not be a marketer of grain or commodities.”

I reiterate the question that I asked earlier: for how long? It will only take a simple amendment when the present Minister or a future Minister thinks the authority is ready for it.

I compliment the Minister for the following comment—

“In line with Government policy, a new provision will require the Act to be subject to comprehensive review by the Minister for Primary Industries at least once every 10 years and for the review to be laid before this Parliament.”

That is great stuff.

However, I caution all members of the Government and all members of the Opposition that the Government of this State should help people to develop an expectation that reviews are held to limit and restrict the intrusions of Government into the marketplace, not to find ways of increasing them.

All too often, when Ministers review a statutory authority or a quango, they seem to get a bit excited and carried away like kids playing Monopoly. They want to buy Park Lane and Mayfair and build hotels on them. They want to expand, expand, expand, not realising that they are using tax-payers' money and not Monopoly money——

Mr Harper: Who owns the facilities? Are you suggesting that the tax-payers' own the facilities?

Mr BEARD: Who is paying for the wages of the people who work in them?

Mr Harper: The growers.

Mr BEARD: Does tax-payers' money come into it at any stage?
Mr Harper: No.

Mr BEARD: Not one cent of tax-payers' money?

Mr Harper: No, the growers'.

Mr BEARD: All right. I will accept that.

I will tell the Minister where the consumer misses out. That all adds to the growers' expenditure, which is eventually passed on to the consumer. There is no free lunch. Every time a dollar or a cent is spent on getting something to the market, it adds on to the final price at the consumer end.

I think that that is one of my greatest objections to the whole thing. The legislation is so often constructed to meet the wishes of the industry without thinking of the wishes of the consumer. Industry and consumer should be in an interplay of market forces which find the natural level for both.

Towards the end of the Minister's second-reading speech, he said that he is concerned about the IAC's report and the report of the Royal Commission into Grain Storage, Handling and Transport. He said—

“Both reports are being considered by the Government but their very broad deregulation approach does not appear to be in the best long-term interests of the Queensland grain industry.”

Who says so? Mr Kerin apparently does not say so, but Mr Casey, Mr Harper and many people in this Chamber do say so. The assertions that that approach is not in the best long-term interests of the Queensland grain industry need much more examination and much further thought. Government members are all too ready to license, register, restrict and limit competition in this State. We must get back to what the consumer wants.

Let me summarise a couple of the things I have said. The basic philosophy here is a greater degree of deregulation, competition and private-sector involvement in the grain industry from farm gate to market. That is what we should be looking for; we should not be tying it all up. Is there a provision in the Bill to promote on-farm storage? If there is, it should be applauded, because farmers will do it cheaper than the Government. They will carry the capital cost and they will facilitate improved marketing flexibility, which is what Mr Elliott said in an interjection a little while ago. I do not believe that the authority should be investing in new storage facilities, particularly outside Queensland. Private enterprise should be encouraged. Let private enterprise take the risk and let private enterprise make a quid. If private enterprise makes a quid, lots of other people will make a quid. It is passed on.

Mr De Lacy interjected.

Mr BEARD: Socialism will never increase the wealth of the nation. People who get out, invest their money, use their energy to carry out their work and who take the risk of losing will make a quid, and everyone will make a quid with them. The basic problem in this whole matter is the high capital cost structure of the authority and the requirements for annual servicing and the need for throughput to achieve that. That is our basic problem. Instead of trying to restrict that, we are talking about spending more capital.

As I said earlier, the Liberal Party strongly supports the co-operation between the grain and cotton industries which may lead to a sharing of overheads and facilities. There may be further areas for co-operation in that respect, and we should seek them. The Liberal Party agrees that the Government should not be a marketer of grain—I hope that the Act will not be amended later to make the Government a marketer of grain or commodities—but it should provide the protocols and the infrastructure support to assist industry and private markets.

Mr BOOTH (Warwick) (11.58 p.m.): Although the hour is late, I would like to make some brief comments on the legislation. The grain industry is still an important
industry in my electorate, although it does not have the importance that it had 20 or 30 years ago. All of those people who rely on grain need storage facilities. I could not help thinking that the last speaker was learning as he went along. He probably now has a much greater knowledge of the grain industry than when he stood up, so he gained something from his contribution.

I compliment the Minister on the fact that he will try to use the existing facilities to a greater extent by allowing greater flexibility and the warehousing of grain. Surely that is a move in the right direction.

Mr Lee interjected.

Mr BOOTH: The dry conditions have lowered the throughput of the industry in the last two to three years. That will have fairly serious consequences for the grain-handling authority. For that reason we must do everything to allow it to do as much as it can for itself to try to use its existing facilities to the utmost capacity.

When bulk-handling was first mooted, it appeared to be a great thing. Grain could be pumped from one place to another and anything could be done with it. Nobody said that it would be as expensive as it was. I do not think that anybody thought about the expense. It has been found that grain-growers need a lot of on-farm storage. The member for Mount Isa said that that could be done more cheaply by the grain-growers than it could be done by the bulk-handling authority. I am not sure whether that is so, particularly when a great deal of on-farm storage is required. If the bulk-handling authority, with its bigger equipment and facilities such as silos did not exist, I think that the grain-growers would have far greater problems. The facilities of the authority as well as those on the farms are needed. The capital-funding of $87m may not have been a problem without the two or three dry years that have occurred. Certainly the dry years—

Mr Beard: You have to budget for dry years.

Mr BOOTH: I suppose that is possible. However, one does not expect to have two or three dry years in a row. The honourable member's comment probably has some merit. One has to budget for dry years. When there is a decrease in throughput during dry periods, operations should be wound down to some extent.

Mr Casey: You have already spoken for two days.

'Mr BOOTH: I could say something like, “People in glass houses...”

Mention has been made of deregulation. Whenever I speak with primary producers, I always find one or two of them who are in favour of deregulation. However, they want only as much deregulation as suits them; they do not want overall deregulation. Somewhere along the line people will have to be told that they either want organised marketing or they do not. I do not believe that it is possible to have a little bit of deregulation; either it is the lot or nothing.

I turn now to the provision that will allow the Queensland Grain Handling Authority to enter into arrangements for the handling of interstate grain if it so wishes. I am a little concerned about the expenditure that will be involved in purchasing equipment and buildings or in leasing premises. The Government in New South Wales would only have to get a bit cranky and it could make things difficult. I hope that people will be careful if they venture into northern New South Wales.

I am not all that keen on the appointment of a permanent deputy chairman. I believe that it is better to appoint a deputy chairman in an organisation only when one is required. The argument that is usually advanced for the appointment of a permanent deputy chairman is that, if the chairman of that organisation becomes ill, the deputy chairman will be able to take over. I believe that, because he has to carry a great responsibility, if a chairman is seriously ill, he should not remain as chairman of that organisation. Mr Casey mentioned the Queensland Graingrowers Association debacle. That goes to show that in an organisation such as that, the authority and responsibility of the chairman are very important issues that should be very carefully considered.
It is in the best interests of grain-growers to use existing facilities as much as possible. It is very easy for someone to produce a report that states that something is too expensive or inefficient. In this case it has not been said that grain-handling is inefficient, but it has been said that it is perhaps too expensive. To some extent, the two go hand in hand.

It is not easy to contain costs when large areas need to be serviced. Because Queensland has far-flung regions, the high costs that are involved in grain transportation are perhaps warranted.

I have never been a strong believer in the amalgamation of all freights. I have always been of the opinion that freight charges should relate to the distance over which goods are carried. The amalgamation of freights makes things easier, but I do not believe that it is a good idea. I am concerned that when freights are amalgamated people produce products in areas in which they would not otherwise produce them if they had to pay freights that were based on distance.

The Queensland Grain Handling Authority started off well. Because of the dry conditions, it may be under a little stress. However, as long as it watches what it is doing it will succeed.

I was intrigued by the contention of the honourable member for Mackay that someone should pay off the authority's debt. I am not sure whether he meant that farmers should pay off the debt. A substantial debt is difficult to remove. If a huge levy was introduced to pay off that debt, many people would be hurt.

Mr Casey: I didn't suggest a levy. I said that that was an alternative: you had to cope with the servicing costs or you had to accept——

Mr Booth: Financing is financing. I do not believe that it matters which way one goes about it; there will always be some trouble. It is hardly likely that the Government will pay off that debt.

I support the Bill.

Mr Elliott (Cunningham) (12.05 a.m.): Firstly, I will reply to a couple of matters raised by the honourable member for Mount Isa. He spoke about the private-enterprise side. No-one would be more delighted than I if we were able to compete truly on a totally free market. I will match my performance, and particularly the performance of my neighbours, whom I consider to be far more efficient than me because they spend 100 per cent of their time working on their properties, with anyone else's. I would rate those people as being absolutely capable of competing on the world market if we could get away from the hopeless situation that we are in now because of the EC and the United States.

Mr Comben: You want to be tied to the EEC and England.

Mr Speaker: Order! The member for Windsor!

Mr Elliott: The honourable member should keep out of this. He is not really qualified to become involved.

Mr Comben interjected.

Mr Speaker: Order! The member for Windsor!

Mr Elliott: As the member for Mount Isa said, it has to be realised that we do not live in a perfect world and things have to be accepted as they are. Our people are capable of competing in any market-place with any other country that is marketing grain. They are A1—totally efficient. It should not be thought that the only way to become more efficient is to follow the old theory about getting bigger or getting out. That theory has been discredited and disproved absolutely. Despite what anyone might like to say—the financial institutions or the banks—the family farm operation, regardless of its size, is capable of competing. As long as it is not so small as to be operating below the cost
of production, if it is of a reasonable size, and as long as the people who are operating it are really getting stuck into their work, it can compete. It will be found that family operations are the most efficient producers and they will be able to compete anywhere.

Mr Beard: I have said here and elsewhere that the Australian farmer and the Australian miner are the most efficient in the world. They can't be beaten anywhere.

Mr ELLIOTT: The honourable member is dead right.

As honourable members have said, this Bill obviously gives us the heads of power to be able to store grain. As growers, the previous speaker my colleague the member for Warwick and I probably own a few cubic metres of concrete in one or two grain silos somewhere. We have a vested interest, as does every other grower of wheat, or for that matter any other grain, who have contributed over the years to the building of those silos and the complexes around them, in utilising those facilities. We are mad if we do not. We have to try to utilise them as much as we can.

I commend the provision that facilitates more effective utilisation. I think it is important. It is also important to realise that the merchants are able to utilise these storages. Revenue will be received from them, too.

Obviously the registering of crop liens and so on is important. We want to be assured that we are responsible, that we are looking after people's interests and that sorts of some sort will not be developed around the system. I am sure that that will not happen.

The member for Warwick spoke about the situation in New South Wales. Personally, I can see many benefits for Queensland and for the authority in that respect. New South Wales will be helped. It is not being looked at as a parochial exercise. It is much more efficient to bring grain from northern New South Wales through the new and far superior grain-handling facilities at the port of Brisbane. A tremendous amount of money has been spent developing those facilities. Therefore, as much grain as possible needs to be put through them.

We took the punt, if one could call it that—we bit the bullet—and spent money on those facilities. Unlike Queensland, New South Wales procrastinated about spending money. New South Wales was affected by disputes involving waterside workers and it took far too long to make a decision. Inflation caused the costs to rise. Therefore, the New South Wales operation will never be as efficient as ours is. Into the future, Queensland will be able to compete far more efficiently than New South Wales will be able to. Queensland's facilities should be utilised.

This large lump of capital debt that is in front of us at the moment will be swallowed. Not all seasons will be dry. If a person lives on the land long enough, particularly in areas that are particularly suitable for grain-growing rather than in areas outside the grain-growing region, eventually he will have a reasonable run of seasons. Until recently, Queensland was in the grip of drought for three years; now the blooming floods are widespread. That is typical of the land in Australia. Farmers have to accept that and plan for it. They have to learn to utilise those seasons.

Because of the moisture that has returned to the soil, Queensland now has the capacity and the ability to take control and turn the situation to its advantage. Honourable members can believe me when I inform the House that people in rural areas are doing exactly that at this time. They are using planes and other equipment to spray the weeds so that they can plant crops. A great deal of increased productivity will occur, partly as a result of the floods.

I support the legislation. I like the idea of having a review take place every ten years. I think it is very important for the Government to keep its finger on the pulse of the grain-growing industry.

Hon. N. J. HARPER (Auburn—Minister for Primary Industries) (12.11 a.m.), in reply: I thank honourable members for the comments that they have made. The
honourable member for Mackay raised the subject of the McColl royal commission report. I draw the attention of the House to the fact that Queensland issued its own letters patent to Mr McColl and did not take part in the joint exercise.

I suggest that the honourable member for Mackay should not necessarily accept claims that have been made by Mr McColl in his report. The report contains errors of fact, not the least of which was Mr McColl's claim that the Government owns Bulk Grains Queensland. I informed the honourable member for Mount Isa about the facts of the matter; that is, Bulk Grains Queensland is owned by the growers and not by the Government. I would have thought that a royal commissioner would have understood that from the outset, as a fundamental fact.

Bulk Grains Queensland and its facilities are the property of the grain-growers of Queensland. Even if the Government wanted to sell off the assets—which was suggested by the honourable member for Mount Isa—I point out that they do not belong to the Government and it therefore cannot sell off anything. The assets are the property of the grain-growers of Queensland.

It was disappointing to hear the Opposition spokesman agree with Mr McColl's rather ludicrous suggestion that grain could be moved from the downs to Fisherman Islands by road. I believe that that simply shows a complete lack of understanding of the Queensland grain industry on the part of the honourable member, although I must admit that the honourable member undoubtedly has a much better understanding of Queensland's geography than Mr McColl.

I agree with the honourable member for Mackay when he says that it would be nonsense to close the Wandoan branch line and use road transport to take grain from Wandoan and Miles to—of all places—Gladstone. It is a pity that the royal commissioner did not undertake the same exercise as was carried out by the honourable member for Mackay. Having said that, I acknowledge that Mr Casey knows the roads in that area because he had some involvement in roadworks construction, albeit a few years ago.

Unfortunately, that sort of nonsense is typical of conclusions that result from a lack of understanding and a lack of perception of pertinent factors relating to the Queensland grain industry. It is unfortunate that the thread of misunderstanding and lack of comprehension runs through the report.

Members of this House may be assured that the Government is looking very closely at both the McColl report and the IAC report on the grain industry. The Government's response will be made known so that the Queensland grain industry may be reassured of its continuing viability, with support from the Government, which is intended to ensure that the industry remains a dominant feature in the economy of Queensland.

It was pleasing to hear the honourable member for Mackay say that New South Wales had to get itself out of its financial problems. The honourable member for Cunningham pointed out that the New South Wales Government is sure to face problems in the future because it was late leaving the rank. It did not get its act together, but Queensland did. The net result will be that the grain-growers of New South Wales will be presented with an enormous financial burden. I was pleased to hear the Labor spokesman on Primary Industries say that they will have to get themselves out of their financial dilemma.

Mr Lee: He did not want to talk about it, did he?

Mr HARPER: Perhaps he did not really appreciate the situation. It is good to know that this Government will have his support. When one looks at Commissioner McColl's report, it will be good to have the Opposition's support when the Government says that it wants the same financial assistance deal as will be given to New South Wales in the future. I trust that he will carry that message and insist that Queensland gets the same financial assistance when the time comes.

In regard to warehousing, the Bill is in accordance with a well-publicised undertaking which I gave, to the effect that the need to make this alternative available—and the
honourable member agreed that it was necessary—at the beginning of the sorghum season would be validated. Because of that, I believe that this is not retrospective legislation in the sense of legislation enacted by the honourable member's Canberra colleagues. This is merely validating legislation in accordance with an undertaking which was given at the appropriate time.

The honourable member for Mount Isa failed to recognise that Bulk Grains Queensland is owned and controlled by the growers and its statutory reserve funds belong to the growers. I am sure that he appreciates that fact now that it has been explained to him.

Even if the honourable member for Warwick did speak for two days, he made sense. I was interested to hear his comment that either there is regulation or there is not.

The honourable member for Cunningham, like the member for Warwick, has an understanding of the grain industry, and he was correct when he said that not only wheat-growers and grain-growers but all Australian and Queensland primary producers can match competition from anywhere in the world very successfully if that competition is not subsidised. It is the same story with tariff protection. If all forms of protection were removed from Australia's secondary industries right across the board, the primary producers would be much better off. It is only when other sectors are subsidised and are given tariff protection that it is necessary for primary producers to have balancing protection of some form or another. As the honourable member for Cunningham said, I am sure that all primary producers in Queensland and Australia would be only too pleased to deregulate the lot and allow our primary producers to trade on a free world market. Australia would be much better off because, as the member for Mount Isa said, Australia has the most efficient primary producers and miners in the world, but has to face the difficulty that overseas Governments protect their employees, farmers and miners through subsidisation.

Motion agreed to.

Committee

Hon. N. J. Harper (Auburn—Minister for Primary Industries) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr CASEY (12.20 a.m.): The Minister has just said that this is not retrospective legislation; it is validating legislation. I suppose a rose by any other name would smell as sweet. Part (1) of clause 3 states that the Act shall commence on the day this Act is assented to for and on behalf of Her Majesty and part (2) clearly states that clause 6 will be deemed to have commenced on 1 December 1987, which was virtually four months ago, and that the amendments thereby provided for shall be given retrospective effect accordingly.

There are occasions when, for some reason or other, legislation has to be introduced to give retrospective effect to some acts that have been done in good faith by certain organisations. However, the Minister has virtually said that undertakings were given so that Bulk Grains Queensland could do certain things. For that period it has been allowed to do them illegally. It is now almost five months since that date.

I do not think this is the right way to run the State's affairs and I do not think that organisations such as Bulk Grains Queensland should be encouraged to carry on their affairs in such a way. The House was sitting prior to last December when obviously the undertaking was given. It would have been quite simple and easy for the Government to introduce effective legislation at that time so that lawful acts could be carried out by Bulk Grains Queensland—not unlawful acts, that is, the type of things to which the Bill gives retrospective sanction. I simply wanted to clarify the point on behalf of the Opposition and to voice disagreement with that type of activity by Governments.
Mr HARPER: The reason for the amendment is merely to give a clear head of power for the authority to receive grain from grain-growers. It is to make quite sure that it is not challengeable. The matter could be arguable and the authority has been taking advantage of that in the interests of the grain-growers and the grain industry of Queensland. It was done in good faith; and it was to continue in good faith, but I gave an undertaking that I would ensure that it would be put beyond doubt and beyond challenge by validating it. That is the purpose of that clause in the Bill.

Clause 3, as read, agreed to.

Clauses 4 and 5, as read, agreed to.

Clause 6—

Mr CASEY (12.23 a.m.): This clause provides for the validation of previous actions. It also takes into account things further into the future. It relates to the powers of the authority. As well as the power to which I have already referred, it gives the power to operate storage and handling outside of Queensland, in this case in northern New South Wales.

I am just a little concerned, as was the member for Warwick, about the future of that type of trading, which is what the authority is entering into. I suppose the thin line is there and that it is not marketing in the true sense of the word, but nonetheless it means that the authority is entering into trading outside of Queensland. That is being done for the very reasons that the Minister mentioned, that is, problems with the handling authority in New South Wales.

The member for Mount Isa spoke about open and competitive trading. I am a little concerned that too much of this sort of thing might be entered into. I want to know if the Minister has some idea of the particular districts in New South Wales or if any thought has been given to whether a limitation will be placed on the distance across the border that the authority can operate. Such trading will have to involve road transportation. If the authority trades fairly effectively interstate, that will throw a very big loading on roads in the border areas. Rail facilities from those northern New South Wales areas are not available. I am a bit concerned that there might be a great deal of expenditure there.

Mr Elliott: B trains to Goondiwindi would be the most efficient and the easiest way to do it.

Mr CASEY: Of course, it is not only Goondiwindi. That is one point, and probably the major point, where that will be effective and where it will occur. Goondiwindi is an area of great potential for trading through from that area. I accept the point made by the honourable member for Cunningham.

The Minister said that certain agreements were entered into. The balance of clause 6 deals with the authority and power insofar as trading is concerned. Because of the retrospective legislation provided under clause 3, obviously trading has been going on. It appears that some people may have experienced trouble and they are being protected now retrospectively. If they are, could the Minister indicate whether there has been any real volume of people who have experienced trouble with their liens, mortgages, charges or encumbrances over the grain that has already been taken into storage by Bulk Grains Queensland and if it is likely that there will be any loss suffered by Bulk Grains Queensland as a result of that?

Mr HARPER: In answer to the honourable member's final question—to the best of my knowledge, there certainly has been no difficulty whatever. I do not imagine that there will be any difficulty, because very deliberately the protection that would be afforded by this legislation to clarify beyond any doubt the ability of Bulk Grains Queensland to take liens to carry out this exercise was very well publicised. Financial institutions, banks and the like should have been very well aware of the situation.
In the very frequent discussions that I have with the chairman of the authority and with its general manager and the senior executives, there has never been any suggestion that any problem has arisen. I would find it extremely difficult to imagine that it would have arisen in the four or five-month period.

In regard to the facilities—the ability of the authority to provide storage and handling facilities at locations outside Queensland—I must say that the leaders of the grain industry in Queensland and I gave much thought to the possible consequences of the McColl royal commission and of the IAC investigation into the grain industry before Christmas. In framing this legislation we had regard to the possible outcome of those inquiries so that Bulk Grains Queensland, the Grain Handling Authority of Queensland, would have an ability to respond appropriately. At this stage, I do not intend to go any further than that in the possible response that we may give. However, we will not sit back and allow our grain-growers and our grain-growing industry to suffer because of recommendations which are obviously southern oriented.

The fact is that, if Queensland can provide to New South Wales grain-growers facilities that encourage them to achieve a better marketing position for themselves, we will not hesitate to offer that service to the farmers of New South Wales. Many of them in that area, of course, would dearly love to become Queenslanders. We would be happy to have them. Certainly, we will be happy to help them obtain better financial returns for their produce, if they so choose.

Clause 6, as read, agreed to.

Clause 7—

Mr CASEY (12.30 a.m.): I have a few further points in relation to clause 7.

Mr Austin: You've said it all before.

Mr CASEY: Of course, old baldy-head, baldy-tyres is at it again. He must be getting bleary or weary or something. The Leader of the House ought to be more interested in sitting back and taking an interest in one of Queensland's major industries. Matters regarding the wheat industry need to be raised in this Parliament. I clearly indicated at the outset that I would be raising matters at the Committee stage, and I will do so despite the protests of the Leader of the House. He is only causing a delay at this point.

The matter that I wish to raise in relation to this clause is again very central to the aspects of the Bill that have been spoken about this evening and is causing a great deal of concern out in the community. Organisations such as the Queensland Produce, Seed and Grain Merchants Association are very concerned at the extent to which Bulk Grains Queensland may be going in regard to trading and the type of services and businesses, in addition to its present commitments, that it is going to engage in.

It is necessary to get assurances from the Minister at this stage in regard to certain aspects. There is an overriding provision in this clause that the prior written approval of the Minister must be obtained in relation to the type of business undertakings other than the marketing of grain or commodities that Bulk Grains Queensland is going to enter into.

In recent years, by the purchase of a fleet of front-end loaders and trucks, by being efficient, by being mobile, Bulk Grains Queensland has been engaged in the saving of permanent labour costs at a lot of the smaller depots. I want the Minister's assurance that Bulk Grains Queensland is not going to take on the use of particular pieces of equipment that will take business from operators in different fields altogether and are not being used for grain.

The industry has protection under this Bill. That plant is the industry's assets and the industry ought not to be using it outside in an industry that is unprotected, for road construction, general use or hire. I seek the Minister's assurance in relation to that.

Mr HARPER: There is no intention on the part of the Grain Handling Authority of Queensland to engage in any business of the type suggested by the honourable member.
The legislation spells out very clearly in regard to the produce and seed merchants that there is no intention on the part of the Grain Handling Authority of Queensland to engage in marketing services.

Clause 7, as read, agreed to.

Clauses 8 to 12, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Harper, by leave, read a third time.

**BILLS: REMAINING STAGES**

Abridgement of Time

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (12.34 a.m.), by leave, without notice: I move—

"That so much of the Standing Orders and Sessional Orders be suspended as would otherwise prevent the Bills listed as Orders of the Day Nos. 6 and 7 from being taken through their remaining stages at this day's sitting."

Mr De LACY (Cairns) (12.35 a.m.): Mr Speaker, I want to speak to the motion. It is just an absurdity to introduce such legislation at half past 12 in the morning——

Mr AUSTIN: I rise to a point of order. I move—

"That the question be now put."

Question put; and the House divided—

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Tellers: FitzGerald, McLean

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PAIR: Hynd | Scott

Resolved in the affirmative.

Question—That the motion be agreed to—put; and the House divided—
Resolved in the affirmative.

PUBLIC OFFICERS' RETIREMENTS BILL

Second Reading

Debate resumed from 19 April (see p. 6050).

Mr BRADDY (Rockhampton) (12.49 a.m.): The Bill before the House relates to the necessity to deal with public officers, as they are described in the Bill, in relation to matters of corruption and attending to the payment of their superannuation. The Opposition supports the Bill.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber. Would those members wishing to leave the Chamber please expedite their movement.

Mr BRADDY: As I said, the Opposition supports the Bill. Clearly, it is a Bill which had little likelihood of coming before the House unless in fact the Opposition's proposals, suggestions and demands had finally and reluctantly been taken up by the Government. Earlier, when similar proposals were put by the Opposition, the Government said that those proposals were nonsense, that nothing of that sort could be done and that superannuation had to remain in the normal contractual arrangements.

Mr DEPUTY SPEAKER (Mr Row): Order! The Chamber will come to order! There are too many members on their feet.

Mr BRADDY: The Government said that it was nonsense for the Opposition to be proposing that something ought to be done to curtail the possibility of corrupt officials receiving payments, in spite of the reality that those officials had used their public offices to garner considerable payments for themselves by corrupt practices.

The Government revealed itself to be stuttering and stammering, and continued on in that manner for many months. The Government said that nothing could be done elsewhere and that, clearly, the Queensland practice should remain as it had operated in the past. Because of the length of time it took to do something about this matter, the Government has now revealed itself to be inept. Moreover, it has revealed itself to be inept in the way in which it has gone about taking some sort of action.
The Opposition supports the legislation but, as I indicated in this House earlier today, it does not go far enough. Even the legislation that is proposed to be introduced when the House resumes in August does not appear to go far enough.

The Fitzgerald commission of inquiry has revealed that corruption exists in Queensland. Over many years, the suggestion was made by members of the Opposition that a long-standing, corrupt method of practice had been going on in the Queensland police force and in the public sector. It is most unfortunate that what had been said by members of the Government who have been members of this Parliament for many years and the many warnings given by the Opposition to the Government went unheeded.

Mr Clauson interjected.

Mr BRADDY: The Government failed to take any action over a lengthy period. Members of this Government prefer to talk about the Dark Ages, or about what went on in Queensland 40 years ago, or in New South Wales. However, members of this Government have revealed themselves to be totally inept because, even today when this legislation is before the House, as parliamentarians they have failed to grasp the nettle and take action in respect of the gap that will extend from now till the legislation is introduced in August.

The Government has been touting itself in the community as being the saviour of public life in this State. It seeks to take great credit for instituting the Fitzgerald inquiry. At the same time, the Government and the Attorney-General—who has been interjecting—have failed to protect public life in this State by initiating other inquiries in relation to outstanding matters of corruption and police malpractice, or by extending the terms of reference of the Fitzgerald inquiry. Nevertheless, the Attorney-General and other Government Ministers go out into the community and tout themselves as the saviours of public life in the State of Queensland.

What is contained in the legislation that is presently before the House? I notice that it relates to officers. An "officer" is defined as a member of the police force of the State of Queensland and as a contributor to the State Service Superannuation Fund. The Government finally got around to doing something about corruption, although it had received indications previously that it could have taken action much earlier. It could have prevented the retirement of officers whose practices had the potential to enrich them, which may ultimately be found by courts of law to be the case.

Honourable members have been told that the Government of Queensland was the first to do something about it, but of course that is not true. In 1983, the New South Wales Government passed legislation that prevented officers retiring from the New South Wales police force in circumstances——

Mr Borbidge: Only one officer.

Mr BRADDY: Legislation was passed which enabled the Government to prevent officers retiring in circumstances in which allegations of corruption were involved. As the interjector has indicated, it related to the retirement of one particular officer, but legislation was not passed purely because of that officer. The legislation clearly sets out that it applied to any officers, and the resignation of any officer could have been prevented either by the commissioner or the Minister. Whilst the ultimate catalyst for the legislation might have been the officer to whom the interjector has referred, it did not only apply to him.

The Queensland Government and its Ministers are saying that they are the first to do anything of this kind, which is not true. The Government could have looked at this matter months ago and done something about it when it was first suggested. It has taken months and months for the Queensland Government to move, and now that it has moved it has left a gap. The Opposition has indicated in this House today that it will try to bridge that gap. In the notice of motion that was given today an attempt is being made to cover parliamentarians. This is the nettle which has not been grasped to date by this Government.
This legislation prevents a retiring police officer, where there are allegations of corruption, from obtaining superannuation benefits. The Opposition understands that subsequent legislation will have some retrospectivity. It is possible that, under the appropriate circumstances, attempts could be made to recover superannuation pay-outs from people. Nevertheless, the Government has seen fit to say that that is not good enough; that police officers and public servants have to be prevented from receiving payment in the first place and that this is the appropriate way to go. The Opposition has told the Government all along that this is the way to go. The Government has introduced legislation that relates to police officers and public servants, and a gap remains in relation to parliamentarians. The gap is there so that a parliamentarian, who may eventually find himself in a similar situation, can be paid out in the meantime.

Sir William Knox: Are you suggesting that members of Parliament should not be allowed to retire?

Mr BRADDY: No, the Opposition is not suggesting that at all. It would not be proper to stop an elected member of Parliament from retiring.

The Leader of the Opposition gave notice of a motion today, suggesting that parliamentarians who are the subject of evidence before the Fitzgerald commission of inquiry for corruptly using their office for the purpose of gain be prevented from taking publicly funded lump-sum superannuation payments by empowering the trustees of the Parliamentary Superannuation Fund to defer lump-sum superannuation payments.

The Opposition is saying tonight that parliamentarians should be in the same position as public servants and police. However, they cannot be put in that same position by including them in the Public Officers’ Retirements Bill, because that would not be proper. It would be improper to prevent a parliamentarian from resigning in certain circumstances of this type. Other problems, such as elections, might arise. Because of the way in which this Government is going at the present time, it cannot guarantee that it will have a majority in this place for the next five minutes, let alone for the next five days.

All people who are potentially in the position of having enriched themselves corruptly by virtue of their official position—politicians, public servants and police—should be treated in the same way. The Government’s legislation covers only the last two categories. It has taken the easy course and dodged the issue of parliamentarians. The Opposition, having forced the Government to at least take action in relation to public servants and police, has raised the issue again for the people of Queensland. It says to the people of Queensland that there is an answer to this whereby the Government would not have to put itself in the position of having to chase money after it has been paid out. That does not have to be done. By adopting the process that we in the Opposition have been urging on this Government now for many months, that position could have been obtained now.

Now the situation is different. We, as a Parliament, are in a sense embarrassed by the actions of the Government. On this point the Opposition distances itself from the Government. Again, the Government of this State has let the Parliament down. The Government has said, “Parliamentarians are different from police and public servants.” We will simply have to leave this gap until further legislation is introduced and trust and hope that nothing will go wrong in the meantime and that, in the event of certain eventualities, the State will not have to set about to recover the money. If it was good enough to make sure that that did not happen with police and public servants—I say that it was good enough to make sure that that did not happen—it was certainly good enough for parliamentarians as well.

The Opposition serves notice on the Government that, in the event of certain eventualities, it will say to the people of Queensland that its members chased the Government for month after month to do the right thing and that up to the very last possible opportunity in the House they again chased the Government in an endeavour to include parliamentarians. When will the Government learn that the people of
Queensland expect to see parliamentarians treated fairly? In this instance, to be treated fairly means to be treated on the same basis as police and public servants. If that requires a little bit of subtlety and an extra piece of legislation, so be it.

Members of the Opposition have stood here prepared to support the Government in this regard because it is in the interests of the body politic of Queensland that as much integrity in this place is preserved as possible. The dreadful revelations made in the Fitzgerald inquiry have shaken the public's confidence in Queensland officials and, it would appear, in the whole system of government.

The Government must learn that, before anything else, it must protect the very foundations of our system. It frequently boasts that it is a conservative Government and that it stands here, supposedly, to conserve the values and traditions of democracy and of parliamentary practice in this place. If the Government is a conservative Government, it must set out conserving, particularly when there has been erosion caused by the practices of public officials in the State of Queensland. If it is unable to reform because it is too conservative to do so, it must at least be able to conserve the traditions that have existed for as long as the State of Queensland and that are part of our inheritance from the British system.

We in the Opposition say that the Government, by taking too long to introduce this legislation and by being dragged to this point kicking and screaming, has failed to conserve these traditions. By doing those things, it has revealed itself to be, in the best sense of the word, not a conservative Government at all, but a Government that is inept and incapable of doing the right thing, except when forced to do so by the Opposition and public opinion.

Even now when it is doing the right thing in relation to certain people in the State of Queensland, it has left all parliamentarians open to the charge: "Oh yes, you go out there to make sure that the police and the public servants are covered and cannot get away with something, but what about the parliamentarians?" The Government has failed in this regard and has indicated that it will do nothing about parliamentarians until some months down the track.

In these circumstances it is a matter of great regret that parliamentarians are not placed in the same position as police officers and public servants. Of course, we in the Opposition support this legislation. It is legislation that we suggested. For many months we requested strongly that it be initiated. We express our regrets to the people of Queensland that the legislation is not accompanied by complementary legislation that would put parliamentarians in the same position.

Mr INNES (Sherwood—Leader of the Liberal Party) (1.05 a.m.): The elephant which is the National Party party room has strained for weeks gestating a very small document, and that is only part of the legislation which was announced yesterday as being co-ordinated and dealing with two situations. The first situation concerns those people under suspicion who are about to retire or are in a position to retire. The Bill prevents them from taking the money and running. The second situation concerns those people who have retired and are subsequently discovered to have offended in a corrupt sense during the course of their employment. They are to be placed in the same situation as if the corruption was discovered at the time of its commission during the term of their employment.

It is unsatisfactory that, despite the lengthy period during which the debate has gone on about this matter, we can receive only, effectively, a single-page document and the more complicated document has not been prepared. We have been bombarded with legislation. We have a disgraceful situation which is absolutely par for the course in this Parliament. The vision of excellence is the delusion of grandeur. Nothing has changed. Important—even revolutionary—legislation is being put upon us and rammed through the House, particularly by this Minister, with 24 hours' notice or a little more.

Members of the Liberal Party do not find the legislation particularly satisfactory in its drafting. However, we will not vote against it, because it achieves a public purpose,
which we have said that we support. We believe that it would have been far better if
the legislation was drafted in terms of dealing with people in specific situations rather
than this umbrella device—and, one might say, a rather obtuse device. It would have
been better drafted if it had dealt with people who were charged under the Public Service
Act. Of course, the problem about that is that we are about to have a repeal of the
Public Service Act and its replacement by the Public Service Management and Employ­
ment Bill. It would have been better if the person was the person identifiable within
that category of having a specific charge or a person charged with a criminal charge
which involved offences of the type that are embraced by the word "corruption", or a
person cited in a royal commission or a commission of inquiry.

The categories are fairly clear. It would have been better to have been clear and
specific. Instead, we have a situation in which the executive is replaced. We recall the
time when the executive did deal with all matters of retirement, and that was given
away because of the enormous burden of paperwork. The executive has taken back to
itself the burden of dealing with all retirements. One hopes that that does not in itself
impede lawfully performing public servants who are entitled to retire. Again, it might
have been better to have had, shall we say, a specific active where the Executive Council
was capable of preventing a retirement rather than requiring the enormous paperwork
which will involve processing all the retirements.

Then we come to the provision that deals with suspended officers. It is an interesting
provision, because it introduces words that are rather foreign to legal liability. Again, if
I could trespass at this stage rather than doing it at another stage, we might as well deal
with the merits of the argument.

Clause 4 contains the words—

"Where an officer is suspended from duty because of conduct that suggests
that..."

The words "suggests that" are very unusual. I cannot recall the words "suggests that"
in any other legislation which carried with it a significant penalty.

Suggests to whom? What is a suggestion? Is it a hint? Is it something very minimal?
It seems to me that those words are far more minimal than other words that one would
normally find.

The clause goes on to specify a couple of instances, such as suggesting that an officer
has been corrupt in the discharge of his duties or has improperly used any office or
negligently acted for gain. I have paraphrased the words of the clause.

I find those words of interest because the Government is about to get rid of the
Public Service Act and introduce a Public Service Management and Employment Bill
which deals specifically with offences that can be committed by officers of the public
service.

The phraseology contained in the Public Officers' Retirements Bill is not found in
that legislation, which raises a query in relation to how those two pieces of legislation
come together. Are the charges in clause 4 of the Public Officers' Retirements Bill the
same charges that are referred to in the Public Service Management and Employment
Bill? I ask that question because, as I say, the phraseology is quite different. It appears
to be legislation which stands in its own right. What, therefore, is the relationship?
Whereas charges under the Public Service Management and Employment Bill will have
to be dealt with according to the principles of natural justice and therefore, shall we say,
have a finite situation—are determined—is the effect of the Public Officers' Retirements
Bill that once a person is suspended, that suspension goes on indefinitely?

I will consider the consequences of that indefinite suspension. A person who is
suspended loses his or her remuneration. Can these suspensions go on for two or three
years? If the suspension relates in any way to the Fitzgerald inquiry, it is likely to be
one and a half years during which a person is not allowed to retire but receives no
remuneration. That does not sound particularly fair or particularly well thought out.
It is not, in our view, a very satisfactory document in terms of resolving some of the issues that fairly clearly arise out of any debate about this matter. There are ambiguities. There is a lack of clarity. There is a lack of specificity and definition with regard to the circumstances that should exist before there is any question of binding a person to a service that they no longer want to take part in; obliging them to do so at a time when they might otherwise lawfully be entitled to retire.

Can the Executive Council, at its whim, refuse to allow a person to retire without giving any reasons whatsoever? There is no requirement that reasons be given. Can one Executive Council get snaky on a particular police officer or a particular public servant? There is no appeal structure.

As I read the Bill, clause 3 does not necessarily relate to clause 4. There does not need to be a suspension. The Liberal Party believes that it would have been far better to have delineated the particular circumstances in which it is clear that at least some sort of allegation had arisen with regard to the person who is likely to be penalised. In other words, categories should be drawn up on which that refusal to allow retirement can take place. I will repeat those categories because they are very simple: where the person has been charged under the proposed new public service Act; where the person has been charged in a criminal sense with an offence of corruption; or where the person has actually been cited in a royal commission or commission of inquiry.

That is not what the legislation says. The legislation is framed under the widest possible ambit, and where it descends to particularity in the case of somebody who is suspended, it appears to use phraseology that is novel and appears to use phraseology that is not reproduced in a kindred Act, if I can use that term, that exists for the next couple of days until Executive Council meets, and an Act which is about to be replaced by the Bill which will repeal the present Public Service Act.

The Liberal Party has drafted a potential sunset clause that it believes should be inserted into the legislation. The members of the Liberal Party believe that the legislation should terminate and that a reasonable date is 31 December this year. I am not necessarily saying that all people should be allowed to go free at that time; I am saying that we know that associated legislation will be introduced in August or September. We believe that that legislation should address the matters that we raised tonight. We understand that it might even reproduce what is done tonight. If that is the situation, Parliament has a second chance to look at this matter and to have an encyclopaedia or a compendium of law in a single Act that relates to people under suspension before retirement as well as to those who after retirement are discovered to have been guilty. In other words, we get a chance to review the situation. However, the members of the Liberal Party do not believe that, if a person is under suspension, he should be in jeopardy of losing his income yet bound to service without a clarification as to the circumstances which shall give rise to that liability.

I foreshadow that the Liberal Party will attempt to insert a sunset clause into the Bill—it is not with any intention of allowing people to go scot-free—because it is known that the Parliament will be considering legislation before the time-limit that we suggest.

Hon. B. D. AUSTIN (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) (1.18 a.m.), in reply: I thank honourable members for their contributions to the debate. From my point of view, this has been a very difficult and very complicated exercise. Considering the size of the Bill, one might not think that that is so.

The honourable member for Rockhampton raised a legitimate question about members of Parliament, for example, being involved. He said, "Why are they not nominated in the Bill and why has some mechanism not been devised?" I accept that as part of the resolution put forward by the Labor Party it is suggested that the trustees of the parliamentary superannuation scheme ought to have some say, be the judge or the arbiter as to whether or not a member of Parliament is entitled to retire and take his superannuation, accepting that they cannot determine whether he can retire or not.
I simply ask the question: upon whose advice would the trustees operate in relation to that decision? It is a very simple question: on whose advice?

The Fitzgerald inquiry has been set up by the Government and it reports to the Government. It does not report to the trustees of the parliamentary superannuation scheme, the Leader of the Opposition, the Leader of the Liberal Party or whoever. That is my understanding of the Fitzgerald inquiry. They are some of the difficulties. If a person were prepared to give advice to the trustees—I doubt very much whether one would find such a person who would give that advice to the trustees, and I am certainly not of the opinion that Mr Fitzgerald would be prepared to give that advice to the trustees—one runs into difficulties. So the issue is not as simple as that portrayed by the Opposition. I do not believe that any member of this House believes that a member of Parliament ought to be subject to some sort of control by some body other than the Parliament itself. If, for example, the Parliament is to give that advice to parliamentarians, who advises the Parliament and where does the advice come from?

Mr Innes: Who advises the Executive Council?

Mr Austin: Ministers advise Executive Council, and the Bill puts the responsibility onto the individual Minister. It is up to the individual Minister to satisfy himself that he can make a recommendation to the Governor in Council. The honourable member's question is reasonable and proper. The Minister is a part of the Government, and the Government set up the inquiry. If the honourable member can find another way of making that decision, I would be delighted to hear from him. Some of the best brains in the Government have not been able to find a way around that very difficult and complex problem.

The honourable member for Sherwood asked, "Who invited it?" Will he accept my challenge: put up a proposition that is within the realms and the reason of what we call our Westminster system of Government by which that question can be satisfactorily resolved. In the past, that proposition has not been put forward.

The honourable member for Sherwood stated that the legislation contained no appeal provisions. To whom does a person who has been prevented from retiring appeal, and on what basis does the person to whom he appeals make the decision as to whether or not that person should be allowed to retire? I do not know the answer to that. These are very difficult and complex questions.

I accept that this legislation is broad and simple. However, it will do the job for which it has been designed. I accept the proposition that was put forward by the honourable member for Sherwood, the Leader of the Liberal Party, in which he questioned the longevity of the legislation. I am quite prepared to have a look at his proposed amendment. This Government is of the view that this legislation should disappear when the new legislation is introduced. I am quite happy to have a look at the honourable member's proposed sunset clause. After I have had a look at it, and if this Government feels that it is acceptable, it would have no objection to the sunset clause which would take effect as at 31 December. However, because new legislation will have already been introduced into this Parliament by that time, that sunset clause will be irrelevant.

I thank all honourable members for their contributions to this debate.

Motion agreed to.

Committee

Hon. B. D. Austin (Nicklin—Minister for Finance and Minister Assisting the Premier and Treasurer) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr Innes (1.24 a.m.): The Minister responded to some of my comments and interpreted my remarks as meaning that there should be some appeal provisions. My
argument was rather that the categories of people who should be put in jeopardy by the suspension of their retirement in the first place should be limited; that we should try to identify those people who would be at risk, rather than having everybody at risk by having their retirements refused.

What I said was that it seems that one can identify the sorts of people who are likely to be at risk or who should reach a certain threshold of risk, namely, public servants who are accused under the Public Service Act of offences involving corruption—if I can paraphrase it—persons cited in a royal commission or a commission of inquiry relating to corrupt practices.

I recognise the very significant problem that arises particularly in relation to royal commissions or commissions of inquiry in which there is a distinct difficulty in determining a person's guilt or otherwise whilst that inquiry is continuing, because prejudice to a trial is created by the continuation of that commission of inquiry. It does seem unfortunate that the method is a total umbrella approach and that really anybody who wishes to retire is at risk of a refusal. Unwilling people are not normally bound to their employment. There should be at least a sieve through which people are passed before their retirement is refused, and that sieve should be comprised of certain categories which would have to demonstrate that a person has had some involvement with corruption.

Then there is the situation which happens automatically—that of the suspended officer. I have made comments about clause 4 and the lack of uniformity, shall I say, of its wording and any provisions of either the present or future Public Service Act. That clause contains unusual phraseology in that it invokes the word “suggests”, which conveys a very low level of liability, and it is a very unusual word to use in relation to any criminal culpability or culpability which can lead to a massive penalty.

A person who can and will lose his salary because he is suspended and who can be held in limbo during the period of the Fitzgerald inquiry, which could be 18 months, is subject to a most massive penalty. His life can be ruined by being bound to employment with no pay for a very long period. That is a matter that I accept.

We have lost the fight about delaying this debate tonight. The legislation cannot be rewritten, and I will not start to rewrite the legislation while I am on my feet; I just propose a sunset clause. This is something of significant urgency. It is something that has significant consequences and it should be addressed when the new legislation is brought down, hopefully as early as possible, when Parliament resumes.

Mr AUSTIN: Without taking up too much time of the Committee, after recent weeks, I can say that I would have been delighted if the honourable member could have stood in this Chamber and rewritten the legislation, because it really has not been a very easy exercise.

In relation to a couple of questions that he addressed concerning officers who may be suspended—under the Public Service Act and the Police Act they are already dealt with. As I understand it, they would not be dealt with under this provision unless they decided that they wished to retire and they were of an age at which they could retire. If there was already evidence before the Police Department or the Public Service Board that corruption had been carried out by them to the extent that those departments had evidence; as I understand it, under the Acts that I mentioned, the officers would have already been suspended. That is really all I wish to say.

Sir WILLIAM KNOX: I want to raise a question with the Minister regarding clause 3. It is noted there that the critical time is 1 March, although yesterday we were informed that the legislation would be effective from 19 April. Since 1 March many public servants and probably some police officers have retired. Some of those people who have retired since then are already in various parts of the world, or have committed their funds to investment or done whatever they have with them. By virtue of the retrospective nature of this clause, is it proposed now, when assent is given by His Excellency, that those people who resigned subsequent to 1 March, which is now six weeks ago, will have their
notices of retirement re-examined by Executive Council? It seems that there is some sort of an anomaly here which obviously must have been considered when a date was fixed. Will all of those people have to resubmit their resignations or will they be recalled? What are the mechanics of it? From the time this legislation becomes law, will they all be subject to re-examinations?

Mr AUSTIN: I refer the honourable member to the clause which states—

"This section does not apply to a notice of retirement or the retirement of an officer whose superannuation benefits have been or are being paid to him or at his direction before the passing of this Act."

Sir William Knox: Why has 1 March been nominated?

Mr AUSTIN: The purpose of nominating 1 March is that the Police Commissioner, who has been stood down, had submitted his resignation on 2 March. That is the purpose of the clause.

Mr Schuntner: What about all the other people?

Mr AUSTIN: The others are dealt with in the second part of the clause. I would be satisfied in my own mind that officers who have been allowed to retire since that time would have been allowed to do that with good reason.

Sir WILLIAM KNOX: I agree with the last statement made by the Minister, but I point out that the clause does not mention "retirement" but mentions instead "notice of retirement". One person who would be affected would be the Under Treasurer, who would have given notice of retirement since 1 March but would not have been paid out. No doubt the Under Treasurer's case has already been specially dealt with by Executive Council and is part of the procedures anyway, but hundreds of less senior people would be in the process of retiring and would have given notice of their intention to retire. They would have made all the necessary arrangements and some of them would be on pre-retirement leave, although they had technically not yet retired from the service. What is their position?

Mr AUSTIN: I accept the point made by the honourable member. Obviously, it will mean more administrative work. Applications for retirement would have to go before the Governor in Council.

Clause 3, as read, agreed to.

Clause 4—

Mr INNES (1.33 a.m.): I have a couple of questions to ask. I do not know the answers to them, and I would be grateful for the Minister's assistance, or expert advice that is shortly to hand. Clause 4 deals with suspended officers. For how long can an officer be suspended? Is there any limitation on the period of suspension? What is the present situation? Can a suspended officer resign from the force at present? One would have thought that that might be a fairly satisfactory conclusion in the case of some suspensions because it can get people out of the system. What are the time limitations on periods of suspension? Is it envisaged by this amendment that a person who has been suspended will remain under constant suspension until, for instance, a commission of inquiry has finished?

Mr AUSTIN: I am advised that if an officer were suspended, it would be until the charge against him was disposed of, irrespective of whether he was subject to the Public Service Act or the Police Act. That charge would have to be disposed of.

Mr BRADDY: Clause 4 provides in part as follows—

"Where an officer is suspended from duty because of conduct that suggests that—

(a) he has been corrupt in the discharge of the duties of any office held by him . . ."

The provisions in clause 4 clearly indicate that a person must be able to give an indication that a reasonable suspicion is held of a prima facie case existing against a suspended officer. I take up the point made by the Minister previously in relation to parliamentarians.
The Minister suggested that, although the Government would have liked to have taken some action in relation to parliamentarians, because that would put parliamentarians on the same footing as officers it was unable to do so.

I ask: who are the trustees of the Parliamentary Superannuation Fund? Everyone knows that they are the Premier, the Leader of the Opposition and the Speaker. Also, from time to time in the course of the Fitzgerald inquiry confidential and important briefings have been given to the Premier, the Leader of the Opposition and the Leader of the Liberal Party. If it is possible for police authorities and the Government, through Cabinet, to receive information which suggests that a person has been corrupt or is under suspicion of corruption and therefore should not be allowed to retire, the Opposition suggests that a similar provision can be made in relation to parliamentarians.

There are only 89 members in this Chamber, and if certain evidence has been given before the Fitzgerald commission of inquiry, and if the practice that has been adopted in the past—namely, confidential briefings to certain selected people who hold a high office in this Parliament—was adopted again, it would be possible for the trustees to say that there was a reasonable suspicion at that time which has not yet been resolved. They could then exercise their discretion and defer payment of the superannuation.

On behalf of the Opposition, I do not accept that it is not possible for the trustees to adopt that course. Just as the Premier, the Leader of the Opposition and the Leader of the Liberal Party have been briefed confidentially with important information by Mr Fitzgerald, QC, similarly, if necessary, such a confidential briefing could be given to the trustees of the fund. This would mean simply that the particular parliamentarian would not be in the position of being tried in advance, but would be in the same position as an officer under this Bill. There would have to be sufficient possibility of suspicion that he had been corruptly engaged in the discharge of his duties for his own gain for a particular period, and the payment to him could be deferred. For this reason I suggest that this course should have been adopted by the Government and parliamentarians could have been put in the same position as public servants.

Mr AUSTIN: Obviously the honourable member for Rockhampton and I will have a philosophical difference when it comes to the role of Parliament and parliamentarians and we will probably never resolve that across this Chamber.

Mr Hamill interjected.

Mr AUSTIN: I am trying to have a sensible debate. Opposition members only have to look south of the Queensland border to see what difficulties their colleagues have when dealing with one of their parliamentary colleagues in relation to exactly the same matter. No doubt they suffered the same pains as all members in this Chamber are suffering.

Above all, the one thing that must be preserved in the end is the independence of every member of this Chamber. Once any law is passed that encroaches in any way on the independence of any member of this Chamber, this Parliament will be heading for real trouble. It is for that reason, and that reason alone, that I personally and the Government are opposed to such a law.

Clause 4, as read, agreed to.

Clause 5, as read, agreed to.

Clause 6—

Mr INNES (1.39 a.m.): I have called clause 6 so that we do not terminate the debate. I submit that I am not introducing a new matter into the debate on this Bill. I propose an amendment by the introduction of a clause 7, which is purely a procedural provision. The clause will state that the Act shall cease to be of any further force or effect on and from 31 December 1988. The intention of that amendment is to make it perfectly clear that the limbo of suspension cannot continue beyond the end of a year and a reasonable period within which the Government has the right to replace the Bill
with another more comprehensive Bill. I do not need to say any more. The argument is simple.

Mr AUSTIN: The Government has no objection to the proposed amendment. As I suggested, it is the Government's intention to legislate in the Budget session. I certainly have no objection to the amendment.

Clause 6, as read, agreed to.

Insertion of new clause—

Mr INNES (1.41 a.m.): I thank the Minister for his attitude. I move the following amendment—

"At page 3, after clause 6, insert—

'7. Cessation of Act. This Act shall cease to be of any further force or effect on and from 31 December 1988.'"

Amendment agreed to.
New clause 7, as read, agreed to.
Bill reported, with an amendment.

Third Reading

Bill, on motion of Mr Austin, read a third time.

PUBLIC SERVICE MANAGEMENT AND EMPLOYMENT BILL

Second Reading

Debate resumed from 19 April (see p. 5985).

Mr De LACY (Cairns) (1.43 a.m.): May I begin by protesting against the absurd move of suspending Standing Orders at 12.30 a.m. to allow debate on what is far-reaching legislation? This is the first rewrite of the Public Service Act in half a century, and it is being processed by the sausage machine of the Government. The legislation certainly affects people and will continue to affect them very greatly. The Government's actions do it no credit. They certainly do no credit to the vision of excellence. In fact they make the vision of excellence look very dark indeed.

During the last two days the House has had to deal with eight pieces of legislation in the Finance portfolio. The Labor Opposition has supported all of them, some of them with reservations. However, this legislation, which is being debated at a quarter to 2 in the morning, strikes at the very heart of what people in the Labor Party believe in. We cannot support it, and it is our intention to oppose it as strenuously as we can. My appeal to the Minister is not to ram it through.

Mr Austin: I intend to adjourn the debate after you have spoken.

Mr De LACY: I thank the Minister for that. At least that will give my colleagues an opportunity to consider the legislation some more.

Mr Austin interjected.

Mr De LACY: The Minister did suspend Standing Orders tonight for the other piece of legislation.

Mr Austin: That is used to bring the Bill on. That is not ramming it through.

Mr De LACY: On my interpretation, that is ramming it through. If it has not stood adjourned for the six full sitting days, the Government is ramming it through. Perhaps we are arguing semantics, but I say that the Government is ramming legislation through—that is the sausage machine—when it suspends Standing Orders.
The reason why the Labor Opposition opposes the legislation is that, firstly, it entrenches contracts; secondly, it provides a legislative prerogative to retrench public servants; and, thirdly, it destroys the independence of the public service. It opens the way for patronage, nepotism and cronyism.

The legislation is not all bad. The Opposition supports some parts of it. It will always support any initiatives that are aimed at improving efficiency in the public service.

Clause 6, for instance, sets out six principles of public administration which, in the Minister's words—

"...underpin the legislation and provide a new framework for the management of the public service."

The Opposition certainly can have no argument with those principles outlined in clause 6.

Clause 7, likewise, sets out six principles of personnel management. Those principles enhance the concept of merit, equity and natural justice in the management of people and ensure that human resources are developed and deployed in the most cost-effective manner.

How could anybody argue with words like that? Unfortunately, they are just words. They are counter-acted or negated by other clauses. Clause 7, to which I have just referred, which sets out the principles of personnel management, is negated by clause 20, which relates to employment on contract. I will return to that in a moment.

The three innovations in the legislation for which the Labor Party would like to compliment the Government are, firstly, that the rewriting of the Public Service Act has dropped reference to indictable offences from the grounds on which an officer of the public service is liable for disciplinary action.

From clause 29 the phrase “or committed an indictable offence” has been removed. That removes the double, or sometimes triple penalty that has long applied in the public service, by which a person can be charged and convicted in the civil courts and then lose his or her employment, making a double penalty. Of course, if he or she also happens to lose his or her superannuation, it can become a triple penalty. That has happened at times in the public service for relatively minor offences and offences that relate in no way to the effective carrying-out of that person's public service duties.

Mr Hinton: Marijuana offences.

Mr De LACY: Yes, there were some celebrated cases such as the smoking of marijuana by teachers or others on a Sunday afternoon, behaviour that did not relate to the efficient and thorough performance of that person's occupation.

The second part that we believe is worthwhile and for which the Government ought to be complimented is that the Government did not proceed with clause 15, wherein it was provided initially that an acting chief executive could be appointed from anywhere at all. It now provides that the Minister can authorise any officer to be an acting chief executive, which I interpret as meaning that that person must come from the public service. That was an area that caused some concern to us in the first instance.

Thirdly, there is a section that has now clarified the jurisdiction of the Industrial Commission. Clause 39 states that a person in public employment is an employee in industrial law and is subject to the jurisdiction of the Industrial Conciliation and Arbitration Commission. I have had some discussions with the trade unions, and I understand that this provision has been inserted at their behest. However, it was not in the initial draft of this legislation——

Mr Austin: As a result of consultation.

Mr De LACY: As the Minister says, it was inserted as a result of consultation.
I am at the stage in my speech where I compliment the Minister for consulting with the unions. That has been appreciated.

However, the fundamental objection of the Opposition is threefold. The first and foremost objection of the Opposition relates to contracts. This legislation is a repudiation of the Government's commitment to public servants last year when it said that they would not be subject to, or affected by, the amendments to the industrial legislation which provided for voluntary employment agreements—commonly called contracts. This legislation is obviously a clear repudiation of that commitment. In fact, the contracts provided for in this legislation are much more severe. I wonder whether last year, when the Government gave that commitment to the public service unions that it would not include them under the umbrella of the VEAs, it did not know that this legislation was pending.

I say that this legislation is much more severe because it does not provide for voluntary agreements; it provides for compulsory agreements. It does not even require the subterfuge of agreement by 50 per cent of the work-force. It is also not subject to perusal by the Industrial Conciliation and Arbitration Commission, as are the VEAs.

In other words, the situation now is that a private agreement is being reached, and anybody with any knowledge of the history of industrial relations in this or any other part of the world will know the way in which private agreements can be, and always are, exploited to the disadvantage of the employee.

The Minister has said that it is Government policy to offer contracts only to employees of a classification I-15 or above and that this will apply to only 4 per cent of the public service. If that is the case, why does the Government not put it in the legislation? There is nothing in the legislation which says that it will apply only to a certain section of the public service. There are no restrictions in the legislation. So all that public servants can do is believe the Government or not believe the Government. My question is: why should public servants believe the Government?

Last year the National Party Government of Queensland lost the trust—the faith—of the Government employees. It lost their faith when it proposed to remove the 17½ per cent leave loading. Prior to the 1986 election, Sir Joh Bjelke-Petersen said that the leave loading was safe. The Minister for Employment, Mr Lester, said on a number of occasions that the 17½ per cent leave loading would not be eliminated. He said that it was quite impossible for it to go. He said that it would be counter-productive to remove it. He said that Labor was using scare tactics by suggesting that the 17½ per cent leave loading would go.

As is now recorded in history, soon after the election the State Government decided to remove the 17½ per cent leave loading. Members of the Government may say that they did not proceed with that decision, but that was not because of any compassion or feeling for their workers; it was because of the campaign that was mounted by public servants throughout Queensland. The Government began to see that it is not possible to function properly if it loses the trust and support of its own public service.

Mr Vaughan: They are proceeding now.

Mr De Lacy: The honourable member is right.

My question is: why would the public servants believe this Government? The history of this Government has always been anti-worker and anti-public servant. There is no reason for the public servants to believe the Government. They have every reason to be suspicious.

If the legislation is not to apply to employees below classification I-15, that ought to be written into the legislation. If it is not written into the legislation, public servants are entitled to believe that it applies, or ultimately will apply, to all public servants. The public servants in Queensland will have lost the umbrella of their trade union, the protection of an award and also the right to appeal to and be protected by the Industrial Commission.
I know that, when contracts involving the jumping of a few classifications are offered to public servants, some will jump at such a contract. Believe me, they will rue the day when they throw away the protections that they have known for many, many years. They will rue the day that they sacrificed those protections for a short-term monetary gain.

Mr Austin: That has not happened in South Australia.

Mr De LACY: What has not happened?

Mr Austin: They are not ruing the day about contracts in South Australia.

Mr De LACY: I cannot talk about what has happened in South Australia; I just know that, when the stage is reached at which individual public servants, particularly lower-level public servants, are negotiating directly with the Government for their conditions of employment, and even salaries, their negotiating position will alter from one of strength to one of weakness. Anybody who knows something about industrial history would agree with what I have said.

The second ground on which the Opposition opposes the legislation vigorously is the way in which retrenchments have now been written into the legislation. Clause 28 provides the legislative prerogative for retrenchments. I know that discussions have taken place with the unions about retrenchment packages and so forth. However, once retrenchments are written into the legislation and power is given to chief executives to overcome their budgetary difficulties by retrenching employees, it will not be the last option; it will be the first option. That is what happens in private industry. It will happen—it inevitably will happen—and it will always happen to the people at the bottom.

Mr Austin: Every State and Commonwealth agreed.

Mr De LACY: I do not care what every State in the Commonwealth has done. The Minister is destroying the principle of security of tenure in the public service. That will have long-term consequences that are not in the best interests of the public service or the individuals in the public service.

The ALP rejects the concept of redundancy and retrenchments introduced into a career area. Once the concept of retrenchments is inserted into legislation and mixed up with the idea of contracts, security of tenure is a thing of the past. What we call the Westminster system of government will no longer exist. We are starting on the Americanisation of the public service in Australia. I know that many people, including members on the Government side of the Chamber and many people in the private sector, look with some jealousy at public servants because of the tenure that they enjoy. That does not mean that it is bad or that it is all bad.

The fundamental principle of employment with the big corporations in Japan is security of tenure. Government members never tire of lecturing the Australian work-force about the productivity of the Japanese work-force. Security of tenure does not necessarily mean reduced productivity; that a good work-force cannot exist. The Labor Party does not accept that one necessarily follows the other.

Mr Austin: That's by contract, in Japan, isn't it—security of tenure?

Mr De LACY: No, it is not at all. Japan has its large corporations and its large work-forces. Japanese employees are guaranteed employment for life.

Mr Vaughan: Compulsory unionism, too.

Mr De LACY: Compulsory unionism and employment for life; that is right.

The Labor Party believes that one of the objectives that has become apparent from the State Government's activities is its desire to prune the public sector. As long as services are maintained, that is okay. However, if public services are being traded for private services, what is the benefit, unless those services are more efficient? The
Government says that because those services are public, they are not efficient. That is not necessarily so.

If services are privatised, the cream of those services is given away and the Government is left with the less profitable services. As a result, in the long term that action does not save money.

There is a third aspect of the legislation to which the Labor Party is opposed. We believe that it has sounded the death-knell to the independent public service. It is the beginning of the Americanisation of the public service.

I note that most of the contracts will be for five years. I suggest that they be reduced to three years, because what will happen is what is happening in America; once a new Government comes to power, it sacks all of the previous administration's public servants—particularly those in the upper levels—and appoints its own. To a certain extent, that appears to be occurring in New South Wales and it will happen in Queensland with a change of Government.

Parliaments in Australia have operated under the Westminster system of government in that public servants serve the Government that is in power without fear or favour. This Government is doing away with that system, and it is playing with dynamite. It is doing away with a system that has served Queensland well for many years.

This Government's destruction of the independence of the public service begins with the unfettered powers that it is giving to the chief executive. Section 3 of clause 12 on page 7 of the Bill says it all; it delineates the responsibility of the chief executive. The ambit of his influence is total. The chief executive has the power to appoint, promote, discipline, fire, retrench, and set conditions and salaries. There will be no Public Service Board to oversee the operation or curb any excesses.

The Government has claimed that that provision will introduce flexibility. However, a fine line exists between flexibility, nepotism, cronyism, patronage, etc., which will occur much more often than they have in the past.

Chief executives will be going off on their own tangents. There is plenty of evidence of the capacity of senior public servants to do that. The Labor Party believes that the Government will be sorry that it has unleashed that tiger.

I understand that this legislation had its genesis in the Savage report. It puts in place mechanisms by which the recommendations of the Savage committee will be implemented.

Honourable members will recall that the thrust of those recommendations was to destabilise a permanent, secure public service in favour of casual employment; promote the concept of small government; privatise as many sections of the public service as possible; and contract work out to the private sector. Honourable members can imagine what it would be like if 26 permanent heads were all diving off in their own directions!

It could even lead to the very thing that the Government does not want, that is, industrial anarchy. It could happen that the unions would be playing off one department against the other because public service awards or conditions of service would not apply any longer. The prospects for rorts, patronage and nepotism are immense. Before the last State election, Sir Roderick Proctor spoke about cronyism in this Government. More, not fewer, controls are needed. Mechanisms should be introduced which stop cronyism, not allow it to be introduced.

Can honourable members imagine who the new public servant will be serving? Will he be serving the public or the Government in power? For "Government in power" read "party in power". In this case, of course, it will be the National Party in power. Under this proposed system, if the Labor Party were in power, the public servant would be serving the Labor Party. That is not the way it ought to be. That is not the system under which we have grown up.

Can it be imagined what a public servant will be doing towards the end of his five-year contract? Will he be out serving the public or ingratiating himself with the hierarchy
in the public service and, through that hierarchy, with the Minister and the Governor in Council?

Mr Ardill: There is no doubt about the answer to that question.

Mr De LACY: Exactly.

I think this Government's record speaks for itself. When it has had an opportunity to involve itself in appointments to the public service or statutory authorities it has always selected the person who has had the right political affiliation, not the person who has had the right qualifications. I know that it has been going on. But the fact that it has been going on does not mean that it ought to be facilitated. I know that it has happened more in certain departments than in others. It depends upon the Minister concerned. I understand that in the Education Department the stage was reached at which every regional director was a card-carrying member of the National Party. If a move is made in that direction, inevitably the situation will be reached when, after a change in Government, half the public service will have to be got rid of. I cannot see how that will assist in getting a fruitful service that looks after the public.

Mr Hinton: Are you going to politicise the public service?

Mr De LACY: I am saying that the public service should not be politicised. That is what I am arguing.

Mr Sherrin: Are you saying you are going to get rid of half the public service?

Mr De LACY: If the honourable member does not listen, I cannot take his interjections. What I am saying is that if people are to be appointed on the basis of their political affiliation, it is inevitable that when a new Government of a different political persuasion takes over, the same thing will happen as happens in the United States, that is, the new Government gets rid of the public servants and appoints its own public servants. It is as certain as night follows day. If the honourable member cannot follow that, it is no wonder that he is supporting this legislation. He cannot see the nose on his face.

This Government has a very unenviable record when it comes to interfering with appointments within and without the public service—certainly in statutory boards. Last week the Minister, Mr Tenni, said that people would be appointed to port authorities and electricity authorities on the basis of their ability or expertise. What a nonsense! Could honourable members imagine this Government ever doing that?

Government members interjected.

Mr Hamill: I think you are getting some fraudulent interjections from over there.

Mr De LACY: Exactly. They are not very intelligent ones.

If one wants an example of Government interference in the appointment of heads of public service, one needs only look at the appointment of the Police Commissioner. Look at the sorts of persons whom the Government appoints.

Just this week I obtained a letter, which will very strongly make the point to which I am alluding. This letter was written to Mr Mike Ahern, the Premier of Queensland. The letter was written by a disaffected supporter—a person who had been a long-term National Party supporter. This person is one of those people from the heartland who think that the National Party is not doing the right thing by the people who have supported it; that members of the National Party are making a mockery of the principles that have been espoused over the years. It is a fairly long letter. I do not intend to read it all, but I will table it shortly. The letter states—

"Then of course there are the new employment practices in the public service. I saw the abolition of the Public Service Board as the start of a Brave New World and the introduction of a contracts system as long overdue."

The poor, misguided man!
"But what I find hard to understand is how you could allow some of your Ministers to make such a mockery of the system and in the process totally demoralise and politically alienate so many people."

This is what will happen and must happen to the public service system under the proposals in this Bill. The person who wrote the letter went on to state—

"Vince Lester is the perfect example. Here you have a Minister who has apparently been able to get away with all of those things you said would no longer occur.

His ex-private secretary (Kevin Edwards) becomes an Industrial Commissioner. (This doesn’t just hurt the legal and industrial system but upsets major industry groups).

His ex-electorate secretary (Val Newton) becomes the associate to the new Industrial Commissioner (both have difficulty putting ten words down on paper, can you imagine the judgements?).

His ex-liaison officer (Colleen Anger) becomes General Manager of the Small Business Development Corporation.

His ex-typist (Sue Kimmins) becomes his senior private secretary (having prior to this become a I-3 without meeting the basic educational requirement of Senior).

His ex-campaign committee (Joanne Miller and Paul Wildman) become I-15s in their respective areas without any talent or aptitude other than the ability to tell Mr Lester what a great man he is—and that he’ll be the next Deputy Premier (God help us!)."

They are his words, not mine. The letter goes on to state—

"The two daughters of his electorate council chairman (Tighe) get the only typing jobs in his Clermont (why the hell have an office in Clermont?) and Rockhampton offices—and each girl is equally useless.

His shire clerk’s daughter (Amanda Purdie) becomes the Deptl. Liaison Officer.

A model type, Barbara Irish, (no qualifications) he met socially becomes yet another Liaison Officer before being dumped on the Department.

His local Capella teacher (Vicki Collins) becomes the new Departmental Research Officer.

His girlfriend (Sheree Lockyer) becomes another Liaison Officer on a I-l (straight from school), receives an unmarked Government car and miraculously obtains"—

Mr LESTER: Mr Deputy Speaker, I rise to a point of order. I have no girlfriends. I ask that at least that section be withdrawn. I might add that a lot of that document is totally inaccurate. A lot of it is quite inaccurate.

Mr DEPUTY SPEAKER (Mr Row): Order! The Minister rises on a point of order about certain personal comments. I agree that the comments are unparliamentary. I ask the honourable member to withdraw any reference to personal matters.

Mr Hamill: It is not the Minister’s girlfriend that that person is talking about.

Mr DEPUTY SPEAKER: Order!

Mr De LACY: Mr Deputy Speaker, I withdraw.

Mr DEPUTY SPEAKER: Order! I warn the honourable member for Ipswich under Standing Order 123A.

Mr De LACY: I am making no personal judgments at all. I was only reading from the letter. I think it substantiates the point that I am trying to make; that is, if this legislation is passed by the Parliament, the type of appointments referred to will be made in the public service. I apologise to the Minister. I withdraw those remarks because I am not making those judgments myself. I am merely reading from the letter.
The document goes on to state—

"As so it goes on.

He sacks people (which no one would dispute is his right) but finds it difficult to do so without publicly humiliating them first in front of their peers, e.g. Roy Wallace, Joan Pine, Graham Swan."

I will not read any more of the letter because I know that it is offending the Minister. However, I would like to——

Mr DEPUTY SPEAKER: Order!

Mr LESTER: I rise to a point of order. I would like to think that——

Mr DEPUTY SPEAKER: The Minister should state his point of order.

Mr LESTER: The remarks contained in the letter are offensive because they are not true. I certainly have not sacked Graham Swan. Moreover, Roy Wallace has resigned. I think that those matters should be clarified.

Mr DEPUTY SPEAKER: Order! The Minister is competent to counter the remarks later. In the meantime, I understand that the member for Cairns intends to table the letter. The Minister can deal with it later.

Mr De LACY: I table the document.

Whereupon the honourable member laid the document on the table.

Mr De LACY: The point I am making is that this legislation will destroy the independence that has been an immutable feature of the public service in Queensland and Australia. Australians have grown up with the British system; it has served them well and it ought to be retained. The reason why I read from that letter is because it demonstrates what will inevitably happen once politicians become involved in the appointment of public servants.

Mr Hamill: Are you suggesting that nepotism will be rife?

Mr De LACY: Nepotism, patronage and cronyism will be rife. All those things will become a conspicuous feature of the public service in Queensland.

I will summarise by outlining what will destroy the independence of the public service: the enhanced role of the Minister, and through him, the Executive Council; the unfettered powers which are given the chief executive; the concept of contracts; the concept of promotion on merit, which in itself is okay, but allied to all these other matters it will not be okay; the removal of the role of the Industrial Commission; the truncation of the appeal system; and the notion of putting people on probation after promotion. When all those things are added together, I am sure that everyone will agree that the independence of the public service in Australia will be seriously diminished.

There are a few other points that I wish to raise. Clause 22——

Mr DEPUTY SPEAKER: Order! I cannot allow a discussion of the clauses until the Committee stage.

Mr De LACY: Page 13 of the Bill refers to the advertisement of vacancies, but goes on to say that in certain circumstances vacancies do not have to be advertised. Later on the Bill refers to the publication of appointments, but then states that in certain circumstances appointments do not have to be published. What can be read into that? This means that it will be possible to secretly appoint people to the public service and neither advertise their jobs nor publish their appointments. I do not know why that provision is in the Bill. I can only interpret it as allowing Ministers the opportunity to put the kinds of people that I referred to before into the public service without drawing attention to them.

A clause regarding probation has been introduced into this legislation. I understand that there may be some circumstances in which probation is necessary, but when a
person is promoted in similar area within the public service, for example a schoolteacher
being promoted from class. 4 to class. 3, the Opposition cannot see the need for that
person to serve six months' probation. The Opposition believes that this provision will
overload the inspectorate system within departments, because after six months some
form of appraisal or inspection will have to be carried out. I do not know what has
occurred within the public service that warrants the introduction of probation. There
has always been a probationary period when people were appointed to the public service,
but not when they were promoted within the public service. It certainly does not say
much for the promotion system which will be introduced if there has to be a six-month
probation period.

Mr Vaughan: That is not streamlining things very much, is it?

Mr De Lacy: No, I believe that it does the opposite. It is contrary to the objectives
of this legislation. Instead of making it simpler and easier, it is becoming more
cumbersome and increasing the number of staff who are responsible for looking after
other staff, rather than increasing the staff in productive areas.

I wish to comment briefly on the appeals system. This legislation provides for a
single commissioner for public service appeals for both promotion and discipline. We
in the Opposition are opposed to this because we believe in the previous system and
that the status quo should remain. I have not heard complaints about the disciplinary
appeals system, which was working well. Perhaps the only complaints came from Ministers
who have been unable to get rid of somebody from the public service.

Until now the appeals system had a permanent chairman, a representative of the
Crown and a representative of the trade union concerned selected from a panel. All
sides were represented and people were allowed to appeal against disciplinary action. As
far as I am aware, this has not caused any problems. Why that has to be changed, I do
not know. The Labor Party finds it very difficult to support that.

The Government intends to replace that system with a very superficial means of
appeal, but it will really be a case of Caesar appealing unto Caesar. If the appeals system
is not seen to be fair and just, obviously it will not be supported by the work-force and
that will lead to a breakdown in morale and a variety of other things.

I confess that the promotions appeal system had its faults. There was a need to
look at it, but it has been suggested that, by trying to streamline the appeals system, the
Government is only fiddling with the symptoms and not addressing the problem. If
people have confidence in a promotions system, they are less likely to overload the
appeals system. I know that at one stage the Education Department had a joint union
and departmental panel that used to vet, or scrutinise, promotions before they were
made. That tended to ensure a degree of honesty and integrity was involved in promotions;
people started to accept the system and did not make pointless appeals. I know of cases
of ghost appeals, but that sort of thing occurs only when people do not believe in the
system. When the promotions system is not working, the appeals system becomes
overloaded. The Government should have paid more attention to the promotions system
rather than the appeals system. It is tackling the problem from the wrong end.

The Opposition believes in the need for an efficient and productive public service.
We would not want to be arguing for the retention of procedures that militate against
the formation of an efficient public service. However, much of the rhetoric that has gone
towards justifying this new public service legislation is private-enterprise rhetoric. I am
not sure that in all cases it can apply to the public service. It is very difficult to apply
the same standards of cost effectiveness performance criteria and certainly the profit
motive to a public service, because, by definition, a public service is there to serve the
public.

At times it is very difficult to quantify performance. I can remember the story of
a policeman up at Kuranda, which is not too far from where I live. He was a very good
policeman who used to intervene in troubled areas before the trouble got out of hand.
He would walk around the hotels at night and suggest that people go home and he
would talk to people who were driving badly and so forth. He did not get the required numbers on the kill sheet, so, because of non-performance, he was transferred. If the Government starts to try to quantify performance in the public service, they will find that they may be rewarding those who are not doing the best kind of job.

In any work-force at all, productivity and efficiency depend to a large extent on loyalty and morale. For the whole of this century Queensland has had a very loyal public service. I believe that much of that loyalty to this Government was probably misplaced, because there is no doubt that, since 1985, it has proved to be an anti-worker Government. It has probably always been an anti-worker Government. However, since that rush of industrial legislation in 1985, it has been obvious that the Government hates the worker. Why would the workers—the public servants of Queensland—have loyalty to the Government? That loyalty certainly was not rewarded last year when the Government endeavoured to take away the 17½ per cent annual-leave loading from the public servants.

The other point is that employees need to have morale. It is the most important thing of all if productivity is to be sustained. If we are talking about retrenchments, contracts and redundancies, if we are doing away with security of tenure and if we are politicising the public service, we will be destroying morale. At present, morale in the public service is pretty low. This type of legislation will not do anything to improve that morale.

Many public servants in Queensland feel they are under siege. Honourable members should wait until these discrepancies start to occur between different departments, when one departmental person finds that he or she will not be paid as much as somebody in another department. We cannot blame public servants for being suspicious about the motivation behind the legislation.

In conclusion, I state that the Labor Opposition cannot and will not support this legislation. It does not believe that it is in the best interest of the public service and it does not believe that it is in the best interests of Queensland.

Debate, on motion of Mr Austin, adjourned.

The House adjourned at 2.27 a.m. (Thursday).